

March 21, 2017

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1247

Page 1, line 1, remove "create and enact a new section to chapter 26.1-40 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to duplicate motor vehicle insurance coverage; and to"

Page 1, line 3, remove "and"

Page 1, line 4, after "26.1-40-01" insert ", and section 26.1-40-09"

Page 1, line 20, after "**coverage**" insert "**- Termination of coverage when another policy in force - Notice**"

Page 1, line 21, overstrike "If" and insert immediately thereafter "Notwithstanding the failure of an insurer to comply with sections 26.1-39-13 through 26.1-39-16, if"

Page 2, line 2, after "premium" insert "and written notice must be mailed or delivered to the named insured"

Page 2, replace lines 11 through 18 with:

**"SECTION 4. AMENDMENT.** Section 26.1-40-09 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-40-09. Duplicate coverage - Termination of coverage when another policy in force - Notice.**

Notwithstanding the failure of an insurer to comply with sections 26.1-40-01 through 26.1-40-12, termination of any coverage under the policy either by cancellation or nonrenewal is effective on the effective date of any other policy providing similar coverage on the same motor vehicle or any replacement of the motor vehicle if an insured obtains a replacement policy providing equal or more extensive coverage for a motor vehicle covered in both policies, the first insurer's coverage of that motor vehicle may be terminated either by cancellation or nonrenewal. The termination is effective on the effective date of the second policy providing duplicate replacement coverage. Upon termination, the insured is entitled to a refund of the premium and written notice must be mailed or delivered to the named insured."

Re-number accordingly