

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 HOUSE BILL 3093

By: Tedford

4
5
6 AS INTRODUCED

7 An Act relating to insurance; amending 36 O.S. 2021,
8 Section 942, which relates to motor vehicle policies
and when traffic record may be basis for rate changes
9 or cancellation; modifying record requirements;
10 amending 36 O.S. 2021, Section 943, which relates to
cancellation of motor vehicle insurance policy,
11 increasing premium rates, or refusal to issue or
renew policy; prohibiting certain actions after
12 filing first claim; modifying hearing language; and
providing an effective date.

13
14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 36 O.S. 2021, Section 942, is
16 amended to read as follows:

17 Section 942. Any insurance carrier that issues motor vehicle
18 liability or collision insurance policies in this state shall not
19 establish or apply premium rates, increase premium rates, cancel a
20 policy, or refuse to issue or renew a policy, based on any traffic
21 record ~~maintained by the Department of Public Safety~~ which covers a
22 period of time more than three (3) years prior to the date the
23 insurance carrier makes a determination to take any such action;
24 provided however, those offenses that are provided for in subsection
--

1 C of Section 941 of this title and the offense of reckless driving
2 as provided for in Section 11-901 of Title 47 of the Oklahoma
3 Statutes may be considered by an insurance carrier for a period of
4 not more than five (5) years.

5 SECTION 2. AMENDATORY 36 O.S. 2021, Section 943, is
6 amended to read as follows:

7 Section 943. A. No insurance carrier who issues motor vehicle
8 policies in this state shall use traffic complaints, traffic
9 citations or other legal forms of traffic charges as a basis for
10 cancellation of a motor vehicle insurance policy, increasing premium
11 rates for a motor vehicle insurance policy or refusing to issue or
12 renew a motor vehicle insurance policy, where:

- 13 1. the insured was acquitted of the charge;
- 14 2. the insured was arrested and no charges were filed; or
- 15 3. the insured was arrested and the charges were dismissed.

16 B. No insurer shall cancel, refuse to renew or otherwise
17 terminate, or increase the premium of a motor vehicle policy, which
18 has been in effect more than forty-five (45) days, solely because
19 the insured filed a first claim against the policy.

20 C. The Insurance Commissioner may suspend or revoke, after
21 notice and opportunity for a hearing, the certificate of authority
22 to transact insurance business in this state of any insurance
23 carrier violating the provisions of this section or may censure the
24 insurer or impose a fine.

1 SECTION 3. This act shall become effective November 1, 2024.

2
3 59-2-9054 MJ 12/07/23
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
--