

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 HOUSE BILL 3093

By: Tedford of the House

5 and

6 **Pemberton** of the Senate

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8
9 AS INTRODUCED

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

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17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

20 Section 942. Any insurance carrier that issues motor vehicle
21 liability or collision insurance policies in this state shall not
22 establish or apply premium rates, increase premium rates, cancel a
23 policy, or refuse to issue or renew a policy, based on any traffic
24 record ~~maintained by the Department of Public Safety~~ which covers a

1 period of time more than three (3) years prior to the date the
2 insurance carrier makes a determination to take any such action;
3 provided however, those offenses that are provided for in subsection
4 C of Section 941 of this title and the offense of reckless driving
5 as provided for in Section 11-901 of Title 47 of the Oklahoma
6 Statutes may be considered by an insurance carrier for a period of
7 not more than five (5) years.

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

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

- 16 1. the insured was acquitted of the charge;
- 17 2. the insured was arrested and no charges were filed; or
- 18 3. the insured was arrested and the charges were dismissed.

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

23 C. The Insurance Commissioner may suspend or revoke, after
24 notice and opportunity for a hearing, the certificate of authority

1 to transact insurance business in this state of any insurance
2 carrier violating the provisions of this section or may censure the
3 insurer or impose a fine.

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

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6 COMMITTEE REPORT BY: COMMITTEE ON INSURANCE, dated 02/13/2024 - DO
7 PASS, As Coauthored.

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