

FIRST REGULAR SESSION

SENATE BILL NO. 533

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR JACOB.

Read 1st time February 21, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

2051S.011

AN ACT

To amend chapter 379, RSMo, by adding thereto one new section relating to safety course and auto insurance premium discounts for persons fifty-five years of age and older.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 379, RSMo, is amended by adding thereto one new section, to be known as section 379.199, to read as follows:

379.199. 1. Any rates, rating schedules, or rating manuals for the liability, personal injury protection, and collision coverages of a motor vehicle insurance policy submitted to or filed with the director of the department of insurance shall provide for an appropriate reduction in premium charges as to such coverages when:

(1) The principal operator on the covered vehicle is an insured fifty-five years of age or older; and

(2) Such operator successfully completes a motor vehicle accident prevention course approved by the division of motor vehicle and driver licensing of the department of revenue.

2. The premium reduction required by this section shall be effective for a three-year period after successful completion of an approved course. Such period shall begin on the date the insured receives the certificate described in subsection 3 of this section.

3. Any organization offering an approved course shall issue a certificate to each person who successfully completes such approved course. Each such person shall use such certificate to qualify for the premium discount required by this section. Each participant shall take an approved course every three years to continue to be eligible for the reduction in premiums provided by this section.

4. No insurer shall be required to give a premium reduction pursuant to this

section unless such reduction is actuarially sound. Any premium reduction given by an insurer pursuant to this section shall be presumed appropriate unless creditable data demonstrates otherwise. The insurer may also require, as a condition of providing and maintaining the premium reduction required by this section, that the insured shall not be involved in an accident in which the insured is at fault during the three-year period described in subsection 2 of this section.

5. This section shall not apply in the event that a court or other governmental entity has recommended, mandated or otherwise specified that such approved course be taken.

6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

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