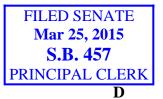
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2015



SENATE DRS15192-MH-96 (03/12)

Short Title:	SDIP Opt-Out.	(Public)
Sponsors:	Senator Meredith (Primary Sponsor).	
Referred to:		

1		A BILL TO BE ENTITLED	
2	AN ACT TO ALLOW AUTOMOBILE INSURERS TO ESTABLISH AND IMPLEMENT		
3	INSURER-SPECIFIC DRIVER INCENTIVE PLANS.		
4	The General Asse	embly of North Carolina enacts:	
5	SECT	TON 1. G.S. 58-36-65 is amended by adding a new section to read:	
6	" <u>(n)</u> <u>Notwi</u>	thstanding any other provision of law, on or after September 1, 2016, an	
7	insurer writing nonfleet private passenger motor vehicle insurance may, instead of setting rates		
8	pursuant to the Safe Driver Incentive Plan under subsection (b) of this section, elect to develop,		
9	file, and impler	nent an insurer-specific driver incentive plan in accordance with the	
10	requirements of this subsection. An insurer that makes no election shall implement the Safe		
11	Driver Incentive Plan as filed by the North Carolina Rate Bureau.		
12	<u>(1)</u>	Contents of insurer-specific plan The insurer-specific driver incentive plan	
13		shall adequately and factually distinguish among various classes of drivers	
14		that have safe driving records and various classes of drivers that have a	
15		record of at-fault accidents; a record of traffic violations; or a combination	
16		thereof; and that provides for premium differentials among those classes of	
17		drivers that may provide for surcharges above and discounts below the rate	
18		otherwise charged.	
19	<u>(2)</u>	Procedures; revisions The insurer shall make its election by notifying the	
20		Commissioner in a form prescribed by the Commissioner. An election shall	
21		remain in effect until revised by the insurer. The driver incentive plan for an	
22		insurer electing to implement its own plan shall be filed with the	
23		Commissioner prior to its implementation, and may be amended by the	
24		insurer provided that any such amendment shall apply only to policies	
25		written or renewed at least 30 days after filing the amended plan with the	
26		Commissioner.	
27	<u>(3)</u>	Scope of plan The plan shall apply only to drivers, risks, and coverages	
28		that have not been ceded to the North Carolina Reinsurance Facility and the	
29		provisions of the Safe Driver Incentive Plan as developed and promulgated	
30		by the North Carolina Rate Bureau shall have no effect or application to	
31		drivers, risks, and coverages retained by an insurer that has made an election	
32		under this subsection and filed a driver incentive plan with the	
33		Commissioner."	
34	SECT	TON 2. G.S. 58-36-75 is amended by adding a new subsection to read:	



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	General Assembly of North Carolina	
1	"(i) The provisions of this section shall have no effect or ap	plication to drivers, risks,
2	and coverages retained by an insurer that has elected to and has filed	an insurer-specific driver
3	incentive plan with the Commissioner under G.S. 58-36-65(n)."	

4 **SECTION 3.** This act is effective when it becomes law.