

SENATE FILE NO. SF0016

Insurers' use of accident information.

Sponsored by: Senator(s) Johnson

A BILL

for

1 AN ACT relating to insurance; prohibiting insurers from
2 adjusting personal automobile policy ratings, premiums and
3 nonrenewals based on certain accidents; specifying
4 applicability; and providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 26-14-105(b)(i) and by creating a new
9 subsection (d) is amended to read:

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11 **26-14-105. Rating standards; methods.**

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13 (b) Risks may be classified in any way except that no
14 risk may be classified in whole or in part on the basis of
15 race, color, creed or national origin. In determining
16 whether rates in a noncompetitive market are excessive,

1 inadequate or unfairly discriminatory, consideration may be
2 given to the following elements:

3

4 (i) Basic Rate Factors. - Consideration may be
5 given to past and prospective loss and expense experience
6 within and outside of this state, to catastrophe hazards
7 and contingencies, to events or trends within and outside
8 of this state, to dividends or savings to policyholders,
9 members or subscribers and to all other factors and
10 judgments deemed relevant by the insurer, except as
11 otherwise prohibited in this code;

12

13 (d) No insurer shall for any private passenger
14 automobile liability or collision insurance classify risk,
15 establish or adjust premiums, or cancel or nonrenew the
16 policy based on any event causing personal or property
17 damage for which the insured never filed any claim and as
18 the result of which the insurer made no payment. Nothing
19 in this subsection prohibits an insurer from classifying
20 risks, establishing or adjusting premiums or canceling or
21 nonrenewing any such policy based upon a violation of law,
22 unless such action is otherwise prohibited by law.

23

1 **Section 2.** The provisions of this act shall apply to
2 insurance policies delivered, issued for delivery or
3 renewed in this state on or after the effective date of
4 this act.

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6 **Section 3.** This act is effective July 1, 2008.

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8

(END)