

2020 Regular Session

HOUSE BILL NO. 808

BY REPRESENTATIVE MAGEE

INSURANCE/RATES: Provides for premium discounts on motor vehicle insurance when an insured consents to have data provided to third parties

1 AN ACT

2 To amend and reenact R.S. 22:1457(D) through (G) and to enact R.S. 22:1457(H), relative
3 to motor vehicle insurance rate reductions; to provide for a rate reduction when an
4 insured consents to provide data to third parties; to require an insurer to seek and
5 obtain consent before providing data to third parties; to provide for applicability; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1457(D) through (G) are hereby amended and reenacted and R.S.
9 22:1457(H) is hereby enacted to read as follows:

10 §1457. Discounts; rate reductions

11 * * *

12 D.(1) An insurer who delivers or issues for delivery in this state any policy
13 for motor vehicle insurance coverage shall grant a ten percent reduction in the
14 premiums charged for the automobile insurance policy upon the named insured
15 consenting to have data that has been collected from the named insured through a
16 safe driving program, application, or telematics device shared with or sold to any
17 third party.

18 (2) Prior to providing a named insured's data to a third party, an insurer shall
19 seek and obtain consent from the named insured.

1 (3) Nothing in this Subsection alters or limits the ability of an insurer who
2 delivers or issues motor vehicle insurance coverage to collect data from a named
3 insured as part of a safe driving program, application, or telematics device.

4 ~~D. E.~~ A rate reduction shall be authorized by the commissioner, if actuarially
5 justified, upon application of a rate filing by the carrier on motor vehicle liability and
6 physical damage insurance for coverage of any motor vehicle when the insured
7 vehicle is equipped with daytime running headlights or headlights equipped to
8 activate in inclement weather.

9 ~~E. F.~~ A rate reduction shall be authorized by the commissioner, if actuarially
10 justified, upon application of a rate filing by the carrier on motor vehicle liability and
11 physical damage insurance for coverage of any motor vehicle when the insured
12 vehicle is equipped with a global positioning system (GPS) or a vehicle tracking
13 system which aids in the recovery of stolen vehicles as such system shall be further
14 defined by rules and regulations promulgated by the Department of Insurance.

15 ~~F. G.~~ For fire insurance rates, all insurers shall assign the fire protection
16 grade of the fire servicing area where the property of the insured is located, provided
17 that the property is located within seven road miles of the nearest responding fire
18 department.

19 ~~G. H.~~ Any insurer who makes application to the commissioner for a rate
20 filing shall provide in its application details as to what discount or reduced rate will
21 be given to insureds who comply with the State Uniform Construction Code.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 808 Engrossed

2020 Regular Session

Magee

Abstract: Provides for additional premium discounts when an insured consents to provide his data that has been collected by a motor vehicle insurer to third parties.

Proposed law requires an insurer to provide an insured with a 10% premium reduction when an insured gives consent to allow the insurer to share with or sell to a third party the named insured's data that has been collected through a safe driving program, application, or telematics device.

Proposed law requires an insurer to seek and obtain consent before providing a third party with the named insured's data.

Proposed law redesignates present law.

(Amends R.S. 22:1457(D)-(G); Adds R.S. 22:1457(H))