

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-423
HOUSE BILL 164**

AN ACT TO AUTHORIZE AUTOMOBILE INSURANCE PREMIUM DISCOUNTS FOR CERTAIN PERSONS WHO COMPLETE ACCIDENT PREVENTION COURSES; TO CLARIFY THE INSURANCE LAW BY PROVIDING THAT THE COMMISSIONER'S APPROVAL OR DISAPPROVAL OF A FILING IS NOT AN AGENCY DECISION WITH RESPECT TO PERSONS OTHER THAN THE FILER OR AN INTERVENOR IN THE FILING; AND TO EXTEND THE EFFECTIVE DATE FOR A LAW FACILITATING THE PURCHASE OF PERSONAL UMBRELLA INSURANCE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 58-36-30(d) reads as rewritten:

"(d) Notwithstanding any other provision of law prohibiting insurance rate differentials based on age, with respect to nonfleet private passenger motor vehicle insurance under the jurisdiction of the Bureau, any member of the Bureau may apply for and use in this State, subject to the Commissioner's approval, a downward deviation in the rates for insureds who are 55 years of age or older. A member of the Bureau may condition a deviation under this subsection or a deviation under subsection (a) of this section on the successful completion of a motor vehicle accident prevention course that has been approved by the Commissioner of Motor Vehicles, as designated in the deviation."

SECTION 2. Article 2 of Chapter 58 of the General Statutes is amended by adding a new section to read:

"§ 58-2-53. Filing approvals and disapprovals; clarification of law.

Whenever any provision of this Chapter requires a person to file rates, forms, classification plans, rating plans, plans of operation, the Safe Driver Incentive Plan, or any other item with the Commissioner or Department for approval, the approval or disapproval of the filing is an agency decision under Chapter 150B of the General Statutes only with respect to the person making the filing or any person that intervenes in the filing."

SECTION 3. Section 4 of S.L. 2001-236 reads as rewritten:

"SECTION 4. This act becomes effective ~~October 1, 2001~~ January 1, 2002."

SECTION 4. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 13th day of
September, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 11:15 a.m. this 22nd day of September, 2001