

Session 109 - (1991-1992)

H 4464 General Bill, By R. Smith

A Bill to amend the Code of Laws of South Carolina, 1976, by adding Article 6 to Chapter 77, Title 38 so as to establish a Joint Underwriting Association for Automobile Insurance; to amend the 1976 Code by adding Article 5 to Chapter 10, Title 56 so as to provide for the registration and licensing of uninsured motor vehicles; to amend Section 38-57-130, relating to misrepresentations, special inducements, and rebates prohibited in insurance contracts, so as to delete the prohibition on rebates or certain other inducements; to amend Section 38-73-457, relating to filing information on base rates, so as to revise the requirements for filing and include provisions for preferred rates, standard rates, and substandard rates; to amend Section 38-73-735, as amended, relating to plans for credits or discounts to automobile insureds, so as to delete the provisions authorizing the plans to be ceded to the Reinsurance Facility; to amend Section 38-73-750, as amended, relating to the requirement that automobile insurers file plans for allocating expenses and profit, so as to delete the references to the Reinsurance Facility; to amend Section 38-73-760, as amended, relating to uniform statistical plans for the automobile insurance business, so as to delete the reference to the Reinsurance Facility; to amend Section 38-77-30, as amended, relating to definitions pertaining to automobile insurance, so as to delete the definition of Reinsurance Facility; to amend Section 38-77-112, as amended, relating to the requirement for an applicant and policy holder to have a driver's license, so as to delete references to repealed Code Sections; to amend Section 38-77-285, as amended, relating to the requirement that all automobile insurance coverages for an insured's automobile must be in one policy, so as to provide for the requirement to apply to individual passenger automobiles instead of vehicles ceded to the Reinsurance Facility; to amend Section 38-77-920, as amended, relating to the prohibition on an insurer's and agent's refusal to accept insurance, so as to delete provisions requiring risks to be accepted by an insurer; to amend Section 56-9-350, relating to the verification of insurance coverage following certain accidents, so as to revise the requirements for verification; to amend Section 56-10-10, relating to security on registered vehicles, so as to limit its application to certain drivers; to amend Section 56-10-220, relating to the insurance requirement for a vehicle sought to be registered so as to provide for application of the Section to persons required to provide security on a vehicle; to amend Section 56-10-240, relating to the requirements upon loss of insurance, so as to provide for application of the Section to vehicles for which security is required and delete the provision referencing the objective standards test; to amend Section 56-10-270, relating to the operation of uninsured motor vehicles, so as to provide for the Section to apply to violations of Chapter 10, Title 56; to amend Article 3, Chapter 39, Title 59, relating to mandatory driver education and training programs, so as to provide for students issued a beginner's permit or special restricted license to complete the program before they receive a driver's license, provide for the State Board of Education to establish minimum guidelines, and provide for additional funds to implement and maintain the programs; to repeal Section 38-73-455, relating to automobile insurance rates, Section 38-73-460, relating to the effect on rates of gains and losses by the Facility, Sections 38-73-1420 and 38-73-1425, relating to the Reinsurance Facility, Section 38-77-10, relating to the purposes of the automobile insurance provisions, Sections 38-77-110, 38-77-111, 38-77-115, 38-77-145, and 38-77-280, relating to the mandate to write automobile insurance policies, and Sections 38-77-930, 38-77-940, 38-77-950, and 38-77-960 and Article 5, Chapter 77, Title 38, relating to the Reinsurance Facility; and to provide for the facility to end operation.

02/26/92 House Introduced and read first time HJ-21

02/26/92 House Referred to Committee on Labor, Commerce and Industry HJ-23