

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL 3236

By: Moore of the House

and

Brown of the Senate

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9 COMMITTEE SUBSTITUTE

10 An Act relating to insurance; defining terms;  
11 prohibiting using certain information for certain  
12 rate calculation; providing exception to prohibition;  
13 providing for codification; and providing an  
14 effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 945 of Title 36, unless there is  
18 created a duplication in numbering, reads as follows:

19 A. As used in this section:

20 1. "Towing service" means any act which consists of towing or  
21 moving a motor vehicle from one place to another under other than  
22 its own power; and

23 2. "Emergency road service" means any act to adjust, repair or  
24 replace the equipment, tires or mechanical parts of a motor vehicle

1 so it may operate under its own power; or reimbursement of expenses  
2 incurred by an insured when his or her motor vehicle is unable to  
3 operate under its own power.

4 B. No insurer may consider claims for towing services or  
5 emergency road service for purposes of determining whether to  
6 cancel, refuse to renew or increase the premium of a personal auto  
7 insurance policy regardless of whether such coverage is included in  
8 the policy or is an endorsement to the policy.

9 C. Nothing in this section shall prohibit an insurer from  
10 cancelling, refusing to renew or increasing the premium of the  
11 towing services or emergency road service coverage of an insured, if  
12 within a consecutive twelve-month period the insured:

13 1. Files more than three (3) claims for towing services for any  
14 one covered personal motor vehicle or files more than five (5)  
15 aggregate claims for towing services for all of the insured's  
16 personal motor vehicles which are covered by the insurer; or

17 2. Files more than three (3) claims for emergency road service  
18 for any one covered personal motor vehicle or files more than five  
19 (5) aggregate claims for emergency road service for all of the  
20 insured's personal motor vehicles which are covered by the insurer.

21 SECTION 2. This act shall become effective November 1, 2018.

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23 56-2-3551 CB 4/2/2018 3:19:24 PM

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