The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by LG Sullivan.

## DIGEST 2019 Regular Session

Appel

<u>Proposed law</u> requires each auto insurance company to submit information regarding commercial motor vehicles to the commissioner each year by May first for the prior calendar year, beginning in 2020. Requires the commissioner to aggregate and publish the information by ZIP code and parish on the dept.'s website and to post a general description of the rate-making methodology used for commercial motor vehicles.

<u>Proposed law</u> provides that "commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle meets one of the following requirements:

- (1) Has a gross combination weight rating of more than 26,000 pounds inclusive of a towed unit with a gross vehicle weight rating of more than ten thousand pounds.
- (2) Has a gross vehicle weight rating of more than 26,000 pounds.
- (3) Is designed to transport 16 or more passengers, including the driver.
- (4) Is of any size and is used in the transportation of hazardous materials.

Proposed law specifies that the information shall include:

- (1) The total amount of direct paid losses less all deductibles.
- (2) The number of policies written.
- (3) The direct written premiums.

SB 212 Original

<u>Proposed law</u> allows the commissioner to authorize late submission. Requires the commissioner to notify a company that fails to report that the company has 30 days to come into compliance. Mandates a \$10,000-per-month fine for continued failure to comply. Provides that fines collected are deposited in the state general fund. Specifies that fines may be waived or reduced only by legislative act.

Requires the commissioner to waive or modify the reporting requirements of <u>proposed law</u> if an insurance company does not store the information; must make material changes to computer systems to provide the information; or must significantly divert limited resources to provide the information.

Proposed law requires the information reported pursuant to proposed law to be treated as

confidential, to be used solely for the purposes authorized <u>proposed law</u>, and to be exempt from the Public Records Law.

Proposed law excludes creditor-placed automobile insurance from the requirements of proposed law.

Proposed law provides that proposed law shall be void on May 1, 2025.

Effective August 1, 2019.

(Amends R.S. 44:4.1(B)(11) and 4.1(B)(11) as amended by Acts 2018, No. 371, §2; adds R.S. 22:1290.1)