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

HB 808 Original   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))