

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 60

Short Title: No Increases for Paid Accidents.

(Public)

Sponsors: Senator Kincaid.

Referred to: Insurance.

February 13, 1991

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT THERE SHALL BE NO SURCHARGES OR
2 PREMIUM INCREASES OF ANY KIND WHEN AN INSURED PAYS FOR THE
3 DAMAGES IN AN ACCIDENT INVOLVING PROPERTY DAMAGE ONLY
4 AND THE INSURANCE COMPANY DOES NOT HAVE TO PAY ANY
5 CLAIMS.
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7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 58-36-75(e) reads as rewritten:

9 "(e) There shall be no Facility recoupment surcharge under G.S. 58-37-40(f) or
10 other surcharges, S.D.I.P. points, or premium increases of any kind for any accident
11 involving only damage to the operator's vehicle or to the property of another for which
12 full payment or compensation has been made by the operator at fault; and when the
13 motor vehicle insurer of the operator has not made any payment under any kind of
14 insurance policy for such property damage to or on behalf of such operator.
15 Notwithstanding the provision of this subsection, an insured still has a duty to report
16 such accident to his insurer and to law enforcement authorities if such duty is required
17 by the insurance contract or by law."

18 Sec. 2. This act is effective upon ratification.