

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 173

Session of
1983

INTRODUCED BY MAIALE, CIMINI, HALUSKA, BUNT, WACHOB, FARGO,
KUKOVICH, MERRY, MORRIS, HASAY, BOOK, DeWEESE, EVANS, DeLUCA,
MILLER, CARN, COHEN, OLASZ, PISTELLA, BELOFF, RAPPAPORT,
ITKIN, RYBAK, CIVERA, MOEHLMANN AND LASHINGER, FEBRUARY 8,
1983

AS REPORTED FROM COMMITTEE ON INSURANCE, AS AMENDED, HOUSE OF
REPRESENTATIVES, APRIL 11, 1983

AN ACT

1 Amending the act of June 5, 1968 (P.L.140, No.78), entitled "An
2 act regulating the writing, cancellation of or refusal to
3 renew policies of automobile insurance; and imposing powers
4 and duties on the Insurance Commissioner therefor,"
5 restricting policy cancellations due to ~~suspensions or~~ <—
6 ~~revocations for moving violations only~~ JUDGMENTS OBTAINED <—
7 EXCLUSIVELY FOR PARKING VIOLATIONS.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 4 of the act of June 5, 1968 (P.L.140,
11 No.78), entitled "An act regulating the writing, cancellation of
12 or refusal to renew policies of automobile insurance; and
13 imposing powers and duties on the Insurance Commissioner
14 therefor," amended October 5, 1978 (P.L.1060, No.248), is
15 amended to read:

16 Section 4. No insurer shall cancel OR REFUSE TO RENEW a <—
17 policy except for one or more of the following specified
18 reasons:

1 (1) Nonpayment of premium;

2 (2) The driver's license or motor vehicle registration of
3 the named insured has been under suspension or revocation during
4 the policy period ~~for a moving violation only~~; the applicability <—
5 of this reason to one who either is a resident in the same
6 household or who customarily operates an automobile insured
7 under the policy shall be proper reason for the insurer
8 thereafter excluding such individual from coverage under the
9 policy. THIS PROVISION SHALL NOT APPLY TO JUDGMENTS OBTAINED <—
10 EXCLUSIVELY FOR PARKING VIOLATIONS, but not for cancelling OR <—
11 REFUSING TO RENEW the policy; or

12 (3) A determination that the insured has concealed a
13 material fact, or has made a material allegation contrary to
14 fact, or has made a misrepresentation of a material fact and
15 that such concealment, allegation or misrepresentation was
16 material to the acceptance of the risk by the insurer.

17 Section 2. This act shall take effect in 60 days.