
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 317 Session of
2005

INTRODUCED BY STACK, COSTA, LAVALLE, RAFFERTY, GREENLEAF, STOUT,
KITCHEN, O'PAKE, RHOADES, MUSTO, KASUNIC, ORIE, LOGAN,
BOSCOLA AND C. WILLIAMS, FEBRUARY 18, 2005

REFERRED TO BANKING AND INSURANCE, FEBRUARY 18, 2005

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for driver improvement course
3 discounts; and providing for senior citizen good driver
4 discounts.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 1799.2 of Title 75 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 1799.2. Driver improvement course discounts.

10 (a) Motor vehicle driver improvement course.--All insurance
11 companies authorized to write private passenger automobile
12 insurance within this Commonwealth shall provide a premium
13 discount for each motor vehicle on a policy under which all
14 named insureds are 55 years of age or older and have
15 successfully completed a motor vehicle driver improvement course
16 meeting the standards of the Department of Transportation. This
17 discount shall apply to all coverages for all policy periods
18 beginning within the three-year period immediately following the

1 successful completion of the course and shall be approved by the
2 commissioner as part of the insurer's rate filing, provided that
3 such discount shall not be less than [5%] 10%. The successful
4 completion of more than one course within a three-year period
5 does not qualify the insured for additional discounts. The
6 premium discount required by this subsection may be omitted upon
7 demonstration to the commissioner in an insurer's rate filing
8 that the discount is duplicative of a driver improvement course
9 discount provided by the insurer.

10 (b) Completion of course.--Upon successfully completing the
11 approved course, each participant shall be issued, by the
12 course's sponsoring agency, a certificate which shall be the
13 basis of qualification for the discount on insurance.

14 (c) Continuing eligibility.--Each participant shall take an
15 approved course every three years to continue to be eligible for
16 the discount on insurance. Each insurer may require, as a
17 condition of providing and maintaining the discount, that the
18 insured for a three-year period after course completion:

19 (1) not be involved in an accident for which the insured
20 is chargeable;

21 (2) not be convicted of an offense enumerated in section
22 1535 (relating to schedule of convictions and points); and

23 (3) not be convicted or have accepted Accelerated
24 Rehabilitative Disposition (ARD) for driving under the
25 influence of alcohol or a controlled substance.

26 (d) Nonapplicability.--This section shall not apply in the
27 event the approved course is specified by a court or other
28 governmental entity resulting from a conviction of an offense
29 enumerated in section 1535.

30 Section 2. Title 75 is amended by adding a section to read:

1 § 1799.8. Senior citizen good driver discounts.

2 (a) General rule.--All insurance companies authorized to
3 write private passenger automobile insurance within this
4 Commonwealth shall provide premium discounts for senior citizen
5 good drivers. These discounts shall apply to the comprehensive
6 coverage and shall be approved by the commissioner as part of
7 the insurer's rate filing, provided that such discounts shall
8 not be less than 20%. Some or all of the premium discounts
9 required by this subsection may be omitted upon demonstration to
10 the commissioner in an insurer's rate filing that the discounts
11 are duplicative of other discounts provided by the insurer.

12 (b) Income.--The following shall apply to income
13 requirements:

14 (1) No senior citizen good driver shall qualify for a
15 discount under this section if he or she has an annual net
16 income greater than \$50,000.

17 (2) Any senior citizen good driver seeking a discount
18 under this section shall submit proof of age, income, the
19 name and address of their automobile insurance company and
20 their insurance agent to the Insurance Department on a form
21 issued by the Insurance Department.

22 (3) The following shall apply:

23 (i) The Insurance Department and its employees shall
24 limit the use of any information collected under this
25 subsection to the purpose of determining eligibility. Any
26 information collected under this subsection shall not be
27 considered a public record under the act of June 21, 1957
28 (P.L.390, No.212), referred to as the Right-to-Know Law,
29 and shall not be subject to public disclosure.

30 (ii) Any person who intentionally discloses or

1 obtains through fraud a senior citizen good driver's
2 information collected under this subsection shall, upon
3 conviction, be guilty of a misdemeanor of the third
4 degree.

5 (c) Failure to comply.--Any insurer who fails to comply with
6 this section shall be subject to a civil penalty of \$1,000.

7 (d) Revocation.--An insurer shall have the authority to
8 revoke a discount under this section if the senior citizen good
9 driver is convicted of a traffic violation or has been
10 determined to have been at fault in an automobile accident.

11 (e) Definitions.--As used in this section, the following
12 words and phrases shall have the meanings given to them in this
13 subsection:

14 "Senior citizen good driver." A driver who:

15 (1) Is 65 years of age or older.

16 (2) Has been licensed to drive a motor vehicle for the
17 past three years.

18 (3) Has not been convicted of a traffic violation or
19 been determined to have been at fault in an automobile
20 accident during the past three years.

21 Section 3. This act shall take effect in 60 days.