

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1782 Session of
1977

INTRODUCED BY KOWALYSHYN, OCTOBER 19, 1977

REFERRED TO COMMITTEE ON INSURANCE, OCTOBER 19, 1977

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," further
5 providing for the contents of the notice of cancellation or
6 failure to renew.

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

9 Section 1. Sections 5 and 8, act of June 5, 1968 (P.L.140,
10 No.78), entitled "An act regulating the writing, cancellation of
11 or refusal to renew policies of automobile insurance; and
12 imposing powers and duties on the Insurance Commissioner
13 therefor," are amended to read:

14 Section 5. No cancellation or refusal to renew by an insurer
15 of a policy of automobile insurance shall be effective unless
16 the insurer shall deliver or mail, to the named insured at the
17 address shown in the policy a written notice of the cancellation
18 or refusal to renew. Such notice shall:

19 (1) Be approved as to form by the Insurance Commissioner
20 prior to use;

1 (2) State the date, not less than thirty days after the date
2 of such mailing or delivering on which such cancellation or
3 refusal to renew shall become effective, except that such
4 effective date may be fifteen days from the date of mailing or
5 delivery when it is being cancelled or not renewed for the
6 reason set forth in clause (1) of section 4;

7 (3) State the specific reason or reasons of the insurer for
8 cancellation or refusal to renew [or be accompanied by a
9 statement that upon written request of the named insured, mailed
10 or delivered to the insurer not less than twenty days prior to
11 the effective date of cancellation or refusal to renew, the
12 insurer will specify the reason or reasons for such
13 cancellation, or refusal to renew the insurer to supply such
14 information within five days of receipt by it of such request];

15 (4) Advise the insured of his right to request in writing,
16 within ten days of the receipt of the notice of cancellation or
17 intention not to renew, [or] and of the receipt of the reason or
18 reasons for the cancellation or refusal to renew [if they were
19 not] as stated in the notice of cancellation or of intention not
20 to renew, that the Insurance Commissioner review the action of
21 the insurer;

22 (5) Either in the notice or in an accompanying statement
23 advise the insured of his possible eligibility for insurance
24 through the automobile assigned risk plan.

25 Section 8. (a) Any insured may within ten days of the
26 receipt by the insured of notice of cancellation or notice of
27 intention not to renew, [or] and of the receipt of the reason or
28 reasons for the cancellation or refusal to renew [if they were
29 not] as stated in the notice, request in writing to the
30 Insurance Commissioner that he review the action of the insurer

1 in cancelling or refusing to renew the policy of such insured.

2 (b) Any applicant for a policy who is refused such policy by
3 an insurer may in writing within ten days of notice of such
4 refusal request the insurer to supply the reasons for such
5 refusal. The insurer shall supply such reasons within five days
6 of receipt by it of such request. Within ten days of the receipt
7 of such reasons, the applicant may request in writing to the
8 Insurance Commissioner that he review the action of the insurer
9 in refusing to write a policy for the applicant.

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