

**ACT No. 1093**

Regular Session, 2003

HOUSE BILL NO. 1419

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 22:1404(3)(c)(i) and (d)(i), relative to insurance rates and defensive driving courses; to authorize the office of state police to promulgate rules and regulations to establish criteria and standards for the approval and certification of defensive driving courses; to authorize agreements for the funding of the approval and certification process for defensive driving courses; to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1404(3)(c)(i) and (d)(i) are hereby amended and reenacted to read as follows:

§1404. Making of rates

All rates shall be made in accordance with the following provisions:

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(3) Rates for casualty insurance to which this Part applies shall also be subject to the following provisions:

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(c)(i) A rate reduction of up to ten percent shall be authorized by the Louisiana Insurance Rating Commission, if actuarially justified, upon application of a rate filing by the carrier on motor vehicle liability

and physical damage insurance where the insured, and principal operator, regardless of age, produces certification from the National Safety Council or its registered cooperating agencies, evidencing successful completion of the National Safety Council Defensive Driving Course or certification of successful completion of a defensive driving course approved and certified by the Department of Public Safety and Corrections. Should an automobile be used by multiple drivers, the rate reduction shall not be authorized on that automobile unless all those who drive the automobile complete such a course successfully. The reduction provided for in this Section shall also be authorized for one or more motor vehicles owned and operated by parishes, municipalities, or other political subdivisions when the governing authority produces certification evidencing successful completion of such a course by all persons who drive said vehicles. The Department of Public Safety and Corrections, Public Safety Services, office of state police may promulgate rules and regulations to establish criteria and standards for the approval and certification of defensive driving courses. The expenses of the approval and certification process by the Department of Public Safety and Corrections shall be funded through an interagency agreement with the Department of Insurance, contingent upon the appropriation of funds by the legislature.

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(d)(i) The provisions of Subparagraph (c) notwithstanding, the Louisiana Insurance Rating Commission shall authorize an actuarially justified rate reduction, as determined by the carrier, upon application of rate filing by the carrier on bodily injury liability, property damage

liability, and collision insurance where the named insured and principal operator is fifty-five years of age or older and produces certification from the National Safety Council or its registered cooperating agencies evidencing successful completion of the National Safety Council Defensive Driving Course or certification of successful completion of a defensive driving course approved and certified by the Department of Public Safety and Corrections. Should a vehicle be used by multiple drivers, the rate reduction shall not be authorized on that motor vehicle unless all those who drive the vehicle are fifty-five years of age or older and have completed such a course. The Department of Public Safety and Corrections, Public Safety Services, office of state police may promulgate rules and regulations to establish criteria and standards for the approval and certification of defensive driving courses. The expenses of the approval and certification process by the Department of Public Safety and Corrections shall be funded through an interagency agreement with the Department of Insurance, contingent upon the appropriation of funds by the legislature.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_