HLS 18RS-1119 ORIGINAL

2018 Regular Session

HOUSE BILL NO. 752

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BY REPRESENTATIVE HUVAL

INSURANCE/AUTOMOBILE: Provides relative to motor vehicle reports required to obtain an insurance premium quote

AN ACT

2 To amend and reenact R.S. 22:855(B)(2)(d) and to enact R.S. 22:855(B)(2)(e), relative to 3 requests for automobile insurance premium quotes; to provide for motor vehicle 4 reports; to provide for payment of costs; and to provide for related matters. 5 Be it enacted by the Legislature of Louisiana: 6 R.S. 22:855(B)(2)(d) is hereby amended and reenacted and R.S. Section 1. 7 22:855(B)(2)(e) is hereby enacted to read as follows: 8 §855. Quoted premium shall include all charges; dollar amount required 9 10 (B) 11 12 (2) 13 14 (d)(i) Any insurer doing business in this state shall accept a current copy of 15 any motor vehicle report procured by a licensed producer or licensed insurance 16 agency on behalf of a client in the quoting and underwriting of personal lines 17 automobile insurance. The motor vehicle report shall be deemed current if the report 18 was issued within fifteen days of the requested quote.

1	(ii) If an insurer chooses to procure a motor vehicle report after having been
2	provided with a current motor vehicle report by a producer or agency, the insurer
3	shall not pass the cost on to the producer, agency, client, or insured.
4	(iii) If an agency or producer does not supply a current motor vehicle report
5	with a request for a quote, the insurer may procure any necessary motor vehicle
6	report. If the insurer provides the producer or agency with a current copy of the
7	motor vehicle report, the insurer may charge the actual cost of the motor vehicle
8	report to the producer or agency seeking the quote. The producer or agency may
9	charge the client the actual cost of the motor vehicle report, which shall be in
10	addition to the agency fee authorized pursuant to Subparagraph (a) of this Paragraph.
11	(e) The commissioner of insurance may promulgate rules to enforce the
12	provisions of this Section.
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## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 752 Original

2018 Regular Session

Huval

**Abstract:** Provides for the use of motor vehicle reports procured by a licensed producer or insurance agency in the quoting and underwriting of personal lines automobile insurance.

<u>Present law</u> prohibits an insurer from charging any fee, compensation, or consideration for insurance which is not included in the premium quoted to the insured and the premium specified in the policy delivered to the insured, except for the premium tax on a surplus lines policy, reimbursement for the producer's expenses, and any agency fee.

Proposed law retains present law.

<u>Present law</u> authorizes the producer to receive reimbursement from the insured for expenses incurred by the producer directly related to the insurance coverage for the insured and to charge a reasonable agency fee related to the services provided by the producer.

Proposed law retains present law.

<u>Proposed law</u> requires any insurer doing business in this state to accept a current copy of any motor vehicle report procured by a licensed producer or licensed insurance agency on behalf of a client in the quoting and underwriting of personal lines automobile insurance. <u>Proposed law</u> further provides that the motor vehicle report shall be deemed current if the report was issued within 15 days of the requested quote.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

<u>Proposed law</u> prohibits an insurer who chooses to procure a motor vehicle report after having been provided with a current motor vehicle report by a producer or agency from passing that cost on to the producer, agency, client, or insured.

<u>Proposed law</u> authorizes an insurer who did not receive a current motor vehicle report from an agency or producer with the request for a quote to procure any necessary motor vehicle report. <u>Proposed law</u> further authorizes the insurer to provide the producer or agency with a current copy of the motor vehicle report and charge the actual cost of the motor vehicle report to the producer or agency seeking the quote.

<u>Proposed law</u> authorizes the producer or agency to charge the client the actual cost of the motor vehicle report.

(Amends R.S. 22:855(B)(2)(d); Adds R.S. 22:855(B)(2)(e))