

RÉSUMÉ DIGEST

ACT 52 (SB 65)

2020 Regular Session

Talbot

Prior law required a person who is required to have automobile insurance to surrender the license plate of the vehicle to the office of motor vehicles to avoid a penalty for a lapse in coverage.

Prior law exempted a member of the armed services on active duty overseas from the Motor Vehicle Safety Responsibility Law (MVSRL).

New law retains prior law and allows an exception from the MVSRL for a member of the U.S. armed services who is being deployed out of state. Provides that a service member being deployed out of state shall not be subject to the MVSRL if the member notifies his insurance company by affidavit of his deployment concurrent with the cancellation of liability security on the vehicle.

Prior law required that the affidavit set forth the date upon which the vehicle shall no longer be in use, the intended period of nonuse, and site storage address of the vehicle. Required the owner of the vehicle to attach a copy of his orders for deployment.

New law requires the insurance company to notify the commissioner of the Department of Public Safety and Corrections of the cancellation related to the insured's deployment within 15 days of cancellation.

Prior law provided that no insurer shall increase premium rate or add surcharge for lapsed coverage if insured complies by voluntarily surrendering the vehicle license plate and ceases to maintain insurance on the vehicle.

New law retains prior law and further provides that no insurer shall increase a premium rate or add surcharge for lapsed coverage if the insured is a member of the armed services and notifies the office of motor vehicle that he is on active duty and wishes to discontinue the use of the vehicle registration in his name.

Prior law provided for unfair methods of competition and unfair or deceptive acts or practices in the business of insurance.

New law retains prior law and further declares that a violation of R.S. 22:1284.1 is an unfair method of competition and unfair or deceptive acts or practices in the business of insurance.

Effective August 1, 2020.

(Amends R.S. 22:1284.1 and 1964(7)(j) and R.S. 32:861.1)