

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 128

Pensions & Retirement and Insurance Committee Substitute Adopted 4/29/97

Short Title: No Ins. Points/15 MPH Over Limit.

(Public)

Sponsors:

Referred to:

February 17, 1997

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THERE IS NO INSURANCE PREMIUM SURCHARGE OR ASSESSMENT OF POINTS FOR A CONVICTION FOR SPEEDING FIFTEEN MILES PER HOUR OR LESS OVER THE SPEED LIMIT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-36-75(f) reads as rewritten:

"(f) The subclassification plan shall provide that with respect to a conviction for a 'violation of speeding ~~10-15~~ miles per hour or less over the speed limit' there shall be no premium surcharge nor any assessment of points unless there is a driving record consisting of a conviction or convictions for a moving traffic violation or violations, except for a prayer for judgment continued for any moving traffic violation, during the three years immediately preceding the date of application or the preparation of the renewal. The subclassification plan shall also provide that with respect to a prayer for judgment continued for any moving traffic violation, there shall be no premium surcharge nor any assessment of points unless the vehicle owner, principal operator, or any licensed operator in the owner's household has a driving record consisting of a prayer or prayers for judgment continued for any moving traffic violation or violations during the three years immediately preceding the date of application or the preparation of the renewal. For the purpose of this subsection, a 'prayer for judgment continued' means a determination

1 of guilt by a jury or a court though no sentence has been imposed. For the purpose of this
2 subsection, a 'violation of speeding ~~40~~15 miles per hour or less over the speed limit' does
3 not include the offense of speeding in a school zone in excess of the posted school zone
4 speed limit."

5 Section 2. The North Carolina Rate Bureau shall develop an amendment to the
6 subclassification plan consistent with the provisions of this act. The Bureau shall file the
7 amendment with the Commissioner no later than October 1, 1997, and the amendment
8 shall become effective January 1, 1998.

9 Section 3. Section 2 of this act is effective when it becomes law. The
10 remainder of this act becomes effective January 1, 1998, and applies to violations
11 occurring on or after January 1, 1998.