

NORTH CAROLINA GENERAL ASSEMBLY  
1967 SESSION

CHAPTER 1072  
HOUSE BILL 1004

1 AN ACT TO PROVIDE THAT NO INSURANCE COMPANY LICENSED TO DO AN  
2 INSURANCE BUSINESS IN THE STATE OF NORTH CAROLINA SHALL FAIL TO  
3 RENEW EXISTING POLICIES OF MOTOR VEHICLE LIABILITY INSURANCE  
4 SOLELY BECAUSE OF THE AGE OF THE INSURED.  
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6 The General Assembly of North Carolina do enact:  
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8 **Section 1.** Article 13 of Chapter 20 of the General Statutes of North Carolina is  
9 hereby amended by adding at the end thereof a new Section to be designated as "§ 20-310.2"  
10 and reading as follows:

11 **"§ 20-310.2. Motor Vehicle Liability Insurance; Companies May Not Fail to Renew Solely**  
12 **by Reason of Age; Penalties Provided.** No insurance company licensed in this State to do a  
13 business of insurance, which is engaged in the writing of motor vehicle liability insurance, as  
14 the same is defined in G.S. 20-279.21, shall fail to renew any such existing policy of insurance  
15 solely because the insured has attained the age of 65 years or older.

16 "Whenever the Insurance Commissioner shall have reason to believe that any insurance  
17 company which is licensed to do a business of insurance in this State and is engaged in writing  
18 motor vehicle liability insurance has refused to renew policies of motor vehicle liability  
19 insurance solely because the applicant has reached the age of 65 years or older, he shall notify  
20 such company that it may be in violation of this Section, and, in his discretion he may require a  
21 hearing to determine whether or not such company has actually been engaged in the practice as  
22 aforesaid. Any hearing held under this Section shall in all respects comply with the hearing  
23 procedure provided in G.S. 58-54.6.

24 "If after such hearing the Commissioner shall determine that the company has engaged in  
25 the practice of systematically failing to renew policies of motor vehicle liability insurance  
26 because of the advanced age of the insureds, he shall reduce his findings to writing and shall  
27 issue and cause to be served upon the company charged with the violation an order requiring  
28 the company to cease and desist from engaging in such practices. After the issuance of such  
29 cease and desist order, if the Commissioner finds that the company has continued to engage in  
30 such practices, he shall impose upon such company a fine not to exceed the amount of one  
31 thousand dollars (\$1,000.00) for each separate violation.

32 "Any company aggrieved by any order or decision of the North Carolina Commissioner of  
33 Insurance may appeal such order and decision to the Superior Court of Wake County in the  
34 same manner and under the same rules and provisions set forth in G.S. 58-9.3."

35 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

36 **Sec. 3.** This Act shall become effective on July 1, 1967.

37 In the General Assembly read three times and ratified, this the 3rd day of July, 1967.