

LEGISLATIVE COMMITTEE MINUTES

SB215

Bill as
Introduced

SB 215-FN - AS INTRODUCED

2022 SESSION

22-3028
04/05

SENATE BILL **215-FN**

AN ACT relative to motor vehicle liability insurance policy minimum coverage.

SPONSORS: Sen. Hennessey, Dist 1; Sen. Watters, Dist 4; Sen. Giuda, Dist 2; Rep. Infantine,
 Hills. 13

COMMITTEE: Commerce

ANALYSIS

This bill requires a motor vehicle liability insurance policy to provide certain minimum coverages once the named insured becomes the owner of the vehicle.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to motor vehicle liability insurance policy minimum coverage.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Motor Vehicles; Accidents and Financial Responsibility; Motor Vehicle Liability
2 Policy. Amend RSA 264 by inserting after section 18 the following new section:

3 264:18-a Motor Vehicle Liability Policy; Coverage Minimums.

4 I. Any motor vehicle liability policy issued in the state of New Hampshire shall include
5 coverage for a newly acquired private passenger automobile as defined in RSA 259:80.

6 II. Coverage for a newly acquired private passenger automobile shall include, at a minimum:

7 (a) The broadest coverage provided for any vehicle on the liability policy on the date the
8 named insured, or the spouse of the named insured if a resident of the same household, becomes the
9 owner of the newly acquired private passenger automobile.

10 (b) Collision coverage for a newly acquired private passenger automobile beginning the
11 date the named insured, or the spouse of the named insured if a resident of the same household,
12 becomes the owner of the newly acquired private passenger automobile shall include, at a minimum:

13 (1) Fourteen days of collision coverage, if the motor vehicle liability policy provides
14 collision coverage for at least one vehicle on the policy.

15 (2) Four days of collision coverage if the motor vehicle liability policy does not
16 provide collision coverage for any vehicle on the policy. A deductible not to exceed \$500 may be
17 included in the motor vehicle liability policy.

18 (c) Other than collision coverage for a newly acquired private passenger automobile
19 beginning the date the named insured, or the spouse of the named insured if a resident of the same
20 household, becomes the owner of the newly acquired private passenger automobile shall include at a
21 minimum:

22 (1) Fourteen days of other than collision coverage, if the motor vehicle liability policy
23 provides other than collision coverage for at least one vehicle on the policy.

24 (2) Four days of other than collision coverage, if the motor vehicle liability policy
25 does not provide other than collision coverage for any vehicle on the policy. A deductible not to
26 exceed \$500 may be included in the motor vehicle liability policy.

27 2 Effective Date. This act shall take effect 60 days after its passage.

LBA
22-3028
12/2/21

**SB 215-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to motor vehicle liability insurance policy minimum coverage.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill requires a motor vehicle liability insurance policy to provide certain minimum coverages once the named insured becomes the owner of the vehicle.

The Insurance Department indicates although many carriers already provide this extended coverage, the remaining carriers would amend their rules and possibly their rates to meet this law if enacted. The Department would review these rules and rates when filed as it does all other such changes. The Department does not expect proposed changes would not have a material effect on the work flow of the department or it's expenses. To the extent insurance rates are impacted there may be an impact on the insurance premium tax revenue collected by the state.

It is assumed that any fiscal impact would occur after FY 2022.

AGENCIES CONTACTED:

Insurance Department

Committee Minutes

SENATE CALENDAR NOTICE

Commerce

Sen Harold French, Chair /
 Sen Bill Gannon, Vice Chair
 Sen Jeb Bradley, Member
 Sen Donna Soucy, Member
 Sen Kevin Cavanaugh, Member

Date: December 20, 2021

HEARINGS

Tuesday

01/11/2022

(Day)

(Date)

Commerce

State House 100

9:00 a.m.

(Name of Committee)

(Place)

(Time)

9:00 a.m.	SB 204	relative to the definition of "covered claim" for purposes of the New Hampshire insurance guaranty association act.
9:15 a.m.	SB 205	relative to the insurance department administration fund.
9:30 a.m.	SB 206	relative to consumer guaranty contracts.
9:45 a.m.	SB 215-FN	relative to motor vehicle liability insurance policy minimum coverage.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 204

Sen. Gannon
 Rep. Piemonte

Sen. Reagan

Sen. Soucy

Rep. Edwards

SB 205

Sen. Gannon
 Sen. Bradley

Sen. D'Allesandro
 Rep. Piemonte

Sen. Reagan
 Rep. Welch

Sen. Carson

SB 206

Sen. French
 Sen. Soucy
 Rep. Potucek

Sen. Gannon
 Sen. Reagan

Sen. Carson
 Sen. Cavanaugh

Sen. Avarad
 Rep. Hunt

SB 215-FN

Sen. Hennessey

Sen. Watters

Sen. Giuda

Rep. Infantine

Aaron Jones 271-4063

Harold F. French
 Chairman

Senate Commerce Committee

Aaron Jones 271-4063

SB 215-FN, relative to motor vehicle liability insurance policy minimum coverage.

Hearing Date: January 11, 2022

Time Opened: 9:45 a.m.

Time Closed: 9:47 a.m.

Members of the Committee Present: Senators French, Gannon, Bradley, Soucy and Cavanaugh

Members of the Committee Absent : None

Bill Analysis: This bill requires a motor vehicle liability insurance policy to provide certain minimum coverages once the named insured becomes the owner of the vehicle.

Sponsors:

Sen. Hennessey
Rep. Infantine

Sen. Watters

Sen. Giuda

Who supports the bill: Senator Erin Hennessey, Senator David Watters, Senator Bob Giuda, Casey Hadlock

Who opposes the bill: Curtis Howland, George Roussos (NH Association of Domestic Insurance Companies), James Hatem (State Farm Insurance), James Fox (NH Insurance Department), Mike McLaughlin (Allstate Insurance)

Who is neutral on the bill: Brittany Shute (NH Department of Safety)

Summary of testimony presented in support:

Senator Jeb Bradley, on behalf of Senator Erin Hennessey

- Senator Bradley introduced SB 215-FN on Senator Hennessey's behalf.
- This bill would require a motor vehicle liability insurance policy to provide minimum coverage once the named insured becomes the owner of the vehicle.
- Senator Hennessey respectfully asked the Committee to move her bill Inexpedient to Legislate (ITL).

Summary of testimony presented in opposition: None

Neutral Information Presented: None

AJ

Date Hearing Report completed: January 12, 2022

Speakers

Senate Remote Testify

Commerce Committee Testify List for Bill SB215 on 2022-01-11

Support: 3 Oppose: 1

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Watters, Senator David	An Elected Official	Myself	Support
Giuda, Bob	An Elected Official	Senate District 2	Support
Howland, Curtis	A Member of the Public	Myself	Oppose
Hadlock, Casey	A Member of the Public	Myself	Support

Testimony

Aaron Jones

From: Billie-Jean Greene <billiejgreene@gmail.com>
Sent: Sunday, January 9, 2022 3:23 PM
To: ~Senate Commerce Committee
Subject: SB215

I oppose this bill.

Thanks!
Billie-Jean Greene
Greenfield

Voting Sheets

Senate Commerce Committee
EXECUTIVE SESSION RECORD
2021-2022 Session

Bill # SB 215-FN

Hearing date: 1/11/22

Executive Session date: 1/11/22

Motion of: ITL Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. French, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Bradley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: CONSENT Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. French, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Bradley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Made by	Second	Yes	No
Sen. French, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Bradley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: SEN. FRENCH
 Notes: _____

Committee Report

FOR THE CONSENT CALENDAR

COMMERCE

SB 215-FN, relative to motor vehicle liability insurance policy minimum coverage.

Inexpedient to Legislate, Vote 5-0.

Senator Harold French for the committee.

While well intentioned, the prime sponsor believed this bill does not achieve the goal of ensuring that consumers will be protected from purchasing duplicative vehicle insurance when they purchase a new vehicle from an auto dealer. Reports have indicated that consumers have been informed that they must purchase a new vehicle insurance policy before they drive a new vehicle off the lot. Their current policy, however, already provides for such coverage. The Insurance Department and other stakeholders have agreed to give this issue more in-depth consideration so future legislation can be filed.

Committee Report:

While well intentioned, SB215 does not achieve the goal of ensuring that consumers will be protected from purchasing duplicative vehicle insurance when they purchase a new vehicle from an auto dealer. Reports suggest that consumers have been informed that they must purchase a new vehicle insurance policy before they drive a new vehicle off the lot. In fact, their current policy provides for such coverage. This bill aimed to address this duplicative concern for consumers, but the language of SB215 does not accomplish that objective. The Department of Insurance and other interested parties have agreed to give this issue more in-depth consideration in the coming months with a goal to develop legislation for the 2023 session. Therefore, the Senate Commerce Committee has recommended finding SB215 inexpedient to legislate.

Docket of SB215

Docket Abbreviations

Bill Title: relative to motor vehicle liability insurance policy minimum coverage.

Official Docket of **SB215**::

Date	Body	Description
12/14/2021	S	To Be Introduced 01/05/2022 and Referred to Commerce; SJ 1
12/20/2021	S	Hearing: 01/11/2022, Room 100, SH, 09:45 am; SC 50
1/26/2022	S	Committee Report: Inexpedient to Legislate; Vote 5-0; CC; 02/03/2022; SC 5
2/3/2022	S	Inexpedient to Legislate, MA, VV === BILL KILLED ===; 02/03/2022; SJ 2

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 215-FN

Senate Committee: Commerce

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house

___ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Arion Jones
Committee Aide

7/8/22
Date

Senate Clerk's Office AK