

House Bill 1039

By: Representatives Shaw of the 176th, Watson of the 172nd, Maxwell of the 17th, Smith of the 134th, Efstoration of the 104th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 34 of Title 33 of the Official Code of Georgia Annotated, relating to
2 motor vehicle accident reparations, so as to prohibit driver only policies; to provide for
3 definitions; to provide for prohibition for issuance of named driver policies in this state; to
4 provide for a certain named driver exclusion; to provide for related matters; to provide for
5 applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 34 of Title 33 of the Official Code of Georgia Annotated, relating to motor vehicle
9 accident reparations, is amended by adding a new Code section to read as follows:

10 "33-34-10.

11 (a) As used in this Code section, the term:

12 (1) 'Named driver exclusion' means a provision or endorsement of a motor vehicle policy
13 that excludes specifically named drivers from coverage in the policy.

14 (2) 'Named driver policy' means a motor vehicle insurance policy that provides coverage
15 only for drivers specifically named on the policy and not for any individual residing in
16 a named insured's household. Such term includes a motor vehicle insurance policy that
17 has been endorsed to provide coverage only for drivers specifically named on the policy.

18 (b) All insurers authorized to transact or transacting insurance in this state or controlling
19 or controlled by or under common control by or with an insurer authorized to transact or
20 transacting insurance in this state which issue policies or contracts providing motor vehicle
21 liability insurance coverage or any other similar coverage in any state or Canadian province
22 shall not deliver, issue for delivery, or renew a named driver policy.

23 (c) All insurers authorized to transact or transacting insurance in this state or controlling
24 or controlled by or under common control by or with an insurer authorized to transact or
25 transacting insurance in this state which issue policies or contracts providing motor vehicle
26 liability insurance coverage or any other similar coverage in any state or Canadian province

27 shall not contain a named driver exclusion if the exclusion excludes a class of drivers.
28 Such policy or contract may use a named driver exclusion if the exclusion specifically
29 names each excluded driver."

30 **SECTION 2.**

31 This Act shall be applicable to policies issued on or renewed after July 1, 2016.

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.