

CHAPTER 147
SB 36 - FINAL VERSION

3Jun2021... 1303h

2021 SESSION

21-0563
11/06

SENATE BILL **36**

AN ACT relative to residency under auto insurance policies.

SPONSORS: Sen. French, Dist 7; Sen. Hennessey, Dist 1; Sen. Ricciardi, Dist 9; Sen. Giuda, Dist 2; Sen. Sherman, Dist 24; Sen. Soucy, Dist 18; Sen. Reagan, Dist 17; Rep. Pearl, Merr. 26

COMMITTEE: Commerce

ANALYSIS

 This bill repeals the requirement that applicants for coverage under new policies of automobile insurance sign statements of residency.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to residency under auto insurance policies.

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

1 147:1 Prohibition on Nonresident Automobile Insurance. RSA 412:9 is repealed and reenacted
2 to read as follows:

3 412:9 Prohibition on Nonresident Automobile Insurance. Policies of automobile insurance, as
4 defined in RSA 417-A, shall only be issued and renewed to residents of the state of New Hampshire,
5 except that such policies shall also be permitted to be sold to any person if the vehicle insured is
6 exclusively garaged in New Hampshire. Notwithstanding any other provision of law to the contrary,
7 no individual shall be provided coverage under a policy of automobile insurance, as defined in RSA
8 417-A, if such applicant or applicants have been determined by the insurer to have intentionally
9 misrepresented their residency status or exclusive garaging status at the time of initial application
10 or renewal. Payment shall be made by the insurer with respect to accidents for all valid bodily
11 injury and property damage liability claims and all valid uninsured motorist claims by individuals
12 other than the applicant or applicants who made the intentional misrepresentation. However, the
13 insurer shall be legally entitled to reimbursement by the policyholder for all such paid claims.

14 147:2 Automobile Insurance; Cancellation; Grounds. Amend RSA 417-A:4, IV to read as follows:

15 IV. ~~[Failure to sign the New Hampshire residency form as required by RSA 417-A:3-b.]~~
16 ***Named insured was not a resident of the state of New Hampshire at the time the policy was***
17 ***issued or renewed, unless the insured vehicle at issue was exclusively garaged in New***
18 ***Hampshire when the policy was issued or renewed.***

19 147:3 Repeal. The following are repealed:

20 I. RSA 412:18, relative to the exclusion of certain claims in calculation of premium rates.

21 II. RSA 417-A:3-b, relative to statements of residency for automobile insurance policies.

147:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 23, 2021

Effective Date: September 21, 2021