

JAN 23 2009

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# A BILL FOR AN ACT

RELATING TO INSURANCE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 286-108.4, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           " ~~[+] §286-108.4~~ Driver education and behind-the-wheel  
4 driver training program. ~~[+] (a)~~ The director of transportation  
5 is directed to establish and certify a statewide [driver]:

- 6           (1) Driver education program [and behind the wheel];  
7           (2) Behind-the-wheel driver training program[, -te]; and  
8           (3) Accident prevention course and refresher course  
9           pursuant to section 431:10C-207;

10 that shall include the number of course hours, curriculum, and  
11 certification of teachers and third-party examiners.

12           (b) The director of transportation [is also directed to]  
13 shall set a cost for the programs to enable the programs to be  
14 self-sufficient. The director of transportation shall adopt  
15 rules pursuant to chapter 91 necessary for the purposes of this  
16 [+]section[+]."

17           SECTION 2. Section 431:10C-207, Hawaii Revised Statutes,  
18 is amended to read as follows:



1           "§431:10C-207 Discriminatory practices prohibited[-];  
2 accident prevention program, exception. No insurer shall base  
3 any standard or rating plan, in whole or in part, directly or  
4 indirectly, upon a person's race, creed, ethnic extraction, age,  
5 sex, length of driving experience, credit bureau rating, marital  
6 status, or physical handicap[-], as provided in subsection (b).

7           (b) Notwithstanding subsection (a), beginning January 1,  
8 2010, all authorized insurers transacting motor vehicle  
9 insurance in this State shall implement a rate reduction, as  
10 provided in this subsection, of not less than ten per cent from  
11 the rates filed with the commissioner for all qualifying motor  
12 vehicle insurance policies in effect on January 1, 2010, and for  
13 each new and renewal policy issued thereafter. The reduced rate  
14 shall apply to any policyholder who:

- 15           (1) Is fifty-five years of age or older; and  
16           (2) Has satisfactorily completed an accident prevention  
17           course or a refresher course provided by the  
18           department pursuant to section 286-108.4.

19 The reduced rate shall be applicable for three years following  
20 satisfactory completion of the course, at which time the insured  
21 shall be required to retake the course or take a refresher  
22 course to qualify for the reduced rate."



1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Shannon Chun Caldwell  
By Request



**Report Title:**

Motor Vehicle Insurance; Elderly Drivers; Driver Education

**Description:**

Requires a premium reduction of at least 10 per cent for drivers who are at least 55 years of age who complete a driver accident prevention course.

