

K.A.R. 40-3-62. Motor Vehicle Accident Avoidance Course; Written Notice Required. (a)

Insurers shall notify each applicant for motor vehicle insurance in writing that a reduction in premium charges is available to individuals who successfully complete a motor vehicle accident avoidance course in accordance with the provisions of K.S.A. 40-1112a, and amendments thereto. Insurers shall also provide written notification to each insured at policy renewal.

(b) An insurer may satisfy its obligation to notify an applicant by providing a pre-printed notice containing the information required in subsection (c) of this regulation if the producer delivers the pre-printed notice before the applicant completes the application.

(c) Each written notice informing an applicant or insured of the reduction in premium charges shall include:

(1) a statement that the only one premium reduction shall be allowed for the principal operator of a covered vehicle;

(2) a statement that, to be eligible for a discount, the principal operator of the covered vehicle shall;

(A) Request the insurer provide the discount;

(B) have successfully completed a motor vehicle accident avoidance course of at least four hours in duration, utilizing a nationally recognized driver training curriculum or a curriculum approved by a state or federal agency, within three years preceding the request for the discount;

(C) not be involved in an accident for which the principal operator is at fault, nor be convicted of more than one moving violation for a three-year period after course completion; and

(D) provide a copy of the certificate issued by the organization offering the motor vehicle accident prevention course to the insurer that includes the date that the course was taken and successfully completed;

(3) a statement that a course taken in compliance with an administrative order of the director of vehicles or by a court order as a result of a moving traffic violation shall not satisfy the premium reduction motor vehicle accident avoidance course requirement;

(4) a statement that the premium reduction shall be effective for the principal operator of a covered vehicle for a three-year period after successful completion of the approved course, unless the principal operator is involved in an accident for which the principal operator is at fault, or the principal operator is convicted of more than one moving violation for a three-year period after course completion; and

(4) the insurer's premium reduction calculation.

(d) An insurer may incorporate the required written notice into a computerized application or renewal system if the insurer includes the complete written notice required by subsection (c) of this regulation, in the computerized application or renewal. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-103, and K.S.A. 40-1112a; effective P-_____.)