

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**H. B. No. 543**

**Representative Stewart, J.**

**Cosponsors: Representatives Gardner, McGregor, J., Wachtmann,  
Batchelder**

**—**

**A B I L L**

To amend section 3937.43 of the Revised Code to 1  
modify the conditions under which an insurer must 2  
reduce automobile insurance premiums for persons 3  
over a specified age who complete a motor vehicle 4  
accident prevention course. 5

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 3937.43 of the Revised Code be 6  
amended to read as follows: 7

**Sec. 3937.43.** (A) As used in this section: 8

(1) "Automobile insurance policies" has the same meaning as 9  
in section 3937.30 of the Revised Code. 10

(2) "Moving violation" means any violation of any statute or 11  
ordinance that regulates the operation of vehicles, streetcars, or 12  
trackless trolleys on highways or streets or that regulates size 13  
or load limitations or fitness requirements of vehicles. "Moving 14  
violation" does not include the violation of any statute or 15  
ordinance that regulates pedestrians or the parking of vehicles. 16

(3) "Community control sanction" has the same meaning as in 17

section 2929.01 of the Revised Code. 18

(B) Every rating plan or schedule of rates for automobile 19  
insurance policies that is filed with the superintendent of 20  
insurance shall provide for an appropriate reduction in premium 21  
charges for any insured or applicant for insurance under the 22  
following conditions: 23

(1) The applicant or insured is ~~sixty~~ fifty-five years of age 24  
or older; 25

(2) The applicant or insured successfully completes a motor 26  
vehicle accident prevention course, ~~which includes classroom~~ 27  
~~instruction and the passing of an examination in accordance with~~ 28  
~~both of the following:~~ 29

~~(a) The approved by the department of public safety shall~~ 30  
~~approve the course and the examination. However, the The~~ 31  
department ~~shall not~~ may approve any correspondence course or any 32  
other course that does not provide classroom instruction. 33

~~(b) The examination shall include an actual demonstration of~~ 34  
~~the applicant's or insured's ability to exercise ordinary and~~ 35  
~~reasonable control in the operation of a motor vehicle.~~ 36

(3) The applicant or insured submits to the insurer a 37  
certificate that is issued by the sponsor of the motor vehicle 38  
accident prevention course and attests to the successful 39  
completion of the course by the applicant or insured; 40

(4) The insurer may consider the driving record of the 41  
applicant or insured in accordance with divisions (C) and (D) of 42  
this section. 43

(C) In determining whether to grant a reduction in premium 44  
charges in accordance with this section, the insurer may consider 45  
the driving record of the insured or applicant for a three-year 46  
period prior to the successful completion of a motor vehicle 47

accident prevention course. 48

(D)(1) Subject to division (D)(2) of this section, every 49  
reduction in premium charges granted in accordance with this 50  
section shall be effective for an insured for a three-year period 51  
after each successful completion of a motor vehicle accident 52  
prevention course. 53

(2) As a condition of maintaining a reduction in premium 54  
charges granted in accordance with this section, an insurer may 55  
require that the insured, during the three-year period for which 56  
the reduction has been granted, neither be involved in an accident 57  
for which the insured is primarily at fault, nor be convicted of 58  
more than one moving violation. 59

(E) A reduction in premium charges granted in accordance with 60  
this section shall not become effective until the first full term 61  
of coverage following the successful completion of a motor vehicle 62  
accident prevention course in accordance with division (B) of this 63  
section. 64

(F) The director of the department of public safety shall 65  
adopt rules in accordance with Chapter 119. of the Revised Code 66  
that are necessary to carry out the duties of the department under 67  
this section. 68

(G) This section does not apply to any automobile insurance 69  
policy issued under an assigned risk plan pursuant to section 70  
4509.70 of the Revised Code. 71

(H) This section does not apply to circumstances in which the 72  
motor vehicle accident prevention course is required by a court as 73  
a condition of a community control sanction imposed for a moving 74  
violation. 75

**Section 2.** That existing section 3937.43 of the Revised Code 76  
is hereby repealed. 77