

CHAPTER 696—H.F.No.1123

An act relating to insurance; cancellation or nonrenewal of a policy of automobile insurance; amending Minnesota Statutes 1969, Sections 72A.143; 72A.144; 72A.146 and 72A.148.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 72A.143, is amended to read:

72A.143 INSURANCE; AUTOMOBILE INSURANCE; CANCELLATION OR NONRENEWAL. No notice of cancellation or reduction in the limits of liability of coverage of an automobile insurance policy under section 72A.142 shall be effective unless the specific underwriting or other reason or reasons for such cancellation or reduction in the limits of liability of coverage are stated in such notice and the notice is mailed or delivered by the insurer to the named insured at least 30 days prior to the effective date of cancellation; provided, however, that when nonpayment of premium is the reason for cancellation or when the company is exercising its right to cancel insurance which has been in effect for less than 60 days at least ten days notice of cancellation accompanied by the reason therefor shall be given. When nonpayment of premiums is the reason for cancellation, the reason must be given to the insured with the notice of cancellation; and if the company is exercising its right to cancel within the first 60 days of coverage and notice is given with less than ten days remaining in the 60 day period, the coverage must be extended, to expire ten days after notice was mailed.

Sec. 2. Minnesota Statutes 1969, Section 72A.144, is amended to read:

72A.144 RENEWAL; NOTICE NOT TO RENEW. No insurer shall fail to renew an automobile liability insurance policy unless it shall mail or deliver to the named insured, at the address shown in the policy, at least 60 days advance notice of its intention not to renew. Said notice shall contain ~~a prominently displayed statement that upon receipt of a written request from the named insured, no later than 30 days after the effective date of such nonrenewal, the insurer will state the specific underwriting or other reason or reasons for such nonrenewal. The insurer must provide the named insured with such information in writing within five days of the receipt of the request.~~ When the failure to renew is based upon a termination of the agency contract, the notice shall so state. This section shall not apply:

- (a) If the insurer has manifested its willingness to renew; or
- (b) In case of nonpayment of premium;

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Provided that, notwithstanding the failure of an insurer to comply with this section, the policy shall terminate on the effective date of any other automobile liability insurance policy procured by the insured, with respect to any automobile designated in both policies. Renewal of a policy shall not constitute a waiver or estoppel with respect to grounds for cancellation which existed before the effective date of such renewal. No insurer shall fail to renew an automobile liability policy solely because of the age of the insured. No insurer shall refuse to renew an automobile liability insurance policy for reasons which are arbitrary or capricious.

No insurer shall take any action in regard to an automobile liability insurance policy on the statements or charges of any person made to the insurer concerning alleged unsafe driving habits of an insured unless the insurer shall concurrently disclose to the insured the name and address of the person from which the insurer received the information.

Sec. 3. Minnesota Statutes 1969, Section 72A.146, is amended to read:

72A.146 NOTICE OF RIGHT TO COMPLAIN. When the insurer notifies the policyholder of non-renewal, cancellation or reduction in the limits of liability of coverage under section 72A.143 or section 72A.144, the insurer shall also notify the named insured of his right to complain within ~~seven~~ 14 days of his receipt of notice of non-renewal, cancellation or reduction in the limits of liability to the commissioner of such action and of the nature of and his possible eligibility for insurance through the Minnesota automobile-~~assigned risk~~ insurance plan. Such notice shall accompany or be included in the notice of non-renewal, cancellation or reduction in the limits of liability of coverage, and shall state that such notice of the insured's right of complaint to the commissioner and of the availability of the Minnesota automobile-~~assigned risk~~ insurance plan is given pursuant to sections 72A.141 to 72A.148.

Sec. 4. Minnesota Statutes 1969, Section 72A.148, is amended to read:

72A.148 OBJECTIONS; INVESTIGATION; DETERMINATION. Subdivision 1. Any individual who believes such nonrenewal, cancellation or reduction in the limits of liability of coverage of his policy is arbitrary, capricious or otherwise in violation of this provision, or who believes such notice of nonrenewal and the reason or reasons therefor were not given as provided herein, may, within seven 14 days after receipt of notice thereof, file in writing an objection to such action with the commissioner upon payment to the commissioner of a ~~\$15~~ \$5 filing fee. ~~Objection may also be filed within seven days after receipt of the reason for nonrenewal pursuant to section 72A.144.~~

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Subd. 2. Upon receipt of a filing fee and a written objection pursuant to the provisions herein, the commissioner shall notify the insurer of receipt of such objection and of the right of the insurer to file a written response thereto within ten days of receipt of such notification. The commissioner in his discretion may also order an investigation of the objection or complaint, the submission of additional information by the insured or the insurer about the action by the insurer or the objections of the insured, or such other procedure as he deems appropriate or necessary. Within 23 days of receipt of such written objection by an insured the commissioner shall approve or disapprove the insurer's action and shall notify the insured and insurer of his final decision. Either party may institute proceedings for judicial review of the commissioner's decision; provided, however, that the commissioner's final decision shall be binding pending judicial review.

Sec. 5. This act is effective January 1, 1972.

Approved June 3, 1971.

CHAPTER 697—H.F.No.1146

An act relating to crimes and criminals; providing sentence for theft; amending Minnesota Statutes 1969, Section 609.52, Subdivision 3.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 609.52, Subdivision 3, is amended to read:

Subd. 3. **CRIMES AND CRIMINALS; THEFT; PROSECUTION FOR MULTIPLE OFFENSES; SENTENCE.** Whoever commits theft may be sentenced as follows:

(1) To imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if the value of the property or services stolen exceeds \$2,500; or

(2) To imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, if the value of the property or services is more than \$100 but not more than \$2,500; or

Changes or additions indicated by underline, deletions by ~~strikeout~~.