

LEGISLATIVE BILL 390

Approved by the Governor March 14, 1973

Introduced by Murphy, 17

AN ACT to amend sections 44-379.01 and 44-516, Revised Statutes Supplement, 1972, relating to automobile liability insurance; to provide for notice of cancellation; to provide exceptions; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 44-379.01, Revised Statutes Supplement, 1972, be amended to read as follows:

44-379.01. A notice of cancellation, given for reasons other than for nonpayment of premium, of a policy of automobile liability insurance issued or delivered in this state, shall only be effective if mailed by registered or certified mail to the named insured at the address shown in the policy at least thirty days prior to the effective date of such cancellation.

This section shall not apply to any policy issued under an automobile assigned risk plan or to any policy of insurance issued principally to cover personal or premises liability of an insured even though such insurance may also provide some incidental coverage for liability arising out of the ownership, maintenance, or use of a motor vehicle on the premises of the insured or on the ways adjoining such premises. This section shall also not apply to any policy or coverage which has been in effect less than sixty days at the time notice of cancellation is mailed or delivered by the insurer unless it is a renewal policy. Any attempted cancellation in violation of the provisions of this section shall be void.

Sec. 2. That section 44-516, Revised Statutes Supplement, 1972, be amended to read as follows:

44-516. (1) No notice of cancellation of a policy to which section 44-515 applies shall be effective unless mailed or delivered by registered or certified mail the insurer to the named insured at least twenty thirty days prior to the effective date of cancellation; Provided, that where cancellation is for nonpayment of premium at least ten days' notice of cancellation accompanied by the reason therefor shall be given.

Unless the reason accompanies or is included in the notice of cancellation, the notice of cancellation shall state or be accompanied by a statement that upon written request of the named insured, mailed or delivered to the insurer not less than ~~fifteen~~ twenty-five days prior to the effective date of cancellation, the insurer will specify the reason for such cancellation.

~~(2) When the reason for cancellation does not accompany or is not included in the notice of cancellation, the~~ The insurer shall, upon such written request of the named insured, mailed or delivered to the insurer not less than ~~fifteen~~ twenty-five days prior to the effective date of cancellation, specify in writing the reason for such cancellation. Such reason shall be mailed or delivered to the named insured within five days after receipt of such request.

(3) This section shall not apply to nonrenewal.

Sec. 3. That original sections 44-379.01 and 44-516, Revised Statutes Supplement, 1972, are repealed.