

**FIRST ENGROSSMENT
with House Amendments**

ENGROSSED SENATE BILL NO. 2238

Introduced by

Senators Heitkamp, Erbele, Lyson

Representatives Belter, DeKrey, Gulleason

1 A BILL for an Act to provide for automobile insurance notice requirements following total loss.

2 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

3 **SECTION 1. Notice requirements following total loss.** If an insurer determines an
4 automobile with physical damage coverage has incurred a total loss or constructive total loss
5 and that insurer continues to write comprehensive or collision coverage on that automobile, the
6 insurer shall provide notice to the insured that:

- 7 1. The insurer determined the automobile is a total loss;
- 8 2. The insured's current coverage on that automobile includes comprehensive or
9 collision coverage;
- 10 3. If the insured does not repair the automobile, the insurer will reduce the amount of
11 any future physical damage claim for that automobile by the amount paid for the
12 total loss; and
- 13 4. If the insured does not repair that automobile, the insured should contact the agent
14 to request that the comprehensive or collision coverage on that automobile be
15 discontinued.