

304.20-0411 Insurers prohibited from penalizing motorist uninsured while on active military duty and absent from the Commonwealth -- Penalty for insurer demonstrating willful pattern of noncompliance.

- (1) For purposes of this section, "military service" has the same meaning as in 50 U.S.C. sec. 3911.
- (2) An insurer shall not refuse to issue a policy of motor vehicle liability insurance, nor impose an additional premium, solely because the person is uninsured at the time of application if, during the period the person was without insurance, the person was:
 - (a) On military service as a member of the United States Armed Forces, including the National Guard and the United States Armed Forces Reserve; and
 - (b) Absent from the Commonwealth.
- (3) Upon application, an insurer shall request whether the person was on military service during the period the person was uninsured. An insurer may require the person to provide reasonable documentation to verify the person's military service.
- (4) An insurer who demonstrates a willful pattern of noncompliance with subsection (2) of this section commits an unfair trade practice under Subtitle 12 of this chapter and shall be subject to administrative penalties under Subtitle 99 of this chapter.

Effective: June 29, 2021

History: Created 2021 Ky. Acts ch. 17, sec. 1, effective June 29, 2021.