WEST VIRGINIA INFORMATIONAL LETTER

No. 32

April, 1985

COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE STATUTE

TO: All Insurers Transacting Property and Casualty Insurance in the State of West Virginia: And All Other Interested Parties

Please be advised that to comply with the requirements of 17D-2A-5 of the Motor Vehicle Code of the State of West Virginia, each insurance company must provide a notice of cancellation to the Department of Motor Vehicles within ten (10) days of the effective date of cancellation whenever the company issues or causes to be issued a cancellation at any time during the policy period, especially the first sixty (60) days under the provisions of subsections (b) through (e), Section One, Article Six-A, Chapter Thirty-three of the insurance code of the State of West Virginia.

<u>SUCH NOTICE IS NOT TO BE GIVEN</u> when the action on the policy is the result of an insureds request, such as:

- 1. A transfer of insurance coverage to a replacement motor vehicle when the originally insured motor vehicle is sold, traded, or otherwise disposed of;
- 2. A change in the company providing coverage;
- 3. A lapse of coverage on a motor vehicle used seasonally;
- 4. A cessation of coverages not connected with the required liability security pursuant to 17D-4-2 of the code; or

33-6A-1(a), the failure of the insured to discharge when due any of his obligations in connection with the payment of premium or any installment thereof or any reason other than those described in 33-6A-1 (b), (c), (d) or (e).

In cases where the vehicle owner is different from the policyholder the cancellation notice shall list both the policyholder and the vehicle owner.

Such notice shall also make specific reference to the reasons for the company cancellation by designating the category of cancellation as b, c, d or e.

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Failure to designate the category of the cancellation (33-6A-1 b, c, d or e) on the cancellation notice will result in the notice being returned to the issuing company for the required information. Failure of the insurance company to either provide the department with notices pertaining only to 33-6A-1 b, c, d or e, or listing the required information, will result in sanctions being imposed on the company by the Insurance Commissioner of West Virginia.

L. W. Bechtold Commissioner Department Of Motor Vehicles Fred E. Wright Insurance Commissioner