

Know Your Rights- Automobile Insurance

Consumers have been given certain rights by law. Virginia law provides that if an insurance company refuses to issue an auto policy to you, the company must tell you the reasons why. However, you may have to ask for these reasons. If you are refused insurance, ask for the reasons why. It may be that the insurance company's decision to deny you insurance was based on incorrect information. You will then have the right to obtain a copy of the company's file concerning you. If the file contains information that is wrong, you will be allowed to correct this information.

Virginia law prohibits an insurance company from refusing to issue an automobile policy solely for the following reasons:

- because you have been refused auto insurance by another company;
- because you once purchased insurance through the assigned risk plan; or
- because of your age, sex, residence, race, color, creed, national origin, ancestry, marital status or lawful occupation (including military service).

If you are refused auto insurance for one of the reasons listed above and no other reason, the action taken by the insurance company is illegal.

Also, after your policy has been in effect for 60 days or more, the insurance company may not cancel your policy for the remainder of the policy term unless:

- you fail to pay the premium;
- your driver's license is revoked or suspended;
- an operator in your household or anyone who customarily operates your auto has had their license revoked or suspended; or
- your legal residence has been changed to another state and your automobile will be garaged in the new state of residence.

In addition, an insurance company that intends to cancel or non-renew your policy must give you 45 days notice in writing stating the termination date and the reason for termination. The notice must also tell you that you have a legal right to appeal to the Insurance Commissioner and obtain insurance through the Virginia Automobile Insurance Plan.

An insurance company may not non-renew your auto policy solely for the following reasons:

- age, sex, residence, race, color, creed, national origin, ancestry, marital status or lawful occupation (including military service);
- lack of driving experience or number of years of driving experience;
- lack of supporting business (such as a homeowners policy);
- one or more accidents or violations that occurred more than 48 months before your policy's upcoming anniversary date;

- one or more uninsured/underinsured motorist claims where the uninsured/underinsured motorist is known or there is physical evidence of contact;
- a single not-at-fault claim filed under your medical expense benefits coverage;
- one or more claims filed under the comprehensive coverage or towing coverage of your policy; or
- two or fewer accidents within three years unless the accident was wholly or partially the fault of the named insured, a resident of the same household, or other customary operator.