

By: Senator(s) Hill

To: Insurance

SENATE BILL NO. 2222

1 AN ACT TO CREATE NEW SECTION 83-11-601, MISSISSIPPI CODE OF
2 1972, TO PROHIBIT AN INSURER FROM USING AN INSURED'S VEHICLE DATA
3 TO DETERMINE THE RATE CHARGED BY THE INSURER TO RENEW THE
4 INSURED'S POLICY UNLESS THE INSURED CONSENTS TO THIS USE; AND FOR
5 RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** The following shall be codified as Section
8 83-11-601, Mississippi Code of 1972:

9 83-11-601. (1) As used in this section, the following terms
10 shall have the following meanings:

11 (a) "Insured" means the named insured and, while
12 resident of the same household, the spouse of any such named
13 insured and relatives of either, while in a motor vehicle or
14 otherwise, and any person who uses, with the consent, expressed or
15 implied, of the named insured, the motor vehicle to which the
16 policy applies, and a guest in such motor vehicle to which the
17 policy applies, or the personal representative of any of the
18 above.



19 (b) "Policy" means an automobile liability, automobile
20 physical damage, or automobile collision policy, or any
21 combination thereof, delivered or issued for delivery in this
22 state, insuring a single individual, or husband and wife resident
23 of the same household, as named insured.

24 (c) "Renewal" or "to renew" means the issuance and
25 delivery by an insurer of a policy providing the same or
26 substantially similar coverage replacing at the end of the policy
27 period a policy previously issued and delivered by the same
28 insurer or a licensed affiliate, or the issuance and delivery of a
29 certificate of notice extending the term of a policy beyond its
30 policy period or term; provided, however, that any policy with a
31 policy period or term of less than six (6) months shall for the
32 purpose of this article be considered as if written for a policy
33 period or term of six (6) months. Any policy written for a term
34 longer than one (1) year or any policy with no fixed expiration
35 date shall, for the purpose of this article, be considered as if
36 written for successive policy periods or terms of one (1) year,
37 and such policy may be terminated at the expiration of any annual
38 period upon giving thirty (30) days' notice of cancellation prior
39 to such anniversary date. Such cancellation shall not be subject
40 to any other provisions of this article.

41 (d) "Vehicle data" means all system data, internal
42 computer data or any other electronic or physical information
43 specific to an insured's automobile, including, but not limited



44 to, the vehicle's average driving speed, the vehicle's recorded
45 top speed, the vehicle's engine oil life, the vehicle's average
46 Revolutions Per Minute, the vehicle's average driving range, the
47 vehicle's mileage, the vehicle's battery charge status, the
48 vehicle's fuel consumption, the vehicle's tire pressure and the
49 vehicle's timestamped geolocations.

50 (2) An insurer shall not use an insured's vehicle data to
51 determine the rate charged by the insurer to renew the insured's
52 policy unless the insured consents to this use.

53 **SECTION 2.** This act shall take effect and be in force from
54 and after July 1, 2023.

