

Assembly Bill No. 2161

CHAPTER 73

An act to add Chapter 6 (commencing with Section 11895) to Part 3 of Division 2 of the Insurance Code, relating to parking lots.

[Approved by Governor July 22, 2016. Filed with
Secretary of State July 22, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2161, Quirk. Parking lots: design: insurance discount.

Existing law provides that building standards shall be filed by the California Building Standards Commission with the Secretary of State and codified only after they have been approved by the commission. Existing law regulates the issuance and renewal of liability insurance policies in this state.

This bill would authorize an insurer to consider the installation of vehicle barriers as a safety measure and would authorize an insurer to provide or offer a discount on the property owner's insurance covering damage or loss to the covered commercial property or liability arising out of the ownership, maintenance, or use of the commercial property relative to the reduced risk of installation of the barriers. The bill would require that any discounts be determined to be actuarially sound and approved by the Insurance Commissioner prior to their use.

The people of the State of California do enact as follows:

SECTION 1. Chapter 6 (commencing with Section 11895) is added to Part 3 of Division 2 of the Insurance Code, to read:

CHAPTER 6. COMMERCIAL PROPERTY PARKING LOTS: VEHICLE BARRIER DISCOUNT

11895. (a) An insurer may consider the installation of vehicle barriers as a safety measure and may provide or offer a discount on the property owner's insurance covering damage or loss to the covered commercial property or liability arising out of the ownership, maintenance, or use of the commercial property relative to the reduced risk to the property as a result of installation of the barriers if the discount provided or offered is provided or offered consistent with Article 10 (commencing with Section 1861.01) of Chapter 9 of Part 2 of Division 1.

(b) For the purposes of this section, a vehicle barrier is a safety device that meets, at a minimum, the vehicle impact protection standards as provided

by the State Fire Marshal and adopted by the California Building Standards Commission and that is installed to protect persons located within, in, or on the property of, buildings, or to protect pedestrians, from collisions into those buildings by motor vehicles.

(c) Any discounts on insurance provided in accordance with this section shall be determined to be actuarially sound and approved by the commissioner prior to their use.