

Katherine and Charles Bailey v. Concord General Mutual Insurance Company

Held: November 30, 2022
Decision Issued: December 22, 2022
Docket Number: INS-22-2039

The named insureds requested a hearing to contest the nonrenewal of a personal automobile policy. The company asserted that nonrenewal was appropriate because one of the insureds had been involved in two accidents.

Held: For the insureds. Under section 2916-A(2) of the Maine Automobile Insurance Cancellation Control Act, 24-A M.R.S. §2916-A(2), nonrenewal of a policy is permissible when a named insured is involved in two or more accidents while driving a covered vehicle if the accidents occur within the 36 months preceding the annual anniversary date of the policy and each results in more than \$1,000 in property damage. The company failed to meet its burden of proving that both of the cited accidents were countable for nonrenewal purposes. Accordingly, the nonrenewal action is not permitted.