



**Date: 7/18/2023**

**Draft Volunteer Driver Insurance Language:**

**VOLUNTEER DRIVER ACCESS TO INSURANCE**

**Objective:** Modify state law to prohibit an insurer from increasing the rate, or denying, nonrenewing, or cancelling an insured solely for acting as a volunteer driver.

**Draft Language:**

SECTION 1. CREATE WIS. STAT. 632.363.

Sec. 632.363 is created to read:

(1) In this section:

632.363 VOLUNTEER DRIVERS. An insurer may not cancel, refuse to issue or refuse to renew a motor vehicle liability insurance policy to an applicant or insured solely because the applicant or insured is a volunteer driver. An insurer may not increase the rate for a motor vehicle policy solely on the basis that the named insured, a member of the insured's household or a person who customarily operates the insured's vehicle is a volunteer driver.

(a) "Charitable organization" means an organization the contributions to which are deductible by corporations in computing net income under s. 71.26 (2).

(b) "Disability" means a physical or mental state that constitutes or results in a functional limitation to the ability for self-care, ambulation, communication, transportation, education, socialization or employment.

(c) "Volunteer transportation" means motor vehicle transportation of an individual with a disability, an individual who is 55 years of age or older, goods, or food by an individual under the direction, sponsorship, or supervision of a governmental unit or a charitable organization. A volunteer may receive no compensation for services provided other than reimbursement of actual expenses, including mileage reimbursement in an amount not to exceed the amount established by the internal revenue service business mileage reimbursement rate.

(d) "Volunteer driver" means a person who transports an individual with a disability, an individual who is 55 years of age or older, goods, or food under the direction, sponsorship, or supervision of a

governmental unit or charitable organization as defined in s. 895.511(1)(b), and receives no compensation for services provided other than the reimbursement of actual expenses, including mileage reimbursement in an amount not to exceed the amount established by the internal revenue service business mileage reimbursement rate.

**NOTE: This draft language limits an insurer's ability to cancel, refuse to issue, or refuse to renew an automobile policy solely based on an applicant's status as a volunteer driver. Similarly, an insurer may not increase the rate an insured pays solely based on an individual's status as a volunteer driver.**