



**State of New Jersey**  
DEPARTMENT OF BANKING AND INSURANCE  
PO Box 325  
TRENTON, NJ 08625-0325  
Tel (609) 292-5360

JAMES E. MCGREEVEY  
*Governor*

HOLLY C. BAKKE  
*Commissioner*

Bulletin 04-01

TO: All New Jersey Private Passenger Automobile Insurers  
FROM: Holly C. Bakke, Commissioner  
RE: Appeals from Denial of Automobile Insurance;  
N.J.A.C. 11:3-33 Appendix A

As amended on December 1, 2003 (See 35 NJR 5423(a)), N.J.A.C. 11:3-34.4(a)8 provides that an "eligible person" does not include one whose driving record for the three year period immediately preceding the application for or renewal of a policy of automobile insurance has an accumulation of seven or more automobile insurance eligibility points. N.J.A.C. 11:3-33 et seq. sets forth an appeal procedure for a person who has either been denied personal private passenger automobile insurance or nonrenewed in the voluntary market by an insurer on the basis that they are not an eligible person as defined in N.J.A.C. 11:3-34.4. In accordance with N.J.A.C. 11:3-33.4(c), an insurer or agent who has issued a written denial or a notice of nonrenewal shall notify an applicant of his or her right to appeal the denial or nonrenewal to the Department. As part of this notification, an insurer or agent shall provide the letter and appeal form which comprise Appendices A and B of this subchapter.

The purpose of this Bulletin is to advise insurers that, in order to provide accurate information to the recipients of them, commencing immediately insurers should revise the text of the letter, set forth in N.J.A.C. 11:3-33 Appendix A, to reflect the reduced number of accumulated eligibility points on the basis at which an individual is precluded from being deemed an "eligible person," as provided in N.J.A.C. 11:3-34.4(a)8. The Department has proposed an amendment to N.J.A.C. 11:3-33, Appendix A, to revise the reference in item 8 of the letter set forth therein from 9 to 7 eligibility points. The Notice of that proposed amendment will appear in the March 1, 2004, New Jersey Register.

2/4/04  
Date

/s/ Holly C. Bakke  
Holly C. Bakke  
Commissioner

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