

STATE OF NEW JERSEY  
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF THE TIMEFRAME FOR )  
INSURERS TO RESPOND TO INQUIRIES ) ORDER  
REGARDING CLAIMS RELATED TO STORM SANDY )

This matter having been opened by the Commissioner of the Department of Banking and Insurance (“the Commissioner”) pursuant to the authority of N.J.S.A. 17:1-8.1, 17:1-15, App. A:7-1, and all powers expressed or implied therein; and

IT APPEARING that New Jersey has suffered substantial damage from Storm Sandy, resulting in significant hardship and disruption to the owners of damaged automobiles and to homeowners and renters as well as business owners through damage to or destruction of their residences or businesses; and

IT FURTHER APPEARING that on October 27, 2012, pursuant to Executive Order No. 104 (2012) Governor Christie declared a State of Emergency to exist in New Jersey; and

IT FURTHER APPEARING that in consideration of the hardships, disruptions and dislocations that residents of New Jersey have suffered as a result of Storm Sandy, and of current winter weather conditions, it is appropriate to require insurers to respond to inquiries from the Department of Banking and Insurance (“the Department”) related to Storm Sandy as expeditiously as possible; and

IT FURTHER APPEARING that N.J.A.C. 11:2-17.6(d) provides that every insurer, upon receipt of any inquiry from the Department respecting a claim shall, within 15 working days of receipt of such inquiry, furnish the Department with, based on the

information available to the insurer, a complete and accurate written response to the inquiry; and

IT FURTHER APPEARING that N.J.S.A. App. A:7-1 provides that, during time of an emergency, the Commissioner shall have the power to make, alter, amend and rescind rules imposing any condition upon the conduct of the business of any insurance company that may be necessary or desirable to maintain sound methods of insurance and to safeguard the interests of policyholders, beneficiaries and the public generally, during the period of an emergency, which rules shall become inoperative when such emergency shall cease; and

IT FURTHER APPEARING that the Commissioner has determined that it is appropriate to require that insurers respond to inquiries from the Department regarding claims related to Storm Sandy within no later than five working days of receipt of such inquiry, and that insurers may request an extension of no more than an additional five working days;

NOW THEREFORE, IT IS on this 5th day of February 2013 ORDERED that:

1. N.J.A.C. 11:2-17.6(d) is hereby amended to provide that every insurer, upon receipt of any inquiry from the Department respecting a claim related to Storm Sandy shall, within five working days of receipt of such inquiry, furnish the Department with a complete and accurate written response to the inquiry based on information available to the insurer. Insurers may request one extension of no more than an additional five business days prior to the expiration of the initial five business day period. No additional extensions may be requested.

2. The amendment to N.J.A.C. 11:2-17.6(d) established in this Order shall become inoperative when the emergency related to Storm Sandy ceases.

3. N.J.A.C. 11:2-17.6(d) without this amendment shall remain in effect for all claims not related to Storm Sandy.

4. Failure to comply with the terms of this Order may result in the imposition of penalties as authorized by law.



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Kenneth E. Kobylowski  
Commissioner

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