

STATE OF NEW JERSEY  
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF UNDERWRITING AND )  
PRICING CONSIDERATIONS RELATED TO )  
CERTAIN MODELS OF KIA AND HYUNDAI ) ORDER  
AUTOMOBILES )

This matter having been opened by the Commissioner of the Department of Banking and Insurance (“Commissioner”) pursuant to the authority of N.J.S.A. 17:1-15, 17:22-6.14a1, 17:23-20 et seq., 17:29A-1 et seq., and 17:29D-1 and all powers expressed and implied therein; and

IT APPEARING that the Department of Banking and Insurance (“Department”) is aware of public reports stating an increase in the number of thefts of certain models of Kia and Hyundai automobiles in the United States caused by a “TikTok Challenge”; and

IT FURTHER APPEARING that certain insurance companies have begun to refuse to insure specific Hyundai and Kia models; and

IT FURTHER APPEARING that pursuant to N.J.S.A. 17:22-6.14a1 an insurer’s underwriting guidelines may not be arbitrary, capricious, or unfairly discriminatory; and

IT FURTHER APPEARING that pursuant to N.J.S.A. 17:29A-14, an insurer has the responsibility to file with the Department alterations, supplements, or amendments to its rates, rating systems, or any part thereof; and

IT FURTHER APPEARING that pursuant to N.J.S.A. 17:29A-14, companies should be filing those alterations, supplements or amendment to its rates, rating systems or any part thereof on file for these types of vehicles with the Department.

THEREFORE, IT is on this 6<sup>th</sup> day of April, 2023

ORDERED that all authorized and admitted property/casualty insurers that have private passenger automobile policies in force on the date of this Order, shall provide the Department with copies of their private passenger automobile underwriting guidelines and rules applicable between January 1, 2023 and the date of this Order. Any additional changes made to its underwriting guidelines during this period should also be filed. The guidelines shall be submitted by April 14, 2023. In addition, any changes implemented between the date of this Order and prior to December 31, 2023 shall be submitted to the Department within five days of implementation.

Insurers are not required to submit any revisions made to their underwriting rules subsequent to December 31, 2023 unless requested by the Department. The information supplied in accordance with this Order will remain confidential to the extent allowed by applicable state law and regulation, including N.J.S.A. 17:23-24. Documents shall be e-mailed to [market.analysis@dobi.nj.gov](mailto:market.analysis@dobi.nj.gov).

For purposes of this Order, “private passenger automobile insurance” is defined as direct insurance on private passenger automobiles as defined in N.J.S.A. 39:6A-2, excluding personal excess liability insurance and insurance on commercial vehicles.

Insurers who fail to provide the Department with the required information as set forth herein will be subject to penalties pursuant to N.J.S.A. 17:33-2.



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Marlene Caride  
Commissioner