

INSURANCE
DEPARTMENT OF BANKING AND INSURANCE
DIVISION OF INSURANCE

Automobile Insurance Reporting Requirements and Filing Deadlines

Adopted New Rule: N.J.A.C 11:3-3A

Adopted Amendments: N.J.A.C. 11:3-3.5, 16.15 and 22.3

Proposed: October 7, 2002 at 34 N.J.R. 3470(a)

Adopted: January 31, 2003 by Holly C. Bakke, Commissioner, Department of Banking and Insurance

Filed: January 31, 2003 at R. 2003 d.95, **with technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3)

Authority: N.J.S.A. 17:1-8.1, 17:1-15(e), 17:1C-19 and 17:29A-5

Effective Date: March 3, 2003

Expiration Date: January 4, 2006

Summary of Public Comments and Agency Response:

There was only one commenter, State Farm Insurance Companies. Its two comments are discussed below.

COMMENT: The commenter stated its support of the proposed use of the January 31 and July 31 deadlines to replace the previous deadlines for the semi-annual reports. According to the commenter, year-end processing makes it difficult to generate reports for earlier deadlines. The commenter asked that the proposed rule not be amended to use an earlier date.

RESPONSE: The Department is grateful for the support and has no plans to amend the proposed dates at this time.

COMMENT: The commenter stated that they were unable to comment on the contents of the templates to be used in the reporting, as the templates were not part of the rule proposal as required by the Administrative Procedure Act. They further commented that changing the current reporting format would be a burden on insurers that is not needed and is contrary to the goal of the proposed regulations.

RESPONSE: The commenter is mistaken in its belief that the templates were not available for review when the rule was proposed. As stated both in the rule and the Summary, the templates were, and are, available on the Department's website. The Department does not believe that the reporting format of these templates creates any unnecessary burden on insurers nor are they contrary to the goal of consolidating the reporting requirements into one subchapter.

Summary of Agency Initiated Changes:

Changes to the proposal will be made on adoption to correct typographical errors discovered in the original proposal. The word "Exposure" is pluralized in N.J.A.C. 11:3-3A3(b)1i, to be consistent with the other titles in the paragraph. The spelling of "in-force" is corrected in N.J.A.C. 11:3-3A.3(b)2iii, (d)2 and 11:3-22.3(a) and punctuation is corrected in N.J.A.C. 11:3-22.3(a). At N.J.A.C. 11:3-3A.3(h), the phrase "preferable media" is clarified as "preferred media."

Federal Standards Statement

A Federal standards analysis is not required because the adopted new rules and amendments are not subject to any Federal requirements or standards.

Full text of the adoption follows (additions to proposal indicated in boldface with asterisks ***thus***; deletions from proposal indicated in brackets with asterisks *[thus]*):

11:3- 3A.3 Report requirements

(a) (No change from proposal.)

(b) The Consolidated Report shall include the following reports: In-Force Exposures; Primary Classification; Tier Report; and Basic versus Standard Exposures.

1. The Consolidated Report shall be filed in accordance with the template found at <http://www.state.nj.us/dobi>. The Consolidated Report forms shall be filed for the following four subheadings:

- i. Voluntary Standard Policy In-Force Exposure*~~s~~* and Written Premiums;
- ii. –iv (No change)

2. The Consolidated Report shall:

- i. – ii. (No change from proposal.)
- iii. Include *[inforce]* ***in-force*** exposure and written premium for each of 12 classifications based on age, gender and use; and
- iv. (No change from proposal.)

(c) (No change from proposal.)

(d) The Coverage Option Survey – PIP Deductibles, Threshold Options Report shall be filed in accordance with the template found at <http://www.state.nj.us/dobi>, and shall:

1. (No change from proposal.)
2. Reflect the total number of automobiles with *[inforce]* **in-force** coverage; and
3. (No change from proposal.)

(e) – (g) (No change from proposal.)

(h) Reports with an evaluation date of June 30 shall be due by July 31.

Reports shall be submitted using the Excel templates, available on the Department's website at <http://www.state.nj.us/dobi>, on one of the following media:

1. E-mail (*[preferable]* **preferred** media);
- 2.–3. (No change from proposal.)

(i) – (j) (No change from proposal.)

11:3-22.3 Coverage option survey requirements

(a) Every automobile insurer shall complete and file with the Commissioner the coverage option survey required by this subchapter in accordance with the provisions of N.J.A.C. 11:3-3A. The insurer's survey shall reflect the total number of automobiles with

[inforce] **in-force*** coverage and shall indicate the personal injury protection and lawsuit threshold or no threshold options selected with respect to each such automobile *.*

(b) – (d) (No change from proposal.)

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