

1900 Rates and Rating Organizations

**1902 Private Passenger Automobile Insurance Rating Information [Formerly Regulation
34]**

1.0 Authority

- 1.1 This rule is promulgated pursuant to 18 **Del.C.** §314, which authorizes the Insurance Commissioner to ". . . make reasonable rules and regulations necessary for or as an aid to the administration or effectuation of any provision of this title," and has been adopted in accordance with the procedures of the Administrative Procedures Act, 29 **Del.C.** §§6411—6418.

2.0 Purpose

- 2.1 The fundamental purpose of this Regulation is to require insurance companies which provide motor vehicle insurance on private passenger automobiles registered, or principally garaged, in the State of Delaware, to provide to their insureds policies and renewal certificates which reflect information pertaining to the insurance coverage provided, and to require the submission of an accompanying rating information form which details to the insured the basis for rating the insured's automobile.

3.0 Form Requirements

- 3.1 As of the effective date of this regulation section, every private passenger automobile insurance policy and/or renewal certificate shall contain at least the following information:
- 3.1.1 coverages provided;
 - 3.1.2 the applicable limits of liability and deductibles thereto;
 - 3.1.3 the classification of the automobile(s); and
 - 3.1.4 the rating territory.
- 3.2 As of the effective date of this regulation section, each private passenger automobile insurance policy and/or renewal certificate shall be accompanied by a "rating information form" which shall provide a detailed explanation of the classification determination, e.g., use of automobile, age, sex, marital status, driver training, student discount, etc. In addition, if a "safe driver" plan, or any other driver plan is used in premium determination, the rating information form shall provide succinct, but complete, description of such plan, stating under what circumstances points will not be assigned if accidents or motor vehicle law violations occur.

4.0 Filing Requirements

- 4.1 Each licensed or authorized rating organization, and each casualty insurance company licensed to transact vehicle insurance which files its own private passenger automobile rates, shall file with the Insurance Department the "rating information form" format the organization or company proposes to utilize. The rating information form shall be accompanied by the rating organization's or company's manual pages which set forth the present private passenger automobile classification and the individual driver record plan.
- 4.2 Whenever subsequent changes to the private passenger automobile classification or to the driver record plan are filed and made effective, a revised rating information form shall also be filed to be used coincident with the effective date of the revision or change.

5.0 Failure to Comply

- 5.1 Failure to comply with the provisions of this Regulation shall be deemed to be a violation of a Commissioner's Order, and shall subject the persons in violation to the penalties prescribed in 18 **Del.C.** §§2307, 2308, and/or §§520, 106.

**TITLE 18 INSURANCE
DELAWARE ADMINISTRATIVE CODE**

2

6.0 Effective Dates

- 6.1 The filing of the rating information form and manual pages with classification and driver record plans, pursuant to section 4.0 above, shall be made on or before June 1, 1980.
- 6.2 The operative requirements for providing policy and certificate information and for submitting the accompanying rating information form to insureds, pursuant to section 3.0 above, shall be effective as of September 1, 1980.