

April 15, 1970

SUBJECT: INSURANCE

WITHDRAWN

Circular Letter No. 4 (1970)

TO ALL AUTHORIZED INSURERS WRITING AUTOMOBILE INSURANCE IN THE STATE OF NEW YORK

Insurance Rating Board, Mutual Insurance Rating Bureau, New York Automobile Insurance Plan

It has come to our attention that insurers have on occasion applied surcharges to the private passenger auto insurance premiums of policemen and other law enforcement officers, and firemen who have been involved in accidents while operating police, law enforcement, or fire department emergency vehicles in the course of duty.

The Insurance Department is of the opinion that the application of such surcharges is definitely against the public interest and violative of the statutory rating standards contained in Articles VII-A and VIII of the Insurance Law.

Accordingly, you are advised that the imposition of any surcharge upon the private passenger insurance rate of any motorist (insured voluntarily or through the Automobile Insurance Plan) who is involved in an accident while operating a motor vehicle in any public emergency in the course of his duty or employment as a member of any police or fire department (including volunteer fire department) or law enforcement agency or in the performance of any other governmental function in such public emergency or while operating in an emergency any public or private ambulance, will be deemed in violation of Articles VII-A and VIII of the Insurance Law and subject to appropriate penalties.

All insurers and the Automobile Insurance Plan using plans which impose any surcharge upon the private passenger insurance rate of any such motorist who is involved in an accident while operating a motor vehicle are hereby directed to amend and clarify their manual rules in accordance with the foregoing advices not later than July 1, 1970.

Please acknowledge receipt of this letter.

Very truly yours,

[SIGNATURE]

Superintendent of Insurance