

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES
REVIEW STANDARDS FOR PERSONAL AUTOMOBILE

LINE OF BUSINESS: Personal Auto

CODE: 19.0

LINE(S) OF INSURANCE	CODES
<u>Personal Auto Combinations</u>	<u>19.0000</u>
<u>Private Passenger Auto (PPA)</u>	<u>19.0001</u>
<u>Motorcycle</u>	<u>19.0002</u>
<u>Recreational Vehicle (RV)</u>	<u>19.0003</u>
<u>Other</u>	<u>19.0004</u>

IF CHECKLIST IS NOT APPLICABLE, PLEASE EXPLAIN:

REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
GENERAL REQUIREMENTS FOR ALL FILINGS		The following web site represents the Department's initiative to streamline the procedures for form, rate and rule filings: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	Form/Page/Para Reference
COVER LETTER AND EXPLANATORY MEMORANDUM	CL 11 (1998)	The filing should include a cover letter, and an explanatory memorandum clearly explaining the intent of the filing, and highlighting any substantive changes (such as changes in ratemaking methodology or major coverages provided). If new form(s), territories, classification(s), or rule(s) are being filed and there are similar ones currently approved for use by a Rate Service Organization (RSO) or another insurer, or has been the subject of a filing previously not approved in New York, reference should be provided to the Department's file number or SERFF tracking number and effective date of the approval, or copies of the approved items should be included, if applicable. If the filing is currently in use in another state, this should be indicated.	
EXCLUSIONS & LIMITATIONS	11NYCRR 60-1 (Reg 35-A)	Regulation 35-A contains a list of permissible exclusions. Please refer to Item I.a.8. & I.b. of Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Asbestos	11NYCRR 60-1 (Reg 35-A)	Not permitted by the Regulation	
Discrimination	11NYCRR 60-1 (Reg 35-A)	Not permitted by the Regulation. Please refer to Item I.a.8. & I.b. of Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Intentional Acts	11NYCRR 60-1.1(f) (Reg 35-A)	Required by the Regulation. Please refer to Item I.a.15. & I.b.5.(ii) of Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Lead	11NYCRR 60-1 (Reg 35-A)	Not permitted by the Regulation	
Mold	11NYCRR 60-1 (Reg 35-A)	Not permitted by the Regulation	

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES
REVIEW STANDARDS FOR PERSONAL AUTOMOBILE

REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
Punitive Damages	Court of Appeals - Hartford A&I v. Village of Hempstead, New York 2nd 218, 1979	Allowable for public policy considerations. Please refer to Item I.b.5.(i) of Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Terrorism	11NYCRR 60-1 (Reg 35-A)	Not permitted by the Regulation	
FILING SUBMISSION	§2305 & §2307 CL 19 (1992) Supplement No 1 to CL 11 (1998)	Forms, territories, classifications, rating rules, rates and rating plans are subject to prior approval.	
Compliance Questionnaires, Forms and Optional "Speed to Market" Filing Procedures	CL 11 (1998) Supplement No 3 to CL 11(1998)	Please refer to the following web site for additional information: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
NO FILE OR FILING EXEMPTIONS	Article 63 11NYCRR16 (Reg. 86)	An authorized insurer must obtain a "Special Risk License" prior to writing business in the "Free Trade Zone". Such business shall be limited to a Special Risk defined as either a Class 1 risk or a Class 2 risk enumerated in the list contained in Regulation 86. Although filing is not required, rates and policy forms applied to special risks must still satisfy governing standards set forth in the Insurance Law and regulations.	
PROHIBITED COVERAGES		While the Department does not have an exhaustive list, some examples of prohibited coverages include punitive damages and corporal punishment. Please refer to the following web site for additional information: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Indemnification Policy	§3420	Is not permitted. Liability coverage must be provided on a pay on behalf basis.	
SIDE BY SIDE COMPARISON	CL 11 (1998)	If the filing is a revision to existing form(s), territories, classification(s) or rule(s); Except for simple, non-substantive changes, a side-by-side comparison of the form(s) or rule(s) being proposed and those currently in use in New York, with all changes clearly marked and explained in the company's cover letter or memorandum must be included. Revisions to classifications and territories should include a comparison between those currently on file (in New York) and those proposed, including relevant statistical data (experience) and any rate or rate relativity effect. There should be a reference to the Department's previous file number and/or a copy of the approval letter in which the current form(s), territories, classification(s) or rule(s) were approved/acknowledged.	
FORMS: POLICY PROVISIONS	§2307, §2610, §3411, §3412, §3420, §3425, & Article 51 11 NYCRR 60-1 (Reg 35-A) 11NYCRR60-2 (Reg 35-D) 11 NYCRR 216 (Reg 64) 11NYCRR65 (Reg. 68-A) 11NYCRR67 (Reg. 79) 11NYCRR71 (Reg. 107)	The following Compliance Questionnaire contains detailed information for making a personal auto filing including required policy provisions, exclusions, prohibited coverages, and standard language: Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	Form/Page/Para Reference
APPLICATIONS			
Filing exemption	§2307(b)	Applications which do not become part of the policy are exempt from filing requirements.	

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES
REVIEW STANDARDS FOR PERSONAL AUTOMOBILE

REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
Fraud Warning Statement	§403(e) 11NYCRR86.4 (Reg. 95)	All applications must contain the prescribed fraud warning statement as set forth in Section 86.4(b) of Regulation 95, which must be incorporated immediately above the applicant's signature.	
ARBITRATION			
No-Fault Coverages	11NYCRR65 (Reg 68-A)	Required provisions contained in endorsements as prescribed by the Regulation.	
Other coverages		Except for No-Fault coverages (see above), not required, although generally contained in most policies / coverages. Arbitration of disputes between an insured and the insurer may not be required.	
BANKRUPTCY PROVISIONS			
Insolvency or bankruptcy clause	§3420(a)(1)	Policy must contain a statement indicating that the insolvency or bankruptcy of the insured or the insured's estate does not release the insurer from its' contractual obligation to pay damages covered under the policy. Please refer to Item I.a.2 of Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
BLANK ENDORSEMENTS		Not permitted since a blank endorsement may change policy provisions without the proper approval by this Department. An exception may be made for a blank form if its usage is apparent based on the title/language of the form itself (such as a change in address form). Forms containing check boxes with a space for language to be added are considered blank endorsements and are subject to these rules.	
CANCELLATION & NON-RENEWAL	§3425	Please refer to the following Compliance Questionnaire for detailed cancellation and nonrenewal requirements Personal Auto Cancellation and Nonrenewal Form Filing Compliance Questionnaire Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Notice of Cancellation	§3425(c)	The cancellation provisions must comply with statutory time frame for giving notice. See Item I. - of Personal Auto Cancellation and Nonrenewal Form Filing Compliance Questionnaire	
Notice of Non Renewal	§3425(d)	The nonrenewal provisions must comply with statutory time frame for giving notice. See Item III. - of Personal Auto Cancellation and Nonrenewal Form Filing Compliance Questionnaire	
Required Policy Period	§3425 (a)(8) & (g)	One year unless compliance with statutory reasons	

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES
REVIEW STANDARDS FOR PERSONAL AUTOMOBILE

REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
Permissible Reasons for Cancellation	§3425(b)&(c)	A - If cancellation occurs during the first 60 days of the policy period, any valid specific underwriting reason: B - After the first 60 days, or if a renewal policy: i. non-payment. ii. suspension or revocation of an operator's driver's license during the policy period (see exceptions). iii. fraud or material misrepresentation in obtaining the policy or presenting a claim. Please refer to Items I a. & b. of Personal Auto Cancellation and Nonrenewal Form Filing Compliance Questionnaire	
Permissible Reasons for Non Renewal	§3425(d)	Company may nonrenew for any specific reason per 3425(d)(1). Please refer to Item III.c. of Personal Auto Cancellation and Nonrenewal Form Filing Compliance Questionnaire	
Conditional Renewal	§3425(d)(2)	In lieu of cancellation, insurer may condition continuation of policy on: 1. Change in limits; 2. Elimination of any coverage not required by law. Please refer to Item II of Personal Auto Cancellation and Nonrenewal Form Filing Compliance Questionnaire	
Suspension	VTL §311 & §312	Mandatory Coverages (liability & no-fault) may only be suspended (by endorsement) if the vehicle's license plates are surrendered. Although not a requirement in the Law, insurers will generally not issue a suspension unless they receive proof of surrender.	
CLAIMS MADE	11 NYCRR 60-1 (Reg 35-A) 11 NYCRR 73 (Reg 121)	Claims-made coverage is prohibited for motor vehicle liability policies.	
DEFENSE			
Duty to Defend	11NYCRR 60-1.1(b) (Reg. 35-A) 11NYCRR71(Reg. 107)	The insurer has the duty to defend all claims to which the policy applies. A defense must be provided even if allegations are groundless. A complete defense must be provided for a claim, which involves both covered and uncovered allegations, and no allocation of defense costs is permitted. Also see Item I.a.12 & 18. Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Defense-Within-Limits	11NYCRR71.2 (Reg. 107)	Motor vehicle liability policies may not be written on a defense within limits basis.	
DEFINITIONS			
Insured	11NYCRR 60-1.1(c) (Reg 35-A)	Please note the definition of the "Insured" must comply with the minimum provisions of Section 60-1.1(c) of Regulation 35-A. Please refer to Item I.a.9 of Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Loading & Unloading	§2307(b)	The term "Loading & Unloading" must remain undefined.	
EXCESS COVERAGE	11NYCRR 60-1.1(a) (Reg 35-A)	Due to financial responsibility laws, policy must provide primary coverage for any owned automobile(s). Excess coverage applies to hired and non-owned autos	

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES
REVIEW STANDARDS FOR PERSONAL AUTOMOBILE

REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
FRAUD WARNING	§403(d) 11NYCRR86.4(Reg. 95)	None required on Personal Auto Policy Forms or applications (only claim forms)	
FORMS MISCELLANEOUS			
Numbered Forms	§2307(b)	All policy forms and endorsements filed with the Department must include an identification number. Please refer to Item I.f.5 of Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Unlicensed Companies	§2307(b)	All policy forms and endorsements filed with the Department may only include the names of insurers licensed in the State of New York. Please refer to Item I.f.3 of Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
FICTITIOUS GROUPS	§3435 11NYCRR301 (Reg. 134) 11NYCRR153 (Reg. 135)	The provisions of §3435 and Regulations 134 and 135 do not permit fictitious groups. The issuance of group property & casualty insurance is limited to either not-for-profit or municipality insureds, or purchasing groups formed under the Federal Liability Risk Retention Act of 1986 or quasi-group policies through a mass merchandising, safety group or similar program, in connection with State law or a Federal purchasing group.	
GROUP POLICIES	§3435 11NYCRR301 (Reg. 134) 11NYCRR153 (Reg. 135)	The provisions of §3435 and Regulations 134 and 135 do not permit fictitious groups. The issuance of group property & casualty insurance is limited to either not-for-profit or municipality insureds, or purchasing groups formed under the Federal Liability Risk Retention Act of 1986 or quasi-group policies through a mass merchandising, safety group or similar program, in connection with State law or a Federal purchasing group. Group policies must comply with the provisions of Regulations 134 & 135 including the following: general requirements, group policy minimum standards, premium collection and payment, dividend plans and form and rate filings requirements.	
LIBERALIZATION CLAUSE			
LIMITS			
Policy Limits	§311 VTL	Minimum limits 25,000/50,000 BI and 10,000 PD & 25/50 UM	
Sublimits		Full limits of the policy must be available to all insureds, cannot provide differing limits for different insureds.	
LOSS SETTLEMENT	11 NYCRR 216 (Reg 64)	For First-Party Physical Damage claims, see Item I.d. of Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Action Against Company	3420(a)(2) & 3420(b) 11 NYCRR 60-1.3(f) (Reg 35-A)	If judgment against an insured is not satisfied within 30 days, an action can be brought against an insurer. (Please refer to items 1.a.3. and 1.b.1 of Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers); [Discretionary provision - insured must comply with all terms of policy and amount of obligation must be determined before action can be taken]	

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES
REVIEW STANDARDS FOR PERSONAL AUTOMOBILE

REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
After Market Parts	11 NYCRR 216.7 (Reg 64)	No required language, but claim procedures outlined in the Regulation must be followed.	
Appraisal	11 NYCRR 216.7 (Reg 64)	Procedures in Regulation must be followed.	
Arbitration		Not required (except for No-Fault), but is found in most policies	
Deductibles	§3411(k)	For physical damage coverages, a "standard" deductible option of \$200 must be offered, as well as \$250, \$500 & \$1,000 options, and at least one option below \$200; minimum permissible deductibles are \$100 for collision and \$50 for comprehensive.	
Defense Costs	11NYCRR 60-1.1(b) (Reg. 35-A) 11NYCRR71 (Reg. 107)	Since defense within-limits is not permitted for motor vehicle liability policies, defense costs must be in addition to the policy limits; provision must be provided even if claim is groundless. Also see Item I.a.12 & 18.of Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Loss Valuation	11 NYCRR 216 (Reg 64)	No required language, but claim procedures outlined in Regulation must be followed.	
Notice Requirements	§2349, §3111(a), §3440(d)(1)&(2), §3420(f)(2)(B), §2804, §2805 VTL §311.4(a), VTL §312.1(a), 11NYCRR154.1(f)(Reg 150) 11 NYCRR154.4(b)(Reg 150) 11 NYCRR 60-2(Reg 35-D) 11 NYCRR 65-1.2(b)(Reg 68) 11 NYCRR221(Reg 182) CL 1 (1980) & CL 3 (2002)	These sections require notices to the policyholder on various topics; however these are not policy forms subject to approval. Please refer to the Declarations Page Requirements listed in:Personal Auto Declarations Page Form Filing Compliance Questionnaire Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Notification of Claim	§3420(a)(3)(4) (5) &(6)	The policy must contain the various liability provisions set forth in Section 3420 (a)(3)(4)(5) and (6). Please refer to Item I.a.4., 5., 6., and 7. of Personal Auto Liability and Physical Damage Coverage Form Filing Compliance Questionnaire, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
MEDICAL PAYMENTS		Not a required coverage, although commonly provided as optional	
MORTGAGEE/ LIENHOLDER		Not required, although policy may add lienholder as additional insured for physical damage coverages when required by the lienholder.	
OTHER INSURANCE	11 NYCRR 60-1.1(g) (Reg 35-A)	Choice of two optional provisions under Regulation 35-A Policy shall provide excess coverage for hired and non-owned.	
PARTICIPATING POLICIES	§4106	A participating policy provision is not required. However, when the provision is included, the board of directors may make reasonable classifications of policies in order to issue payment of dividends. Such classifications must be filed for approval and be fair and not unfairly discriminatory.	
PERSONAL INJURY PROTECTION	11NYCRR65 (Reg 68)	Prescribed Endorsements in Regulation for Mandatory (Basic) PIP, Additional PIP, OBEL, Basic PIP for Motorcycles and All-Terrain Vehicles.	
PRIMARY/UNDERLYING COVERAGE	VTL§311 11 NYCRR 60-1.1(g) (Reg 35-A)	Personal Auto liability coverage must be primary, except with respect to hired/nonowned autos; see also "Other Insurance" above	

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES
REVIEW STANDARDS FOR PERSONAL AUTOMOBILE

REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
READABILITY	§3102	The insurance policy must be understandable and meet the requirements for readability of including a minimum score of 45 on the Flesch Test, unless Superintendent determines that form is otherwise readable, understandable, or mandatory as prescribed by statute or Regulation.	
SUBROGATION	11NYCRR 60-1.3(b) (Reg 35-A)	Discretionary provision - insurer may be subrogated to any rights of recovery of the insured	
UNINSURED/ UNDERINSURED MOTORISTS	§3420(f) 11NYCRR60-2 (Reg 35-D) Supplements 1 & 2 to CL 15 (1995)	Language for these coverages is prescribed by statute and may not deviate. The form for statutory uninsured motorists coverage is prescribed by the Motor Vehicle Accident Indemnification Corporation (MVAIC), and is authorized by NYIL §5206(b); the Supplementary Uninsured/Underinsured Motorists coverage endorsement is prescribed by Department Regulation 35-D (11 NYCRR 60-2).	
VALUED POLICIES (STATED AMOUNT/AGREED VALUE)	11 NYCRR 216 (Reg 64)	See also "Loss Valuations"	
VICARIOUS LIABILITY	CL 6 (1994)	The Department permits coverage for claims of vicarious liability regardless of whether the underlying wrong is intentional or not.	
VOIDANCE	§3105 & §3106	May not void a policy unless the misrepresentation is material. No misrepresentation shall be deemed material unless knowledge by the insurer of the facts misrepresented would have led to a refusal by the insurer to make such contract; however, an automobile liability policy cannot be "voided" in respect to the third-party's protections (BI & PD), pursuant to case law and Regulation 35-A.	
WARRANTIES	§3106	A breach of warranty shall not void a policy unless the breach of warranty is material.	

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES
REVIEW STANDARDS FOR PERSONAL AUTOMOBILE

REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
RATES & RATING PLANS	§2304 & §2344 11NYCRR161 (Reg. 129) Supplement No 4 to CL 11 (1998)	All rates, rating plans, and rating rules filings must be submitted in accordance with the instructions of Supplement No. 4 to Circular Letter 11 (1998) which outlines the new mandatory filing procedures effective September 16, 2002. These procedures contain the minimum required information that must accompany all rate, rating plan, and rating rule filings. Rate filings must include appropriate supporting information as outlined in the Rate Filing Sequence Checklist. Please note the relevant requirements contained in Section 2304 of the New York Insurance Law. Please refer to the following web site for additional information: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	Form/Page/Para Reference
ADOPTIONS OF RATE SERVICE ORGANIZATIONS (RSO) FILINGS			
Me Too Filings	§2306 11 NYCRR 161.7 (Reg. 129)	The insurer may discharge its rate filing obligation by giving notice that it uses rates and rate information prepared by a designated rate service organization. Please refer to Regulation 129 for the filing of rates and the relation and role of rates published by a rate service organization and the Department's web site for additional filing information: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
CONSENT-TO-RATE	§2309	The application for an excess rate is subject to prior approval. In addition, the application must include the insured's reasons and the application must be signed by the insured.	
CREDIT SCORING AND REPORTS	Article 28 11 NYCRR221(Reg 182)	The use of credit scoring and reports must be in compliance with Article 28 of the NYIL and Regulation 182.	
INDIVIDUAL RISK RATING	§2305 11NYCRR161.12 (Reg. 129)	Individual Risk Rating is not permitted for personal auto policies.	
PRICING	§2304 11NYCRR161 (Reg. 129) CL 19 (1992) & CL 4 (1996)	The following web site contains the mandatory filing procedures: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Mass Merchandising	11 NYCRR 13 (Reg 58) 11NYCRR153 (Reg. 135)	Must meet definition of "Mass merchandising" in Regulation; requirements for applying rate differentials are detailed in Regulation, statistics must be submitted annually.	
Minimum Premium Rules		Minimum Premium Rules- the submission should evidence the relationship between the amount charged as a minimum premium and the costs associated with producing the policy or coverage. Return Premium/Minimum Earned Premium Rules - the submission should specify that the policy will be pro-rated or short-rated due to mid-term termination of the policy. Premium may be considered fully earned only for policies insuring special events that are only a few days in length.	

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES
REVIEW STANDARDS FOR PERSONAL AUTOMOBILE

REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
Multi Tiering	§2349 11 NYCRR 154 (Reg 150)	Section 2349 of the Insurance Law permits multi-tiering programs for personal automobile insurers, subject to prescribed guidelines by Regulation 150. "Multi-Tier Disclosure Notice" also required. Please refer to the following Compliance Questionnaire: Personal Auto Multi-Tier Filing Compliance Questionnaire Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	
Payment Plans		Payment plans are outside of the rating structure, and do not have to be filed with the Department or included as part of the manual rates.	
Service Charges		Late payment fees, reinstatement fees, and premium installment fees are to be classified as service fees that are outside of the rating structure, and do not have to be filed with the Department or included as part of the manual rates.	
Surcharges	§2335 11NYCRR 169 (Reg 100)	Only certain events (specified accidents and/or traffic convictions) may qualify for merit rating surcharges under the statutes; maximum surcharge also prescribed by Regulation.	
RATING PLAN REQUIREMENTS	§2344 11NYCRR161.8(Reg. 129)	Rating plans are not permitted for Personal Lines policies pursuant to Regulation 129	
RATE/LOSS COST SUPPORTING INFORMATION			
Actuarial or other Rate Support	11NYCRR161 (Reg. 129) CL 19 (1992) CL 5 (2009)	Rate making and supporting information for rates, rating plans, and rating rules must be organized into exhibits, which follow a sequential numbering system. The Rate Filing Sequence Checklist and the related instructions prescribe the required format used to support rate, rating plan, and rating rule filings, available at: Rate, Form, Territory, Classification and Rule Filing Instructions for Property/Casualty Filers	