
KATHY HOCHUL
Governor



ADRIENNE A. HARRIS
Superintendent

October 28, 2022

RE: CALL FOR SPECIAL REPORT PURSUANT TO SECTION 308, NEW YORK
INSURANCE LAW: COMMERCIAL AUTOMOBILE LIABILITY INSURERS
COVERING PUBLIC AUTOMOBILE CLASSIFICATIONS

To ensure that appropriate insurance coverage is available and affordable, and to promote the long-term viability of entities providing public livery insurance in New York, the Department continues to monitor issues and developments affecting this market.

Pursuant to Section 308 of the Insurance Law, your company is required to complete the Voluntary Public Auto Classifications survey. This survey is being sent to companies reporting written premium for commercial automobile insurance in calendar year 2021.

This survey requests detailed information on the total number of policies and direct premiums written, by category, for all public auto rate classifications, during the period January 1, 2021 through September 30, 2022. Information regarding any rate revisions being contemplated or changes in your current level of writings in the immediate future is also requested.

Your company must respond by returning the completed Excel file "REPORT.xlsx" no later than December 20, 2022. Beginning this year, the completed response must be transmitted through the Department's new portal application, "Public Automobile Classifications (NYIL §308)". Detailed instructions for this process are included on our [website](#). Please read the instructions carefully, and respond to all questions. The sections of the "REPORT.xlsx" file requesting premium and policy count have not been substantially changed for this year; however, four additional fields with questions regarding business written have been added in Section V for narrative responses. The affirmation of the information provided will be indicated by a "check box" on the submission screen.

If the company does not currently write policies for any classification of public automobile business, and does not intend to write this business in the foreseeable future, the accompanying survey forms do not have to be completed. In this case, the check box on the screen indicating "No Public Automobile business written" must be chosen.

Please note that the Department does not require a printed copy of any part of this report.

Insurers that provide coverage in this market should be in the final stages of completing their review of loss experience to determine if any change in rates is appropriate. Pursuant to Article 23 of the Insurance Law, rate filings for public automobile insurance are subject to the prior approval of the Superintendent. In order to assure adequate time for the Department to review these rate filings, insurers that intend to make any changes in their rates, as well as insurers that intend to make an initial filing for the upcoming policy year, should submit such filings as soon as possible.

Any questions concerning the survey documents may be directed to Mr. Chi Kan Lau at 308PublicAuto@dfs.ny.gov.

Very truly yours,

Robert Kasinow
Acting Deputy Superintendent
Property Bureau