



KATHY HOCHUL
Governor

ADRIENNE A. HARRIS
Superintendent

June 30, 2022

Governor Kathy Hochul
The Executive Chamber
State Capitol
Albany, NY 12224

In accordance with the requirements of Section 3425(1)(2) of the New York Insurance Law, please find attached the Department of Financial Services' report on Section 3425 of the Insurance Law regarding private passenger automobile insurance policies.

Respectfully submitted,

Adrienne A. Harris
Superintendent of Financial Services

cc: Hon. Carl E. Heastie
Hon. Andrea Stewart-Cousins
Hon. Kevin A. Cahill
Hon. Neil D. Breslin
Hon. William A. Barclay
Hon. Robert G. Ort

REPORT ON PRIVATE PASSENGER AUTOMOBILE INSURANCE POLICIES

**Pursuant to section 3425(l)(2) of the Insurance Law in
relation to policy non-renewals or conditional renewals**

June 30, 2022



TABLE OF CONTENTS

INTRODUCTION	1
LEGISLATIVE BACKGROUND OF SECTION 3425	2
REPORT METHODOLOGY	2
Collection of Data	2
Driver Classifications and Territorial Designations Utilized	2
SCOPE OF ANALYSIS	3
ANALYSIS	4
I. SUMMARY BY CLASSES	4
All Classes Combined	4
Senior Citizens	5
Youthful Males	6
Youthful Females	7
General Comments and Observations	7
II. OTHER INFORMATION	8
1. Market Conduct Examinations and Disciplinary Actions for Excess Nonrenewals	8
2. Excess Nonrenewals	9
3. Reasons for Nonrenewal of Policies	10
4. New Business Writings	12
5. Consumer Complaints	13
6. Use of Multi-Tier Rating Programs	13
CONCLUSION	14
APPENDICES	
APPENDIX I	Summary of Excess Nonrenewals by Territory – 2019 -2020
APPENDIX II	Summary of Excess Nonrenewals by Company/Group – 2019 - 2020
APPENDIX III	Private Passenger Automobile Insurance Top 30 Market Share In New York State– 2019 – 2020

INTRODUCTION

Section 3425 of the New York Insurance Law sets forth the requirements regarding automobile insurers' decisions to non-renew or conditionally renew private passenger automobile insurance policies upon expiration of the required one-year policy period. This report on such non-renewals or conditional renewals is made pursuant to the requirements of Section 3425(l)(2) of the New York Insurance Law ("Report").

Specifically, Section 3425(f)(1) permits an insurer (with limited exceptions described below) to non-renew or conditionally renew up to a maximum of 2% of the total number of covered policies in force at the end of the previous year in each of an insurer's rating territories. This limitation is commonly referred to as the "2% Rule." Excluded from the 2% Rule are cancellations made within the first 60 days of a newly issued policy, and midterm terminations due to a limited number of reasons prescribed by statute, such as non-payment of premium, fraud in obtaining the policy or in presentation of a claim, and suspension or revocation of a driver's license. Also excluded from the 2% Rule are terminations made at the policyholder's request. In addition, the law permits insurers to annually non-renew one policy in a given rating territory where the number of its total policies in such territory is less than 50. The law also permits an insurer to non-renew policies at a rate greater than 2% under certain circumstances and subject to the Superintendent's approval.

Section 3425(f)(2) provides that an insurer may non-renew or conditionally renew one additional policy in each territory beyond the two percent limitation for every two newly issued automobile insurance policies voluntarily written by that insurer in such territory. Section 3425(f)(2), which can be viewed as a companion rule of Section 3425(f)(1), is often referred to as the "2-for-1 Credit."

Section 3425(l)(2) requires the Superintendent to collect, analyze and compile reports submitted by insurers regarding the number of new insureds, nonrenewed insureds, and business written by each insurer in each of its rating territories, and to report the results of such analysis to the Legislature by June 30, 2020, and to repeat that process every two years thereafter. Chapter 395 of the laws of 2017 amended this section to include this extended reporting period and to also require reporting of the reasons in the aggregate for the non-renewal of policies.

The Department of Financial Services (the "Department") last reported on this subject on June 30, 2020 for the three-year period ended December 31, 2018. Chapter 58 of the Laws of 2020 extended these sections to June 30, 2023. The data analyzed for this Report covers the two-year period ended December 31, 2020, during which time the 2% Rule was continuously in effect.

LEGISLATIVE BACKGROUND OF SECTION 3425

Section 3425 has an extensive history. It was originally enacted in 1969 as Section 167-a to establish minimum policy standards limiting insurers' right to terminate private passenger automobile coverage, while preserving the necessary freedom to underwrite responsibly. As time passed and circumstances changed, Section 3425 evolved both in response to current market conditions and in a manner consistent with the law's original goals.

REPORT METHODOLOGY

Collection of Data

In order to obtain the information for this Report, the Department, pursuant to Section 3425(1) of the Insurance Law, required all insurers with voluntary private passenger automobile insurance policies in force in New York for 2019 and 2020 to submit specific underwriting data for the respective calendar years.

The required report formats and instructions are posted on the Department's web site for access and downloading by all insurers. All reports were required to be completed in a standardized electronic format.

Driver Classifications and Territorial Designations Utilized

Automobile insurance companies price the policies they sell to individuals by means of driver classification systems that, when actuarially and statistically supported and properly applied, help predict future losses and prevent unfair discrimination.

Classification systems may differ among insurance companies. Some use simple systems that include a few separate classes, while others employ more complex systems utilizing many classes and variables. However, the basic principal driver classifications common to virtually all insurers are: Adult; Senior Citizen; Youthful Male; and Youthful Female (all of which are further differentiated by "Business" or "Pleasure" use). For the purpose of evaluating the operation of Section 3425, the Department uses data reported by insurers for the first four classes, since they are most relevant to the objective of the statute, which is protection of personal automobile insurance policyholders.

The geographical garaging location of the vehicle insured determines the rating territory used in calculating the policy premium. Territory definitions vary among insurers. Since the 2% Rule functions on a territorial basis, for the purposes of this Report, it is essential that compliance data be reported in a uniform statewide-compatible format. Therefore, in completing their annual submissions of information required by Section 3425, insurers are

instructed to conform their respective territorial reports to a standard set of 70 defined territories.

SCOPE OF ANALYSIS

The compiled data are presented in two parts in the Overall Findings section of this Report. Part I (Summary by Classes) summarizes the number of policies in force, the number of new policies written, and the number of nonrenewed policies, categorized by class of insureds, of the 30 largest auto insurers (by premium volume) in New York State for the years 2019 and 2020.

Based on the direct written premiums reported on the companies' filed annual statements, the top 30 insurers represented the following cumulative market share of all private passenger automobile insurance business written in New York State: 87.04% in 2019 and 86.84% in 2020. Because of the significant aggregate share of the overall insurance market represented by these companies, the summary data for this group represent a reliable measure of the effectiveness of the law.

Part II (Other Information) presents information on excess nonrenewals (i.e., the number of policies nonrenewed above the 2% limit), disciplinary actions, new business written, and consumer complaints for all insurers (including the top 30) writing private passenger automobile insurance in New York.

All of the data utilized in compiling this Report were provided by insurers writing private passenger automobile insurance in New York.

The excess nonrenewal data originally reported are subject to verification by the Property Bureau's Market Conduct Unit and may result in disciplinary action for an insurer found in violation. The raw data submitted by companies include information on all activities regarding reduction of policies (policies written, cancelled, nonrenewed or conditionally renewed by company or terminated at insured's request, reasons stated for nonrenewing policies), including any permitted exceptions to the 2% Rule. The Department analyzes this data to determine the number of policies nonrenewed or conditionally renewed in excess of that permitted.

The information reflected in this Report represents the most current data available at the time the Report was prepared.

ANALYSIS

I. SUMMARY BY CLASSES

The following tables summarize the voluntary market data of the 30 largest New York private passenger automobile insurers by various driver classifications:

Table 1
All Classes Combined

	2019	2020
Policies In Force	5,720,760	5,646,746
Policies Nonrenewed	54,118	42,214
Percent Nonrenewed	0.95%	0.75%

Comments:

Overall, the industry has consistently stayed within the 2% limitation. The effectiveness of the 2% Rule is reflected in the stable number of policies in force. While the number and percentage of policies in force remained relatively stable from 2019 through 2020, the number and percentage of policies nonrenewed during the two-year period decreased.

Table 2
Senior Citizens

	2019	2020
Senior Citizens Policies In Force	1,168,818	1,141,484
Senior Citizens Class as a % of all Policies	20.43%	20.21%
Senior Citizens Policies Nonrenewed	5,771	4,457
% Senior Citizens Non-renewed of all Senior Citizens Policies In Force	0.49%	0.39%
% Senior Citizens Non-renewed of all Policies Nonrenewed	10.66%	10.56%
% Senior Citizens Non-renewed of all Policies In Force	0.10%	0.08%

Comments:

During the two-year reporting period, senior citizens represented approximately 20.32% of policyholders. In averaging the two years, this class represented approximately 10.62% of all policyholders nonrenewed.

While an average of 0.85% of all classes combined were nonrenewed during the two-year period covered by this Report, an average of 0.44% of the senior citizens were nonrenewed. The relative nonrenewal rate of senior citizens appears to indicate that this class appears to be considered more desirable by many insurers relative to the overall market. Indeed, a senior citizen is less likely to be nonrenewed than the average policyholder.

Table 3
Youthful Males

	2019	2020
Youthful Males Policies In Force	199,771	190,824
Youthful Males Class as a % of all Policies	3.49%	3.38%
Youthful Males Policies Nonrenewed	2,643	2,003
% Youthful Males Non-renewed of all Youthful Males Policies In Force	1.32%	1.05%
% Youthful Males Non-renewed of all Policies Nonrenewed	4.88%	4.74%
% Youthful Males Non-renewed of all Policies In Force	0.05%	0.04%

Comments:

Youthful males have had, historically, more difficulty finding and maintaining coverage in the voluntary market relative to all other age classes. During this two-year period, there was a decrease in the number of youthful male policies in force. The number of youthful male policies nonrenewed decreased in both 2019 and 2020.

Table 4
Youthful Females

	2019	2020
Youthful Females Policies In Force	152,492	147,950
Youthful Females Class as a % of all Policies	2.67%	2.62%
Youthful Females Policies Nonrenewed	1,773	1,205
% Youthful Females Nonrenewed of all Youthful Females Policies In Force	1.16%	0.81%
% Youthful Females Nonrenewed of all Policies Nonrenewed	3.28%	2.85%
% Youthful Females Nonrenewed of all Policies In Force	0.03%	0.02%

Comments:

As a percentage of all youthful female policies, nonrenewals for this class averaged approximately 0.99% in the two-year period covered by this Report. Of all policies nonrenewed, the average of youthful females nonrenewed relative to all policies nonrenewed was 3.09% during this two-year period. However, as a percentage of all policies in force, youthful females' rate of nonrenewals is well below the overall average. During this two-year period, there was a decrease in the number of youthful female policies in 2019 and 2020.

General Comments and Observations

Although nonrenewals in the youthful operator classes are well within the permissible statutory limit relative to the overall nonrenewal rate, youthful operators have a greater chance of being nonrenewed than the average policyholder, regardless of gender. Drivers in the youthful operator classes generally experience more difficulties in obtaining insurance as well. Whenever insurers become more selective in their underwriting practices, the most significantly affected are those classes that historically have been least attractive from an underwriter's perspective – namely, youthful operators.

Notably, with respect to youthful operators, those that move back into or continue to reside in their parents' households are generally insured under their parents' policies, and do not need to purchase policies of their own. Additionally, youthful operators are in the segment

of the population that is most comfortable with new technology and innovative concepts. The growth of technology and the sharing economy may make it possible for people to enjoy the benefits of driving without the burdens of car ownership and recurring costs (including direct insurance costs). Senior citizens, too, may be driving less.

II. OTHER INFORMATION

The following information is based on reports filed by all insurers writing private passenger automobile insurance in New York.

A summary of excess nonrenewals by territory throughout the State may be found in Appendix I. Appendix II summarizes excess nonrenewals by companies and groups.

1. Market Conduct Examinations and Disciplinary Actions for Excess Nonrenewals

Insurers report the number of nonrenewals and policies in force annually. The Department monitors insurers' activities with respect to excess nonrenewals. Insurers found to be in violation of the 2% Rule in any given territory are subject to disciplinary action for each policy nonrenewed in excess of the insurer's permissible number in that territory. The Market Conduct Unit of the Department's Property Bureau investigates all such violations and, when appropriate, imposes penalties.

The Market Conduct Unit maintains a record of all 2% Rule violations that have been settled. Fines collected for Section 3425 violations by stipulation in the two-year period of 2019-2020 totaled \$968,000.

(It should be noted that this Report reflects excess nonrenewals *reported* during the two-year period and fines *paid* during that period. A stipulation acknowledging violations and agreeing to a fine may cover several years' activity and may not necessarily match violations occurring in the year the stipulation was signed.)

2. Excess Nonrenewals

By Territory

An analysis of excess nonrenewals by territory for the two-year period of 2019 to 2020 indicates that the ten territories with the largest number of excess nonrenewals (out of 70 territories in total) account for 62.46% of all excess nonrenewals. The top 10 territories with excess nonrenewals are in metropolitan and suburban areas.

Detailed information on excess nonrenewals by territory is presented in Appendix I.

By Company/Groups

During the two-year period covered by this Report, a total of 244 policies were nonrenewed in excess of the 2% limitation (other than those terminated under approved withdrawal plans in accordance with Section 3425(r)). The Department continues to monitor and investigate insurers' compliance with the 2% Rule.

Detailed information on excess nonrenewals by company/group is presented in Appendix II.

3. Reasons for Nonrenewal of Policies

Pursuant to the requirements of Chapter 395 of the Laws of 2017, preliminary data was collected to establish a uniform reporting matrix to enable reporting of aggregate reasons for the non-renewal of personal automobile policies. Since policies are often non-renewed for multiple reasons, companies were asked to report each reason separately for the applicable category of nonrenewal.

Based on the analysis of the various reasons stated in notices of nonrenewal issued pursuant to §3425(d)(1), the 20 most frequently used reasons stated by companies for the two-year period covered by this Report fall into the following categories, separately for each year:

	REASON FOR NON-RENEWAL	2019
1	Multiple accidents	37,367
2	Conviction(s) - other than specified above	18,409
3	Suspended or revoked drivers license	10,519
4	Combination of losses & other incidents (not included in categories above)	7,732
5	Failure to provide requested underwriting information - (on specified driver, spouse, partner, other listed person, etc)	3,143
6	Single accident	3,039
7	Issue with garaging location of vehicle (not regularly garaged at insured's residence, unable to verify garaging location, outside New York State, etc.)	2,463
8	Unlicensed operator involved in accident	2,250
9	Failure to comply with terms of policy, provide requested information, or cooperate with claims investigation	2,207
10	Insured and/or principal operator moved out of state, does not reside at insured address, or is determined not to have a valid NY state address	1,928
11	Business use of vehicle (unacceptable risk)	1,624
12	Issue with driver license information (insured does not have or failed to obtain valid drivers license, insurer unable to verify driving record information, etc)	1,245
13	Company no longer offers the specific type of policy in this state	1,135
14	Conviction - Driving While Intoxicated or Impaired	1,049
15	Agent no longer represents company	1,020
16	Conviction - Illegal use of cell/mobile phone (texting, etc)	674
17	Undisclosed operator (in household, or has regular access to the vehicle)	577
18	Vehicle type not eligible to be insured on a private passenger automobile policy (based on passenger seating capacity, gross vehicle weight, etc.)	517
19	More vehicles than drivers (increase in hazard)	419
20	Other	1,589

	REASON FOR NON-RENEWAL	2020
1	Multiple accidents	40,110
2	Conviction(s) - other than specified above	22,593
3	Suspended or revoked drivers license	14,013
4	Combination of losses & other incidents (not included in categories above)	3,652
5	Single accident	2,654
6	Failure to provide requested underwriting information - (on specified driver, spouse, partner, other listed person, etc)	2,227
7	Insured and/or principal operator moved out of state, does not reside at insured address, or is determined not to have a valid NY state address	1,805
8	Failure to comply with terms of policy, provide requested information, or cooperate with claims investigation	1,638
9	Issue with garaging location of vehicle (not regularly garaged at insured's residence, unable to verify garaging location, vehicle garaged outside New York State, etc.)	1,508
10	Business use of vehicle (unacceptable risk)	1,460
11	Agent no longer represents company	1,020
12	Company no longer offers the specific type of policy in this state	995
13	Conviction - Driving While Intoxicated or Impaired	655
14	Insured deceased	552
15	Unlicensed operator involved in accident	468
16	Conviction - Illegal use of cell/mobile phone (texting, etc)	450
17	Undisclosed operator (in household, or has regular access to the vehicle)	449
18	Vehicle type not within insurer's underwriting guidelines or eligible to be insured on a private passenger automobile policy (based on passenger seating capacity, gross vehicle weight, etc.)	417
19	Issue with driver license information (insured does not have or failed to obtain valid drivers license, insurer unable to verify driving record information, etc)	393
20	Other	1,329

These numbers do not include non-renewals issued under plans for orderly nonrenewal of policies that companies may have had approved under §3425(r).

4. New Business Writings

Private passenger automobile insurers reported new business writings of 1,488,198 policies in 2019, and 1,514,449 policies in 2020.

Private passenger car registrations, as reported by the Department of Motor Vehicles, totaled 9,566,040 in 2019 and 9,569,250 in 2020, which indicates a stable trend in overall registrations. Those holding driver's licenses in New York decreased from 11,151,123 in 2019 to 10,831,084 in 2020. We view the foregoing as indicative of a stable market.

5. Consumer Complaints

During the two-year reporting period, a total of 6,068 (3,029 for 2019 and 3,039 for 2020) consumer complaints regarding private passenger automobile insurance were processed by the Department's Consumer Assistance Unit. Of such complaints, 623 (307 in 2019 and 316 in 2020) involved cancellations and nonrenewals of private passenger automobile insurance policies. A total of 59 of those complaints (21 in 2019 and 38 in 2020) were upheld.

	Received	Cancelled / Nonrenewed	Upheld
2019	3,029	307	21
2020	3,039	316	38
TOTALS	6,068	623	59

6. Use of Multi-Tier Rating Programs

Chapter 9 of the Laws of 1995 added Section 2349 to the Insurance Law, effective May 28, 1995, to permit multi-tier rating programs.

Under a multi-tier rating program, an insurer may place insureds into different rate levels based on specific factors of risk exposure and driving history. Among the Legislature's objectives in enacting the multi-tier law was the depopulation of the NYAIP (the assigned risk plan). The ability to more closely match risk exposure to an appropriate rate helps more drivers to locate insurers willing to accept them in the voluntary market, provided the rates are not unfairly discriminatory. Evidence indicates that the law has been successful, since the share of the market attributable to the NYAIP is now less than 1%, as compared with 17% in 1993.

Multi-tier programs should have the effect of making an insured who might otherwise not qualify for coverage under insurers' standard underwriting guidelines more attractive when placed in a rating tier that is more appropriate to the driver's risk profile. It was anticipated that this measure would not only increase voluntary writings but would also reduce nonrenewals as well. Based on the significant depopulation of the assigned risk plan over the last two decades, it appears that the multi-tier statute has thus far accomplished the Legislature's objective.

Pursuant to Section 2349, insurers may move up to 3% of insureds in each rating territory to higher-rated tiers upon annual policy renewal. This applies in addition to Section 3425's 2% Rule. There is no limitation on moving insureds to lower-rated tiers.

CONCLUSION

Section 3425 is intended to establish an equitable balance among the often-competing forces of policyholders' expectations, insurers' legitimate prerogatives in evaluating and assuming risk, and the realities of New York's private passenger automobile insurance marketplace. It provides the foundation for a reliable and predictable automobile insurance market that promotes stability and protects consumers against arbitrary cancellations or nonrenewals of coverage.

A key element of Section 3425(f) is the 2% Rule, which provides sufficient flexibility to insurers to underwrite risks in a fair and prudent manner. It has encouraged insurers to venture into markets where they have previously had little experience, and to develop market strategies that should enhance the availability and affordability of voluntary personal automobile insurance in New York. The rule is also an essential component in limiting the number of policies issued via the New York Automobile Insurance Plan (NYAIP), the assigned risk mechanism for insuring persons who cannot otherwise secure automobile insurance. The data in this Report indicate a decrease in the number and percentage of policies nonrenewed, demonstrating that, in the aggregate, the industry remains well within the 2% Rule limitation. The NYAIP population has continued to decline during the period reviewed.

Pursuant to Section 3425(m), if the 2% Rule is not in effect, policies would become subject to a three-year required policy period and may not be nonrenewed except for limited circumstances. Reversion to the three-year rule may discourage voluntary insurers from writing new business. This was evidenced during a 23-month period (August 2, 2001 - June 26, 2003; addressed in prior reports), when the law expired and the 2% Rule was not in effect. While the number of vehicles registered in the State at that time remained stable, the number of voluntary policies in force decreased during the period in which the 2% Rule was not in effect. Thus, it appears that the suspension of the 2% Rule had a negative effect on the voluntary market by fostering uncertainty in the marketplace and by reducing some flexibility insurers had in underwriting their books of business. In contrast, after the 2% Rule was reinstated, increases were observed in the number of voluntary policies in force. This Report continues to confirm the benefits of the 2% Rule.

The 2% Rule, combined with the 2-for-1 Credit, has a beneficial effect on the voluntary private passenger automobile insurance marketplace. These provisions provide stability and stimulate growth of the voluntary market, thereby broadening availability of vital automobile insurance coverage. They allow insurers substantial flexibility and incentive to accept new risks and discontinue only their most undesirable business, as long as they maintain an active presence in the private passenger automobile market.

Based upon the data analyzed for this Report, industry-wide violations of the 2% Rule, both overall as well as by individual driver classes studied, have not been substantial. When violations are found, the Department of Financial Services actively pursues and

applies disciplinary measures to enforce the law and ensure future compliance with the rule.

Appendix I

Summary of Excess Nonrenewals by Territory – 2019 - 2020

APPENDIX I

SUMMARY OF EXCESS NONRENEWALS BY TERRITORY 2019 – 2020

Territory Description	Terr #	2019	2020	Total	%	Rank
SUFFOLK CO. EAST	76	113	26	139	10.83%	1
QUEENS SUB.	55	71	59	130	10.12%	2
KINGS CO.	17	37	76	113	8.80%	3
SYRACUSE	12	34	55	89	6.93%	4
SUFFOLK CO. WEST	75	58	7	65	5.06%	5
MT. VERNON & YONKERS	94	20	44	64	4.98%	6
CLINTON CO., ETC.	67	24	33	57	4.44%	7
HEMPSTEAD	20	39	12	51	3.97%	8
MANHATTAN	18	10	39	49	3.82%	9
OYSTER BAY	22	41	4	45	3.50%	10
ROCHESTER	11	38	4	42	3.27%	11
JEFFERSON CO.	74	16	18	34	2.65%	12
OSSINING	65	17	14	31	2.41%	13
STATEN ISLAND	5	19	7	26	2.02%	14
DELAWARE CO., ETC.	61	24	2	26	2.02%	15
BRONX SUB.	3	16	9	25	1.95%	16
NEW YORK CITY SUB.	97	17	7	24	1.87%	17
ALLEGHENY CO., ETC.	84	21	2	23	1.79%	18
ALBANY	13	11	11	22	1.71%	19
ROCKLAND CO.	68	12	6	18	1.40%	20
MIDDLETOWN	64	14	1	15	1.17%	21
BUFFALO SUB.	42	7	7	14	1.09%	22
TROY	34	5	8	13	1.01%	23
NORTH HEMPSTEAD	21	7	4	11	0.86%	24
ONTARIO CO., ETC.	51	6	5	11	0.86%	25
ONEIDA	86	5	6	11	0.86%	26
UTICA	15	9	1	10	0.78%	27
GLENS FALLS	36	4	6	10	0.78%	28
MONTICELLO-LIBERTY	81	1	9	10	0.78%	29
BUFFALO SEMI-SUB.	8	6	3	9	0.70%	30
HIGHLAND, KINGSTON	62	3	6	9	0.70%	31
COLUMBIA CO., ETC.	59	7	0	7	0.55%	32
SULLIVAN CO. CENTRAL	82	0	7	7	0.55%	33
BUFFALO	7	2	4	6	0.47%	34
SYRACUSE SUB.	38	4	2	6	0.47%	35
DUTCHESS CO. (BAL)	58	4	2	6	0.47%	36

APPENDIX I

SUMMARY OF EXCESS NONRENEWALS BY TERRITORY 2019 – 2020

Territory Description	Terr #	2019	2020	Total	%	Rank
SULLIVAN CO. (BAL)	83	2	4	6	0.47%	37
OSWEGO	37	5	0	5	0.39%	38
PUTNAM CO.	46	2	3	5	0.39%	39
CORTLAND CO., ETC.	54	5	0	5	0.39%	40
RENSSELAER CO. (BAL)	73	4	1	5	0.39%	41
WHITE PLAINS	95	3	1	4	0.31%	42
BINGHAMTON	28	1	2	3	0.23%	43
NEWBURGH	32	3	0	3	0.23%	44
BRONX	1	2	0	2	0.16%	45
SARATOGA SPRINGS SUB.	16	1	1	2	0.16%	46
CHAUTAUQUA CO.	31	2	0	2	0.16%	47
POUGHKEEPSIE	33	2	0	2	0.16%	48
ROCHESTER SUB.	39	0	2	2	0.16%	49
NIAGARA FALLS	14	1	0	1	0.08%	50
QUEENS	19	1	0	1	0.08%	51
ELMIRA	27	0	1	1	0.08%	52
GLOVERSVILLE	29	0	1	1	0.08%	53
CORNING	40	1	0	1	0.08%	54
NIAGARA FALLS SUB.	43	1	0	1	0.08%	55
MONROE CO. (BAL)	48	1	0	1	0.08%	56
NIAGARA CO. (BAL)	49	1	0	1	0.08%	57
SARATOGA CO. (BAL)	56	0	1	1	0.08%	58
SARATOGA CO. SOUTH	71	0	1	1	0.08%	59
SCHENECTADY CO.	9	0	0	0	0.00%	60
ROME	24	0	0	0	0.00%	61
AUBURN	25	0	0	0	0.00%	62
SARATOGA SPRINGS	30	0	0	0	0.00%	63
AMSTERDAM	35	0	0	0	0.00%	64
ERIE COUNTY (BAL)	41	0	0	0	0.00%	65
BROOME CO. (BAL)	44	0	0	0	0.00%	66
ORLEANS CO.	47	0	0	0	0.00%	67
FORT PLAIN, HERKIMER	52	0	0	0	0.00%	68
GENESEE CO.	60	0	0	0	0.00%	69
ALBANY CO. (BAL)	72	0	0	0	0.00%	70
STATE TOTALS		760	524	1284	100%	

These numbers include 1,040 policies (572 in 2019 and 468 in 2020) that are in excess of the 2% threshold but are not considered violations as they were nonrenewed in accordance with an approved withdrawal plan.

Appendix II

Summary of Excess Nonrenewals by Company/Group 2019 - 2020

Appendix II
Summary of Excess Nonrenewals
by Company/Group: 2019 – 2020

<u>Company/Group</u>	<u>2019</u>	<u>2020</u>	<u>Total</u>	<u>%</u>	<u>Rank</u>
Republic-Franklin Insurance Company	0	1	1	0.41%	
Utica Mutual Insurance Company	6	0	6	2.46%	
Utica National Insurance Company of Texas	52	5	57	23.36%	
Utica Group	58	6	64	26.23%	1
% of Total for the Year	30.85%	10.71%			
Erie Insurance Company of New York	22	9	31	12.70%	
Erie Insurance Company	0	10	10	4.10%	
Erie Insurance Group	22	19	41	16.80%	2
% of Total for the Year	11.70%	33.93%			
A. Central Insurance Company	20	3	23	9.43%	
New York Central Mutual Fire Insurance Company	6	0	6	2.46%	
NYCM Insurance Group	26	3	29	11.89%	3
% of Total for the Year	13.83%	5.36%			
National General Insurance Online, Inc.	20	0	20	8.20%	
New South Insurance Company	3	2	5	2.05%	
Integon National Insurance Company	2	0	2	0.82%	
National General Group	25	2	27	11.07%	4
% of Total for the Year	13.30%	3.57%			
AMERICAN FAMILY CONNECT INSURANCE COMPANY	23	0	23	9.43%	
American Family Insurance Group	23	0	23	9.43%	5
% of Total for the Year	12.23%	0.00%			
Unitrin Direct Insurance Company	1	0	1	0.41%	
Unitrin Advantage Insurance Company	1	0	1	0.41%	
Kemper Independence Insurance Company	0	3	3	1.23%	
Unitrin Auto and Home Insurance Company	1	3	4	1.64%	
Unitrin Preferred Insurance Company	0	5	5	2.05%	
Kemper Corporation Group	3	11	14	5.74%	6
% of Total for the Year	1.60%	19.64%			
Harleysville Insurance Company	13	0	13	5.33%	
Nationwide Corporation Group	13	0	13	5.33%	7
% of Total for the Year	6.91%	0.00%			

Appendix II
Summary of Excess Nonrenewals
by Company/Group: 2019 – 2020

<u>Company/Group</u>	<u>2019</u>	<u>2020</u>	<u>Total</u>	<u>%</u>	<u>Rank</u>
CSAA Fire & Casualty Insurance Company	2	4	6	2.46%	
CSAA Insurance Group	2	4	6	2.46%	8
% of Total for the Year	1.06%	7.14%			
AIG Property Casualty Company	1	0	1	0.41%	
Insurance Company of the State of Pennsylvania	3	0	3	1.23%	
American International Group	4	0	4	1.64%	9
% of Total for the Year	2.13%	0.00%			
Plymouth Rock Assurance Corporation of New York	4	0	4	1.64%	
Plymouth Rock Insurance Group	4	0	4	1.64%	10
% of Total for the Year	2.13%	0.00%			
Sentinel Insurance Company, Ltd.	1	0	1	0.41%	
Hartford Casualty Insurance Company	2	0	2	0.82%	
Hartford Fire & Casualty Insurance Group	3	0	3	1.23%	11
% of Total for the Year	1.60%	0.00%			
Cincinnati Insurance Company	0	3	3	1.23%	
Cincinnati Financial Group	0	3	3	1.23%	12
% of Total for the Year	0.00%	5.36%			
Central Mutual Insurance Company	1	1	2	0.82%	
Central Mutual Insurance Group	1	1	2	0.82%	13
% of Total for the Year	0.53%	1.79%			
Farmers New Century Insurance Company	0	1	1	0.41%	
21st Century Indemnity Insurance Company	0	1	1	0.41%	
Farmers Insurance Group	0	2	2	0.82%	14
% of Total for the Year	0.00%	3.57%			
Mercury Casualty Company	1	1	2	0.82%	
Mercury General Group	1	1	2	0.82%	15
% of Total for the Year	0.53%	1.79%			
Country-Wide Insurance Company	0	2	2	0.82%	
	0	2	2	0.82%	16
% of Total for the Year	0.00%	3.57%			

Appendix II
Summary of Excess Nonrenewals
by Company/Group: 2019 – 2020

<u>Company/Group</u>	<u>2019</u>	<u>2020</u>	<u>Total</u>	<u>%</u>	<u>Rank</u>
Preferred Mutual Insurance Company	1	0	1	0.41%	
	1	0	1	0.41%	17
% of Total for the Year	0.53%	0.00%			
American States Insurance Company	0	1	1	0.41%	
Liberty Mutual Group	0	1	1	0.41%	18
% of Total for the Year	0.00%	1.79%			
Countryway Insurance Company	1	0	1	0.41%	
Virginia Farm Bureau Group	1	0	1	0.41%	19
% of Total for the Year	0.53%	0.00%			
Economy Premier Assurance Company	1	0	1	0.41%	
Metropolitan Group	1	0	1	0.41%	20
% of Total for the Year	0.53%	0.00%			
Privilege Underwriters Reciprocal Exchange	0	1	1	0.41%	
Tokio Marine Holdings Group*	0	1	1	0.41%	21
% of Total for the Year	0.00%	1.79%			

* Company was part of Pure Companies Group, purchased by Tokio Marine in 2020

Appendix III

Private Passenger Automobile Insurance Top 30 Market Share in New York State 2019-2020

**APPENDIX III
PRIVATE PASSENGER AUTOMOBILE INSURANCE
TOP 30 INSURERS BY MARKET SHARE IN NEW YORK STATE
2019 – 2020**

	NAIC#	2019	Market Share
1	35882	Geico Gen Ins Co	18.70%
2	25178	State Farm Mut Auto Ins Co	11.16%
3	22055	Geico Ind Co	8.38%
4	29688	Allstate Fire & Cas Ins Co	7.73%
5	22063	Government Employees Ins Co	5.25%
6	24260	Progressive Cas Ins Co	4.40%
7	19232	Allstate Ins Co	3.98%
8	36447	LM Gen Ins Co	3.26%
9	11851	Progressive Advanced Ins Co	3.12%
10	14834	New York Central Mut Fire Ins Co	2.27%
11	38130	Travelers Personal Ins Co	2.27%
12	32786	Progressive Specialty Ins Co	1.83%
13	24279	Progressive Max Ins Co	1.48%
14	17230	Allstate Prop & Cas Ins Co	1.23%
15	23035	Liberty Mut Fire Ins Co	1.22%
16	25143	State Farm Fire & Cas Co	0.93%
17	19704	American States Ins Co	0.89%
18	25968	USAA Cas Ins Co	0.89%
19	25941	United Serv Automobile Assn	0.85%
20	26093	Nationwide Affinity Co of Amer	0.85%
21	27998	Travelers Home & Marine Ins Co	0.79%
22	12583	Adirondack Ins Exch	0.78%
23	18600	USAA Gen Ind Co	0.75%
24	34339	Metropolitan Grp Prop & Cas Ins Co	0.72%
25	19976	Amica Mut Ins Co	0.61%
26	21253	Garrison Prop & Cas Ins Co	0.58%
27	21687	Mid Century Ins Co	0.56%
28	10839	Countrywide Ins Co	0.56%
29	26263	Erie Ins Co	0.51%
30	30104	Hartford Underwriters Ins Co	0.50%

**APPENDIX III
PRIVATE PASSENGER AUTOMOBILE INSURANCE
TOP 30 INSURERS BY MARKET SHARE IN NEW YORK STATE
2019 – 2020**

	NAIC#	2020	Market Share
1	35882	Geico Gen Ins Co	17.96%
2	25178	State Farm Mut Auto Ins Co	11.47%
3	29688	Allstate Fire & Cas Ins Co	8.18%
4	22055	Geico Ind Co	7.58%
5	22063	Government Employees Ins Co	5.08%
6	36447	LM Gen Ins Co	4.25%
7	24260	Progressive Cas Ins Co	4.24%
8	19232	Allstate Ins Co	3.61%
9	11851	Progressive Advanced Ins Co	3.38%
10	38130	Travelers Personal Ins Co	2.43%
11	14834	New York Central Mut Fire Ins Co	2.36%
12	32786	Progressive Specialty Ins Co	1.90%
13	24279	Progressive Max Ins Co	1.81%
14	17230	Allstate Prop & Cas Ins Co	1.10%
15	23035	Liberty Mut Fire Ins Co	1.02%
16	19704	American States Ins Co	0.98%
17	25968	USAA Cas Ins Co	0.93%
18	25941	United Serv Automobile Assn	0.86%
19	25143	State Farm Fire & Cas Co	0.80%
20	18600	USAA Gen Ind Co	0.76%
21	12583	Adirondack Ins Exch	0.74%
22	34339	Metropolitan Grp Prop & Cas Ins Co	0.71%
23	27998	Travelers Home & Marine Ins Co	0.68%
24	23760	Nationwide Gen Ins Co	0.68%
25	26093	Nationwide Affinity Co of Amer	0.66%
26	21253	Garrison Prop & Cas Ins Co	0.62%
27	30104	Hartford Underwriters Ins Co	0.52%
28	10839	Countrywide Ins Co	0.52%
29	26263	Erie Ins Co	0.52%
30	21687	Mid Century Ins Co	0.51%