

# ARIZONA PROPERTY AND CASUALTY RATE AND RULE FILINGS

## PERSONAL AUTOMOBILE INSURANCE

The Property and Casualty Section within the Arizona Department of Insurance (“AZDOI”) has developed the following checklist to help you submit a complete and correct rate and rule filing.

*NOTE: This checklist is not intended to serve as an all-inclusive list of requirements. Insurance policies must meet all requirements of Arizona law, regardless of whether the law is summarized in this checklist.*

This checklist applies to the following types of insurance (TOI’s) and sub-types:

### 19.0: Personal Auto

- 19.0001 - Private Passenger Auto;
- 19.0002 – Motorcycle;
- 19.0003 - Recreational Vehicle;
- 19.0004 - Other.

This checklist is in addition to the [General Filing Checklist](#)

## FILING REQUIREMENTS

**NOTE – Use and file.** All rate filings must be made within 30 days after the effective date of the rate. Arizona law provides that if the rate or rule does not comply, the AZDOI may issue an order at any time specifying in what respect the filing is in conflict and stating that, within 30 days after the order is issued, the rate is no longer effective. The order will not affect any contract made or issued prior to the effective date of the order. The insurer or rate service organization making the filing may request a hearing pursuant to Arizona Revised Statutes, Title 41, Chapter 6, Article 10. Please ensure that all of the applicable issues below are addressed in your rate filing. [ARS § 20-385](#).

| Topic                                    | References*   | Requirements  |
|--|---|---|
| * “§” = Arizona Revised Statutes Section |   |   |
| At Fault Accidents                       | <u><a href="#">§ 20-263 (A)</a></u>   | Insurers may not implement rating rules that allow for the increase of premiums based on accidents that are not caused or significantly contributed to by the actions of the insured.   |
| Automobile Theft Authority Fee           | <u><a href="#">§ 41-3451(J)</a></u>   | The Arizona Automobile Theft Authority (AATA) per vehicle semiannual fee is \$0.50 or a maximum of \$1.00 per year.   |
| Definition of Motor Vehicle              | <u><a href="#">§ 20-1631(A) and (B)</a></u><br><u><a href="#">§ 43-1201(A)(4)</a></u> | Motor vehicles that may be subject to personal automobile rate and rule filing requirements include a private-passenger, station wagon or other four-wheel motor vehicle with a load capacity of 1,500 pounds or less that is used as a public or livery conveyance or rented to others for volunteer work for religious, charitable, scientific, literary or educational purposes, or to prevent cruelty to children or animals. |

| Topic                                    | References*                 | Requirements   |
|--|-----------------------------|--|
| * "§" = Arizona Revised Statutes Section |                             |  |
| <b>Minimum limits of coverage</b>        | <a href="#">§ 20-266</a>    | Insurers must make the mandatory minimum liability limits available on all personal auto policies. These limits are defined under ARS §28-4009 as bodily injury limits of \$15,000 per person, \$30,000 per accident, and property damage liability limits of \$10,000 per accident.   |
| <b>Monthly Payment Plans</b>             | <a href="#">§20-267</a>     | Insurers must <u>offer</u> a monthly payment plan, and may charge an installment fee. Insurers may not charge more than "an amount equal to one and one-half times the monthly premium in addition to the first month's premium."  |
| <b>Motor Vehicle ID Cards</b>            | <a href="#">§ 28-4133</a>   | Insurers must issue at least two motor vehicle insurance identification cards for a motor vehicle or automobile liability policy that include the Insurers name and the assigned MVD ID Number.  |
| <b>Rating Seat Belt Usage</b>            | <a href="#">§28-909 (E)</a> | Insurers may not implement rating or underwriting rules that surcharge an applicant, or cancel or non-renew an existing insured, based on civil vehicle restraint (lap and shoulder belt) violation.   |
| <b>Rating Speed Violations</b>           | <a href="#">§28-702.01</a>  | Insurers may not implement rating or underwriting rules that surcharge an applicant, or cancel or non-renew an existing insured, based on a moving violation for driving sixty-five miles per hour or less if the maximum speed limit on a public highway in this state is fifty-five miles per hour.  |
| <b>Safety Equipment</b>                  | <a href="#">§ 20-264</a>    | When offering comprehensive coverage, insurers must also <u>offer</u> a separate rate for safety equipment coverage including glass in windows and doors and plastic material used in the lights for a vehicle, without a deductible.  |
| <b>subTOIs</b>                           |                             | Any Rate or Rate/Rule filing shall use the applicable subTOI when filing rate changes. Do not use "TOI XX Sub-OI Combinations" for filing types Rate or Rate/Rule for Homeowners, Personal Auto, Med Mal, Other Liabilities, Crop Hail, Commercial Auto, Commercial Multi-Perl, Inland Marine or Mortgage Guarantee filings when the rate change(s) apply to specific subTOI(s). This ensures that any rate change is assigned to the applicable subTOI. |

## CERTIFICATION OF COMPANY OFFICER

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**NOTE: Filer certification must be completed and signed by an officer of the company.**

I, \_\_\_\_\_, certify on behalf of the company that is submitting this filing that I am responsible for the validity, accuracy and completeness of the enclosures in this filing. To the best of my knowledge and belief each form or rate filing included in this filing: 1) conforms to all of the applicable requirements outlined above; 2) contains no provision(s) previously disapproved or required to be corrected and/or revised by the Arizona Department of Insurance; 3) does not exceed this company's powers, the authority granted by its state of domicile or its Arizona certificate of authority; and 4) complies with all applicable provisions of state or federal law and orders of the Director of Insurance.

Title: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Date: \_\_\_\_\_

Company Officer Signature: \_\_\_\_\_

**Important Note: Pursuant to ARS § 28-4148, each insurer who cancels or becomes aware of the cancellation or nonrenewal of or failure to renew or issuance of a motor vehicle liability insurance policy issued on a vehicle in this state shall provide to the Department of Transportation all cancellations, non-renewals or new issues for any reason after seven or fewer days have elapsed from the time of processing the cancellation, nonrenewal or new issue of a policy.**

**The insurer shall provide the information by electronic data interchange in a format schedule specified by and in a manner prescribed by the Director of the Department of Transportation. ARS § 20-237 provides that if an insurer has failed to comply with the provisions of ARS § 28-4148, the Director of Insurance shall impose a civil penalty for each violation of not more than two hundred fifty dollars (\$250) per day for each day the insurer is in violation of ARS § 28-4148. The Director of Insurance also may suspend the insurer's certificate of authority until the insurer complies with the provisions of section ARS § 28-4148. For further information on reporting the required information, please contact the Arizona Department of Transportation.**