

**State of Rhode Island and Providence Plantations
DEPARTMENT OF BUSINESS REGULATION**

Division of Insurance

**1511 Pontiac Avenue, Bldg. 69-2
Cranston, Rhode Island 02920**

Public Notice of Proposed Rule-Making

Pursuant to the provisions of R.I. Gen. Laws § 27-9-4.1 and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws, the Department of Business Regulation hereby gives notice of its intent to repeal Insurance Regulation 62-Auto Insurance Rating Territories.

The purpose of this repeal is to eliminate the regulation since the statute upon which it was based, R.I. Gen. Laws § 27-9-4.1, has been repealed by the legislature.

The proposed repealed regulation is available for public inspection at www.dbr.ri.gov, in person at Department of Business Regulation, 1511 Pontiac Avenue, Cranston, Rhode Island 02920, or by email elizabeth.dwyer@dbr.ri.gov or by calling Elizabeth Kelleher Dwyer at (401) 462 9520.

In the development of the proposed repeal consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

All interested parties are invited to submit written or oral comments concerning the proposed repeal by November 12, 2013 to Elizabeth Kelleher Dwyer, Department of Business Regulation, 1151 Pontiac Avenue, Cranston, Rhode Island 02920, elizabeth.dwyer@dbr.ri.gov. A public hearing to consider the proposed repeal shall be held on November 12, 2013 at 10:00 am at 1511 Pontiac Avenue, Cranston, Rhode Island 02920 at which time and place all persons interested therein will be heard.

All are welcome at the Rhode Island Department of Business Regulation ("DBR"). If any reasonable accommodation is needed to ensure equal access, service or participation, please contact DBR at 401-462-9551, RI Relay at 7-1-1, or email directorofficeinquiry@dbr.ri.gov at least three (3) business days prior to the hearing.

Paul McGreevy
Director, Department of Business Regulation

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CONCISE EXPLANATORY STATEMENT

Insurance Regulation 62 – Auto Insurance Rating Territories

The Department of Business Regulation (“Department”) hereby repeals Insurance Regulation 62 effective February 18, 2014 and makes this statement in accordance with R.I. Gen. Laws § 42-35-2.3. The Department repeals this regulation since the statute upon which it was based, R.I. Gen. Laws § 27-9-4.1, was repealed by the legislature. There are no differences between the text of the proposed repeal as published in accordance with R.I. Gen. Laws § 42-35-3 and the regulation as repealed.

State of Rhode Island and Providence Plantations
DEPARTMENT OF BUSINESS REGULATION
Division of Insurance
233 Richmond Street
Providence, RI 02903

INSURANCE REGULATION 62

PLAN OF AUTOMOBILE INSURANCE RATING TERRITORIES

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Section 1 — Authority

~~This Regulation is promulgated in accordance with R.I. Gen. Laws §§ 27-9-4.1, 42-14-17 and 42-35-3.~~

Section 2 — Purpose

~~The purpose of this Regulation is to set forth the automobile insurance rating territories to be employed in future requests for rate relief for private passenger automobile insurance. These territories shall be used as the basis for automobile insurance rates unless the insurance carrier can establish, or has already established by making a filing approved by the Insurance Division, alternative territories substantiated by actuarially sound data. In evaluating alternative territories the Department will use the same criteria utilized to establish the territories set forth in this Regulation.~~

~~In the absence of such actuarially sound data being supplied pursuant to R.I. Gen. Laws § 27-9-10 and with the provision and understanding that supporting data be on the basis of “zip codes” the following plan will be utilized.~~

Section 3 — Definitions

As used in this Regulation:

- a) ~~“Carrier” shall mean any insurer licensed to write and writing private passenger automobile insurance delivered or issued for delivery in this state.~~

- ~~b) "Department" shall mean the Department of Business Regulation.~~
- ~~e) "Insurance Commissioner" shall mean the Director of the Department of Business Regulation or his or her designee.~~
- ~~d) "Private Passenger Automobile" shall mean any vehicle insured by a personal automobile insurance policy.~~
- ~~e) "Rating Bureau" shall mean any organization that evaluates and classifies rates and files and obtains approval of rates on behalf of its member companies including advisory organizations as defined by R.I. Gen. Laws § 27-9-30 and rating organizations as defined by R.I. Gen. Laws § 27-44-2(g).~~
- ~~f) "Statistical Agent" shall mean any organization that collects information from carriers and transmits such information to the Department, at the Department's request pursuant to R.I. Gen. Laws § 27-9-38.~~

Section 4 — Plan of Rating Territories

The following plan of rating territories is hereby promulgated:

Territory 11:

Zip Code	Name
02801	Adamsville
02804	Ashaway
02807	Block Island
02808	Bradford
02813	Charlestown
02832	Hope Valley
02833	Hopkinton
02835	Jamestown
02836	Kenyon
02837	Little Compton
02840	Newport
02841	Newport
02842	Middletown
02871	Portsmouth
02873	Rockville
02878	Tiverton
02879	Wakefield
02880	Wakefield
02883	Peace Dale
02891	Westerly
02894	Wood River Junction

02898 ————— Wyoming

Territory 12:

Zip Code ————— Name

02861 ————— Pawtucket
02914 ————— East Providence
02916 ————— Rumford
02806 ————— Barrington
02809 ————— Bristol
02872 ————— Prudence Island
02885 ————— Warren
02915 ————— Riverside

Territory 13:

Zip Code ————— Name

02812 ————— Carolina
02852 ————— North Kingstown
02874 ————— Saunderstown
02875 ————— Shannock
02877 ————— Slocum
02881 ————— Kingston
02882 ————— Narragansett
02892 ————— West Kingston

Territory 14:

Zip Code ————— Name

02802 ————— Albion
02814 ————— Chepachet
02815 ————— Clayville
02816 ————— Coventry
02817 ————— West Greenwich
02818 ————— East Greenwich
02822 ————— Exeter
02823 ————— Fiskeville
02825 ————— Foster
02827 ————— Greene
02828 ————— Greenville
02829 ————— Harmony
02831 ————— Hope
02838 ————— Manville

02857 ————— North Scituate
02865 ————— Lincoln
02917 ————— Smithfield

Territory 15:

Zip Code ————— Name

02824 ————— Forestdale
02826 ————— Glendale
02830 ————— Harrisville
02839 ————— Mapleville
02858 ————— Oakland
02859 ————— Pascoag
02864 ————— Cumberland
02876 ————— Slatersville
02895 ————— Woonsocket
02896 ————— North Smithfield

Territory 16:

Zip Code ————— Name

02860 ————— Pawtucket
02862 ————— Pawtucket
02863 ————— Central Falls
02906 ————— Providence
02912 ————— Providence

Territory 17:

Zip Code ————— Name

02886 ————— Warwick
02887 ————— Warwick
02888 ————— Warwick
02889 ————— Warwick
02893 ————— West Warwick
02921 ————— Cranston

Territory 18:

Zip Code ————— Name

02901 ————— Providence
02902 ————— Providence

02903 ————— Providence
02905 ————— Providence
02910 ————— Cranston
02920 ————— Cranston

Territory 19:

Zip Code ————— Name

02904 ————— Providence
02908 ————— Providence
02911 ————— North Providence
02918 ————— Providence
02919 ————— Johnston
02940 ————— Providence

Territory 20:

Zip Code ————— Name

02907 ————— Providence
02909 ————— Providence

Section 5 — Data Collection

~~Carriers currently underwriting/issuing policies in Rhode Island which independently filed rates and Rating Bureaus filing on behalf of Carriers, are hereby directed to collect prospective data on the basis of zip codes. The Statistical Agents shall also gather data as outlined above in order that this rule may be effectively enforced.~~

Section 6 — Data Submission

~~————— In the satisfaction of this rule, Rating Bureaus and Carriers that choose to establish rates independently shall gather data annually. Any Rating Bureau or Carrier that submits a rate filing in which changes in territory definitions are proposed, other than those set forth in this Regulation, shall fully include actuarially sound data to substantiate the alternative territories. Further, Rating Bureaus and Statistical Agents shall, at least every five (5) years after the date of this rule, submit territorial data and analysis to either confirm the appropriateness of the territories set forth in this Regulation or to support a change to the territories set forth in this Regulation.~~

~~Section 7~~ — Severability

~~If any provision of this Regulation or the application thereof to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality shall not affect other provisions or applications of this Regulation which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Regulation are severable.~~

~~Section 8~~ — Effective Date

~~This Regulation shall be effective for all policies issued or renewed after March 31, 2006 except for those policies issued by the Rhode Island Automobile Insurance Plan (the Plan). For policies issued by the Plan, the amendments to the Regulation shall be effective for all policies issued or renewed six months following the Department approval of the filing made by the Plan to conform to this Regulation.~~

EFFECTIVE DATE:	November 24, 1982
AMENDED:	None
REFILED:	December 19, 2001
AMENDED:	May 9, 2005
AMENDED:	January 11, 2006