

State: Massachusetts **Filing Company:** IDS Property Casualty Insurance Co
TOI/Sub-TOI: 19.0 Personal Auto/19.0001 Private Passenger Auto (PPA)
Product Name: Private Passenger Auto
Project Name/Number: Rule Correction/MA-PPA-21713-PRC

Filing at a Glance

Company: IDS Property Casualty Insurance Co
 Product Name: Private Passenger Auto
 State: Massachusetts
 TOI: 19.0 Personal Auto
 Sub-TOI: 19.0001 Private Passenger Auto (PPA)
 Filing Type: Rule
 Date Submitted: 03/15/2017
 SERFF Tr Num: PRCA-130958852
 SERFF Status: Closed-Placed on File
 State Tr Num:
 State Status: Closed-Placed On File
 Co Tr Num: MA-PPA-21713-PRC

 Effective Date: 04/01/2017
 Requested (New):
 Effective Date: 04/01/2017
 Requested (Renewal):
 Author(s): Scott Laundrie, Angela Sylvester, Brooke Starks, Mike Verriden, Jonathan Constable
 Reviewer(s): Andrea Guen (primary), Cara Blank
 Disposition Date: 03/20/2017
 Disposition Status: Placed on File
 Effective Date (New): 04/01/2017
 Effective Date (Renewal): 04/01/2017

State: Massachusetts **Filing Company:** IDS Property Casualty Insurance Co
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General Information

Project Name: Rule Correction Status of Filing in Domicile:
 Project Number: MA-PPA-21713-PRC Domicile Status Comments:
 Reference Organization: Reference Number:
 Reference Title: Advisory Org. Circular:
 Filing Status Changed: 03/20/2017
 State Status Changed: 03/20/2017 Deemer Date:
 Created By: Jonathan Constable Submitted By: Angela Sylvester
 Corresponding Filing Tracking Number:

Filing Description:

IDS Property Casualty Insurance Company hereby respectfully submits a rule manual correction for your review and approval.

Company and Contact

Filing Contact Information

Jon Constable, Actuarial Analyst jonathan.constable@ampf.com
 3500 Packerland Drive 920-330-3447 [Phone]
 De Pere, WI 54115-9070 920-330-5990 [FAX]

Filing Company Information

IDS Property Casualty Insurance Co CoCode: 29068 State of Domicile: Wisconsin
 Co Group Code: 4 Company Type: Property
 3500 Packerland Drive Group Name: Ameriprise Financial Casualty
 DePere, WI 54115 FEIN Number: 39-1173498 State ID Number:
 (920) 330-5100 ext. [Phone]

Filing Fees

Fee Required? Yes
 Fee Amount: \$150.00
 Retaliatory? No
 Fee Explanation: A filing fee of \$150.00 per Filing Company for every rate and rule filing submitted for review.
 Per Company: Yes

Company	Amount	Date Processed	Transaction #
IDS Property Casualty Insurance Co	\$150.00	03/15/2017	121349343

SERFF Tracking #:

PRCA-130958852

State Tracking #:**Company Tracking #:**

MA-PPA-21713-PRC

State:

Massachusetts

Filing Company:

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19.0 Personal Auto/19.0001 Private Passenger Auto (PPA)

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Placed on File	Andrea Guen	03/20/2017	03/20/2017

Objection Letters and Response Letters

Objection Letters

Status	Created By	Created On	Date Submitted
Pending Industry Response	Andrea Guen	03/20/2017	03/20/2017

Response Letters

Responded By	Created On	Date Submitted
Jonathan Constable	03/20/2017	03/20/2017

Filing Notes

Subject	Note Type	Created By	Created On	Date Submitted
PRCA-130958852	Note To Filer	Carla Kelton	03/15/2017	03/15/2017

State: Massachusetts**Filing Company:**

IDS Property Casualty Insurance Co

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Disposition

Disposition Date: 03/20/2017

Effective Date (New): 04/01/2017

Effective Date (Renewal): 04/01/2017

Status: Placed on File

Comment: After completion of actuarial filing review by the State Rating Bureau, and after receipt of the corrections to the filing, the Division of Insurance has placed this submission on file with the company's revised requested effective dates. If the company should need to delay the effective date(s), please submit a Note to Reviewer in SERFF.

Please note that use of any filing is contingent upon the compliance with all relevant statutes, regulations, and licensing requirements.

Respectfully,

Andrea Guen

Policy Review

State Rating Bureau

Massachusetts Division of Insurance

Rate data does NOT apply to filing.

Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	State Submissions List		Yes
Supporting Document (revised)	Annotated Comparison		Yes
Supporting Document	Annotated Comparison		Yes
Supporting Document	Certification of Compliance		Yes
Supporting Document	Motor Vehicle Insurance Checklists		Yes
Supporting Document	Letter of Authorization		Yes
Supporting Document	Memorandum		Yes
Rate (revised)	Rule Manual		Yes
Rate	Rule Manual		Yes

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Objection Letter

Objection Letter Status	Pending Industry Response
Objection Letter Date	03/20/2017
Submitted Date	03/20/2017
Respond By Date	03/27/2017

Dear Jon Constable,

Introduction:

The Division of Insurance (the "Division") has concluded actuarial review of this filing submission.

To ensure that the Division maintains accurate filing records prior to the release of this submission in SERFF, please respond, in accordance with SERFF procedures for Responding to an Objection Letter, to the following administrative objection:

Objection 1

- Annotated Comparison (Supporting Document)
- Rule Manual, Rule 4 (Rate)

Comments: As there is an actual change to a previously filed version, your company will need to update the date referenced within the lower right corner.

Please replace both attachments.

Conclusion:

Upon receipt of your response, this filing will be scheduled for review. Our goal is to have your filing under our review for no more than 60 days.

This filing will be closed for lack of action if a response is not received on or before the Respond By Date indicated in this Objection Letter.

Should you decide to withdraw this filing, please notify us via response to this objection. Thank you.

Sincerely,
Andrea Guen

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Filing Company: IDS Property Casualty Insurance Co

Response Letter

Response Letter Status Submitted to State
 Response Letter Date 03/20/2017
 Submitted Date 03/20/2017

Dear Andrea Guen,

Introduction:

Response 1

Comments:

Per our conversion I have changed our effective date to 04/01/2017 and updated our documents and will be forwarding you a post submission update with the corrected date.

Related Objection 1

Applies To:

- Annotated Comparison (Supporting Document)
- Rule Manual, Rule 4 (Rate)

Comments: As there is an actual change to a previously filed version, your company will need to update the date referenced within the lower right corner.

Please replace both attachments.

Changed Items:

Supporting Document Schedule Item Changes	
Satisfied - Item:	Annotated Comparison
Comments:	
Attachment(s):	MA_2017_0401 - Correction_APM_MockUp.pdf
<i>Previous Version</i>	
Satisfied - Item:	Annotated Comparison
Comments:	
Attachment(s):	MA_2016_0601 - Correction_APM_MockUp.pdf

No Form Schedule items changed.

SERFF Tracking #:

PRCA-130958852

State Tracking #:

Company Tracking #:

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Rate Schedule Item Changes

Item No.	Exhibit Name	Rule # or Page #	Rate Action	Previous State Filing Number	Date Submitted
1	Rule Manual	Rule 4	Replacement	MLCO-130297819	03/20/2017 By: Jonathan Constable
<i>Previous Version</i>					
1	Rule Manual	Rule 4	Replacement	MLCO-130297819	03/15/2017 By: Angela Sylvester

Conclusion:

If you need anything further please let me know.

Sincerely,

Jonathan Constable

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Note To Filer

Created By:

Carla Kelton on 03/15/2017 12:18 PM

Last Edited By:

Andrea Guen

Submitted On:

03/20/2017 04:06 PM

Subject:

PRCA-130958852

Comments:

Thank you for your filing submission. Your filing is now assigned to an analyst for review. Our goal is to have your filing under our review for no more than 60 days.

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Post Submission Update Request Processed On 03/20/2017

Status: Allowed
Created By: Jonathan Constable
Processed By: Andrea Guen
Comments:

General Information:

Field Name	Requested Change	Prior Value
Effective Date Requested (New)	04/01/2017	04/03/2016
Effective Date Requested (Renew)	04/01/2017	04/03/2016

SERFF Tracking #:

PRCA-130958852

State Tracking #:

Company Tracking #:

MA-PPA-21713-PRC

State:

Massachusetts

Filing Company:

IDS Property Casualty Insurance Co

TOI/Sub-TOI:

19.0 Personal Auto/19.0001 Private Passenger Auto (PPA)

Product Name:

Private Passenger Auto

Project Name/Number:

Rule Correction/MA-PPA-21713-PRC

Rate/Rule Schedule

Item No.	Schedule Item Status	Exhibit Name	Rule # or Page #	Rate Action	Previous State Filing Number	Attachments
1		Rule Manual	Rule 4	Replacement	MLCO-130297819	MA_2017_0401 - Correction.APM.pdf

PERSONAL LINES AUTO MANUAL

Rule 4. ACCIDENT/VIOLATION RECORD RATING

This rule applies to automobiles defined in Rule 1.

The indicated premium for the Bodily Injury, Property Damage, Medical Expense, Personal Injury Protection, Collision, and Rental coverages shall be subject to rating factors determined in accordance with the following provisions:

A. Chargeable Accidents

1. Eligibility

An accident that occurred during the experience period involving the insured or any current resident operator shall be chargeable if:

- a) the accident results in recorded payments under the bodily injury liability coverage, or
- b) the accident results in damage to any property, including the insured's own, such that the insurer makes a payment in the amount of \$1000 or more.

Accidents shall not be considered chargeable unless the driver's actions were more than 50% of the reason for the accident.

No rating factor will be applied to an insured as a result of a motor vehicle accident unless the accident was caused either wholly or partially by the named insured, a resident of the same household or other customary operator.

2. Exceptions

No rating factor is assigned for an accident if the insured demonstrated that the accident occurred under the following circumstances:

- a) vehicle lawfully parked (if a vehicle rolls from a parked position it shall not be considered as being lawfully parked but as under the operation of the last driver); or
- b) applicant or other driver residing in the same household, or owner, reimbursed by, or on behalf of, a person responsible for the accident or has judgment against such person; or
- c) vehicle of the applicant or other driver resident in the same household struck in rear by another vehicle, and applicant or other resident driver has not been convicted of a moving traffic violation in connection with the accident; or
- d) driver of the other vehicle involved in such accident was convicted of a moving traffic violation and the applicant or other driver resident in the same household was not convicted of a moving traffic violation in connection therewith; or
- e) vehicle operated by applicant or other driver resident in the same household is damaged due to contact with a "hit and run" driver, if applicant or other driver so reports the accident to proper authorities within twenty-four hours; or
- f) accidental damage by contact with animals or fowl; or
- g) physical damage caused by flying gravel, missiles or falling objects; or
- h) vehicle being driven by a paid or volunteer member of any Police or Fire Department, First Aid Squad or any law enforcement agency while responding to an emergency call to duty. However, if such accident occurs after the emergency ceases or after the vehicle is no longer being used in response to the emergency, this exception is not applicable; or

PERSONAL LINES AUTO MANUAL

- i) involved in an accident while operating a vehicle of a type not eligible for rating under this plan.

3. Accident Forgiveness

Policyholders subsequently involved in an at-fault accident will be forgiven the first otherwise chargeable accident on the policy if:

- a) The operator maintained a surchargeable accident free record during the 36 month experience period ending 45 days prior to their renewal effective date; and
- b) The policy has been continuously in-force during the three year period described in a. above with the company; and
- c) The accident continues to be the only chargeable accident on the policy.

B. Violations

1. The following violations are considered major violations:

- a) Careless Driving
- b) Dangerous Driving
- c) Negligent Driving
- d) Racing
- e) Reckless Driving
- f) Speeding Excess (\geq 15mph over limit)
- g) Serious Violation
- h) Blood Alcohol Content Violations
- i) Operating while Intoxicated
- j) Exhibition Driving
- k) Failure to Report Accident
- l) Failure to stop after Accident
- m) Failure to Surrender License
- n) Intoxicant in Vehicle carrying Minor
- o) Improper use of Operator's License
- p) License/Registration Violations
- q) Operating after Cancellation / Revocation / Suspension
- r) Open Bottle Violation
- s) Operating while under Influence
- t) Operating with a Invalid / Improper Driver's License
- u) Operating without Owner's Consent /Permission
- v) Possession / Transportation of Alcohol/Drugs in Vehicle
- w) Proof of Financial Responsibility
- x) Serious Violations – Occupational License
- y) Accident Owners fail to post Security
- z) Allow Operating while Intoxicated
- aa) Allow Possession of Alcohol/Drugs
- bb) Failure to Display Proper License
- cc) Possession of Fictitious / Another's License
- dd) Lend License to Another Person
- ee) Incapable of Operating a Motor Vehicle
- ff) License/Registration Obtained Unlawfully
- gg) Leaving Scene of Accident -Animal/Injury/Property
- hh) Operating without a Correct License Class

2. The following violations are considered Ineligible Violations

- a) Homicide by use of Motor Vehicle
- b) Criminal Negligence / Fatality

PERSONAL LINES AUTO MANUAL

- c) Homicide – Negligence, Reckless, Vehicular
- d) Avoid Apprehension/Arrest by Officer
- e) Assault by use of Motor Vehicle
- f) Falsified Accident Report
- g) False/Fraudulent Claim
- h) Great Bodily Harm
- i) Gross Negligent Operation
- j) Injurious Material on Highway
- k) Juvenile/Alcohol Related Violations
- l) Operating while Intoxicated - Accident/Injury/Fatal
- m) Obtained License by Fraud
- n) Vehicle used in Crime
- o) Vehicle used in commission of Felon
- p) Operating while using Drugs - Accident/Injury/Fatal
- q) Attempt to Flee/Elude Officer
- r) False Information to Police Officer
- s) Manslaughter - Voluntary/Involuntary
- t) Reckless Driving Causing Injury

3. Minor Violations

Any violation **not** listed above as a Major or Ineligible will be considered a minor violation.

Refer to the Rate Manual for applicable rating factors associated with the different violations noted above.

C. Experience Period

The experience period shall be the three years immediately preceding the effective date of the application or the three years immediately preceding the anniversary of the policy.

D. Rating Factor Application

Based on the number and date of occurrence of accidents and/or violations, the corresponding rating factor found in the Rate Manual will be applicable.

Accident/violation rating factors are applied to the vehicle to which the affected operator is assigned. If the affected operator is not assigned to a specific vehicle, the accident/violation rating factor is applied to the highest base rated vehicle.

In the event of excess vehicles (more vehicles than drivers), an average of all drivers' accident/violation rating factors will be applied to the excess vehicles.

E. Miscellaneous Provisions

The accident/violation rating factors shall be unaffected by changes requiring a policy transfer or by changes in the territory, use or driver classification of the policy.

Exception: If the Company is furnished evidence that the driver involved in a chargeable accident and/or violation (a) is no longer a resident of the named insured's household or (b) will not be a driver of the automobile for the period during which the accident and/or violation will be chargeable, the accident and/or violation shall not be considered in determining the current accident/violation rating factor. However, if the driver continues to be insured with the Company on another policy, the accident and/or violation will be considered in the rating of that policy.

If a policy is reinstated, the reinstated policy shall be subject to the accident/violation rating factor that would have been applicable had the policy remained in force.

PERSONAL LINES AUTO MANUAL

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A. Chargeable Accidents

1. Eligibility

An accident that occurred during the experience period involving the insured or any current resident operator shall be chargeable if:

- a) the accident results in recorded payments under the bodily injury liability coverage, or
- b) the accident results in damage to any property, including the insured's own, such that the insurer makes a payment in the amount of \$1000 or more.

Accidents shall not be considered chargeable unless the driver's actions were more than 50% of the reason for the accident. ~~was 50% or more at fault.~~

No rating factor will be applied to an insured as a result of a motor vehicle accident unless the accident was caused either wholly or partially by the named insured, a resident of the same household or other customary operator.

2. Exceptions

No rating factor is assigned for an accident if the insured demonstrated that the accident occurred under the following circumstances:

- a) vehicle lawfully parked (if a vehicle rolls from a parked position it shall not be considered as being lawfully parked but as under the operation of the last driver); or
- b) applicant or other driver residing in the same household, or owner, reimbursed by, or on behalf of, a person responsible for the accident or has judgment against such person; or
- c) vehicle of the applicant or other driver resident in the same household struck in rear by another vehicle, and applicant or other resident driver has not been convicted of a moving traffic violation in connection with the accident; or
- d) driver of the other vehicle involved in such accident was convicted of a moving traffic violation and the applicant or other driver resident in the same household was not convicted of a moving traffic violation in connection therewith; or
- e) vehicle operated by applicant or other driver resident in the same household is damaged due to contact with a "hit and run" driver, if applicant or other driver so reports the accident to proper authorities within twenty-four hours; or
- f) accidental damage by contact with animals or fowl; or
- g) physical damage caused by flying gravel, missiles or falling objects; or
- h) vehicle being driven by a paid or volunteer member of any Police or Fire Department, First Aid Squad or any law enforcement agency while responding to an emergency call to duty. However, if such accident occurs after the emergency ceases or after the vehicle is no longer being used in response to the emergency, this exception is not applicable; or

PERSONAL LINES AUTO MANUAL

- i) involved in an accident while operating a vehicle of a type not eligible for rating under this plan.

3. Accident Forgiveness

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- a) The operator maintained a surchargeable accident free record during the 36 month experience period ending 45 days prior to their renewal effective date; and
- b) The policy has been continuously in-force during the three year period described in a. above with the company; and
- c) The accident continues to be the only chargeable accident on the policy.

B. Violations

1. The following violations are considered major violations:

- a) Careless Driving
- b) Dangerous Driving
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- d) Racing
- e) Reckless Driving
- f) Speeding Excess (\geq 15mph over limit)
- g) Serious Violation
- h) Blood Alcohol Content Violations
- i) Operating while Intoxicated
- j) Exhibition Driving
- k) Failure to Report Accident
- l) Failure to stop after Accident
- m) Failure to Surrender License
- n) Intoxicant in Vehicle carrying Minor
- o) Improper use of Operator's License
- p) License/Registration Violations
- q) Operating after Cancellation / Revocation / Suspension
- r) Open Bottle Violation
- s) Operating while under Influence
- t) Operating with a Invalid / Improper Driver's License
- u) Operating without Owner's Consent /Permission
- v) Possession / Transportation of Alcohol/Drugs in Vehicle
- w) Proof of Financial Responsibility
- x) Serious Violations – Occupational License
- y) Accident Owners fail to post Security
- z) Allow Operating while Intoxicated
- aa) Allow Possession of Alcohol/Drugs
- bb) Failure to Display Proper License
- cc) Possession of Fictitious / Another's License
- dd) Lend License to Another Person
- ee) Incapable of Operating a Motor Vehicle
- ff) License/Registration Obtained Unlawfully
- gg) Leaving Scene of Accident -Animal/Injury/Property
- hh) Operating without a Correct License Class

2. The following violations are considered Ineligible Violations

- a) Homicide by use of Motor Vehicle
- b) Criminal Negligence / Fatality

PERSONAL LINES AUTO MANUAL

- c) Homicide – Negligence, Reckless, Vehicular
- d) Avoid Apprehension/Arrest by Officer
- e) Assault by use of Motor Vehicle
- f) Falsified Accident Report
- g) False/Fraudulent Claim
- h) Great Bodily Harm
- i) Gross Negligent Operation
- j) Injurious Material on Highway
- k) Juvenile/Alcohol Related Violations
- l) Operating while Intoxicated - Accident/Injury/Fatal
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If a policy is reinstated, the reinstated policy shall be subject to the accident/violation rating factor that would have been applicable had the policy remained in force.

Memorandum

Re: PRCA-130958852

To Whom It May Concern:

IDS Property Casualty Insurance Company is submitting this rule filing in order to amend a typographical error. Our company has been following the Massachusetts law correctly regarding this rule, thus there is no impact to the policy holder.

Yours sincerely,

Jonathan A Constable

PERSONAL LINES AUTO MANUAL

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- b) applicant or other driver residing in the same household, or owner, reimbursed by, or on behalf of, a person responsible for the accident or has judgment against such person; or
- c) vehicle of the applicant or other driver resident in the same household struck in rear by another vehicle, and applicant or other resident driver has not been convicted of a moving traffic violation in connection with the accident; or
- d) driver of the other vehicle involved in such accident was convicted of a moving traffic violation and the applicant or other driver resident in the same household was not convicted of a moving traffic violation in connection therewith; or
- e) vehicle operated by applicant or other driver resident in the same household is damaged due to contact with a "hit and run" driver, if applicant or other driver so reports the accident to proper authorities within twenty-four hours; or
- f) accidental damage by contact with animals or fowl; or
- g) physical damage caused by flying gravel, missiles or falling objects; or
- h) vehicle being driven by a paid or volunteer member of any Police or Fire Department, First Aid Squad or any law enforcement agency while responding to an emergency call to duty. However, if such accident occurs after the emergency ceases or after the vehicle is no longer being used in response to the emergency, this exception is not applicable; or

PERSONAL LINES AUTO MANUAL

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- t) Operating with a Invalid / Improper Driver's License
- u) Operating without Owner's Consent /Permission
- v) Possession / Transportation of Alcohol/Drugs in Vehicle
- w) Proof of Financial Responsibility
- x) Serious Violations – Occupational License
- y) Accident Owners fail to post Security
- z) Allow Operating while Intoxicated
- aa) Allow Possession of Alcohol/Drugs
- bb) Failure to Display Proper License
- cc) Possession of Fictitious / Another's License
- dd) Lend License to Another Person
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PERSONAL LINES AUTO MANUAL

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- j) Injurious Material on Highway
- k) Juvenile/Alcohol Related Violations
- l) Operating while Intoxicated - Accident/Injury/Fatal
- m) Obtained License by Fraud
- n) Vehicle used in Crime
- o) Vehicle used in commission of Felon
- p) Operating while using Drugs - Accident/Injury/Fatal
- q) Attempt to Flee/Elude Officer
- r) False Information to Police Officer
- s) Manslaughter - Voluntary/Involuntary
- t) Reckless Driving Causing Injury

3. Minor Violations

Any violation **not** listed above as a Major or Ineligible will be considered a minor violation.

Refer to the Rate Manual for applicable rating factors associated with the different violations noted above.

C. Experience Period

The experience period shall be the three years immediately preceding the effective date of the application or the three years immediately preceding the anniversary of the policy.

D. Rating Factor Application

Based on the number and date of occurrence of accidents and/or violations, the corresponding rating factor found in the Rate Manual will be applicable.

Accident/violation rating factors are applied to the vehicle to which the affected operator is assigned. If the affected operator is not assigned to a specific vehicle, the accident/violation rating factor is applied to the highest base rated vehicle.

In the event of excess vehicles (more vehicles than drivers), an average of all drivers' accident/violation rating factors will be applied to the excess vehicles.

E. Miscellaneous Provisions

The accident/violation rating factors shall be unaffected by changes requiring a policy transfer or by changes in the territory, use or driver classification of the policy.

Exception: If the Company is furnished evidence that the driver involved in a chargeable accident and/or violation (a) is no longer a resident of the named insured's household or (b) will not be a driver of the automobile for the period during which the accident and/or violation will be chargeable, the accident and/or violation shall not be considered in determining the current accident/violation rating factor. However, if the driver continues to be insured with the Company on another policy, the accident and/or violation will be considered in the rating of that policy.

If a policy is reinstated, the reinstated policy shall be subject to the accident/violation rating factor that would have been applicable had the policy remained in force.

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Rule 4. ACCIDENT/VIOLATION RECORD RATING

This rule applies to automobiles defined in Rule 1.

The indicated premium for the Bodily Injury, Property Damage, Medical Expense, Personal Injury Protection, Collision, and Rental coverages shall be subject to rating factors determined in accordance with the following provisions:

A. Chargeable Accidents

1. Eligibility

An accident that occurred during the experience period involving the insured or any current resident operator shall be chargeable if:

- a) the accident results in recorded payments under the bodily injury liability coverage, or
- b) the accident results in damage to any property, including the insured's own, such that the insurer makes a payment in the amount of \$1000 or more.

Accidents shall not be considered chargeable unless the driver's actions were more than 50% of the reason for the accident. ~~was 50% or more at fault.~~

No rating factor will be applied to an insured as a result of a motor vehicle accident unless the accident was caused either wholly or partially by the named insured, a resident of the same household or other customary operator.

2. Exceptions

No rating factor is assigned for an accident if the insured demonstrated that the accident occurred under the following circumstances:

- a) vehicle lawfully parked (if a vehicle rolls from a parked position it shall not be considered as being lawfully parked but as under the operation of the last driver); or
- b) applicant or other driver residing in the same household, or owner, reimbursed by, or on behalf of, a person responsible for the accident or has judgment against such person; or
- c) vehicle of the applicant or other driver resident in the same household struck in rear by another vehicle, and applicant or other resident driver has not been convicted of a moving traffic violation in connection with the accident; or
- d) driver of the other vehicle involved in such accident was convicted of a moving traffic violation and the applicant or other driver resident in the same household was not convicted of a moving traffic violation in connection therewith; or
- e) vehicle operated by applicant or other driver resident in the same household is damaged due to contact with a "hit and run" driver, if applicant or other driver so reports the accident to proper authorities within twenty-four hours; or
- f) accidental damage by contact with animals or fowl; or
- g) physical damage caused by flying gravel, missiles or falling objects; or
- h) vehicle being driven by a paid or volunteer member of any Police or Fire Department, First Aid Squad or any law enforcement agency while responding to an emergency call to duty. However, if such accident occurs after the emergency ceases or after the vehicle is no longer being used in response to the emergency, this exception is not applicable; or

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- i) involved in an accident while operating a vehicle of a type not eligible for rating under this plan.

3. Accident Forgiveness

Policyholders subsequently involved in an at-fault accident will be forgiven the first otherwise chargeable accident on the policy if:

- a) The operator maintained a surchargeable accident free record during the 36 month experience period ending 45 days prior to their renewal effective date; and
- b) The policy has been continuously in-force during the three year period described in a. above with the company; and
- c) The accident continues to be the only chargeable accident on the policy.

B. Violations

1. The following violations are considered major violations:

- a) Careless Driving
- b) Dangerous Driving
- c) Negligent Driving
- d) Racing
- e) Reckless Driving
- f) Speeding Excess (\geq 15mph over limit)
- g) Serious Violation
- h) Blood Alcohol Content Violations
- i) Operating while Intoxicated
- j) Exhibition Driving
- k) Failure to Report Accident
- l) Failure to stop after Accident
- m) Failure to Surrender License
- n) Intoxicant in Vehicle carrying Minor
- o) Improper use of Operator's License
- p) License/Registration Violations
- q) Operating after Cancellation / Revocation / Suspension
- r) Open Bottle Violation
- s) Operating while under Influence
- t) Operating with a Invalid / Improper Driver's License
- u) Operating without Owner's Consent /Permission
- v) Possession / Transportation of Alcohol/Drugs in Vehicle
- w) Proof of Financial Responsibility
- x) Serious Violations – Occupational License
- y) Accident Owners fail to post Security
- z) Allow Operating while Intoxicated
- aa) Allow Possession of Alcohol/Drugs
- bb) Failure to Display Proper License
- cc) Possession of Fictitious / Another's License
- dd) Lend License to Another Person
- ee) Incapable of Operating a Motor Vehicle
- ff) License/Registration Obtained Unlawfully
- gg) Leaving Scene of Accident -Animal/Injury/Property
- hh) Operating without a Correct License Class

2. The following violations are considered Ineligible Violations

- a) Homicide by use of Motor Vehicle
- b) Criminal Negligence / Fatality

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- c) Homicide – Negligence, Reckless, Vehicular
- d) Avoid Apprehension/Arrest by Officer
- e) Assault by use of Motor Vehicle
- f) Falsified Accident Report
- g) False/Fraudulent Claim
- h) Great Bodily Harm
- i) Gross Negligent Operation
- j) Injurious Material on Highway
- k) Juvenile/Alcohol Related Violations
- l) Operating while Intoxicated - Accident/Injury/Fatal
- m) Obtained License by Fraud
- n) Vehicle used in Crime
- o) Vehicle used in commission of Felon
- p) Operating while using Drugs - Accident/Injury/Fatal
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