

## D05 - Driving Record Points

Driving record points are assigned to operators for chargeable accidents and violations.

1. **Chargeable Period** – all accidents and violations occurring in the 36-month period prior to policy inception are considered in developing a driver’s policy premiums. When a driver is added mid-term, accidents and violations will be charged for the prior 36-month period from the date the driver is added.
2. **Chargeable Date** – to determine if the accident or violation took place in the chargeable period, use the occurrence date.
3. **Same Day Offenses** – if two or more violations or accidents occur on the same day, apply only one of the violations or accidents. The order of hierarchy for determining the chargeable violation is: at-fault accident, major violation, minor violation, speed, and DUI. The violation(s) not charged from the same day occurrence will not be counted toward the calculation of points.
4. **Same Day Non-Chargeable** – if multiple non-chargeable incidents occur in the same day, only count one of those same day non-chargeable incidents, using the following order: major violations occurring between 36 and 60 months preceding the policy effective date, not-at-fault accidents, uninsured/underinsured motorist claims, then comprehensive claims of \$1,000 or more.
5. **Source of Points** – charge for accidents or violations occurring while a driver is operating, occupying, or associated with a private passenger auto, commercial vehicle, motorcycle or recreational vehicle.
6. **Chargeable Accidents** – At-fault accidents above the \$500 threshold occurring prior to July 1, 2017, and at-fault accidents above the \$1,000 threshold occurring on or after July 1, 2017 noted on the MVR, CLUE report or applications are chargeable unless the applicant can provide verification that the accidents are non-chargeable. Accidents involving hitting another vehicle or object as a result of swerving to avoid an animal are chargeable. At-fault accidents caused by a permissive user while operating a listed vehicle will be included in the points used to determine future premiums for the named insured. If this permissive user is added to the policy, the at-fault accident will not be included in the points used to determine the premium for the named insured and will be used to determine the points for the newly added driver, If the newly added driver is removed or excluded from the policy within 36 months following the accident, the at-fault accident will then continue to be applied to the points used to determine future premiums for the named insured.
7. **Non-Chargeable Incidents** – Incidents that are considered non-chargeable:
  - a. Any major violation occurring between 36 and 60 months preceding the policy effective date.
  - b. Accidents are considered non-chargeable incidents if:
    1. The motor vehicle is lawfully parked and is struck by another vehicle. If the parked vehicle rolls from the parked position, then the accident is charged to the person who parked the vehicle.
    2. The insured or the owner of the motor vehicle is reimbursed by or on behalf of the named insured or other resident operator for at least 50% of the total amount of the paid claim received through subrogation or from a settlement or judgment against the individual responsible for the accident.
    3. The insured, or owner of the motor vehicle, has a judgment against a person who is responsible for the accident.
    4. The motor vehicle is struck in the rear by another vehicle and the insured has not been convicted of a traffic violation in connection with the accident.
    5. The driver of the other motor vehicle involved in the accident was convicted of a moving traffic violation and the insured was not convicted of a moving traffic violation in connection with the accident.
    6. The motor vehicle driven by the insured is struck by a hit-and-run vehicle, if the accident is reported to the proper authority within 24 hours by the insured.

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7. The accident involves damage by contact with animals or fowl.
  8. The accident involves physical damage, limited to and caused by flying gravel, missiles, or falling objects.
  9. The accident occurs when the insured is using the motor vehicle in response to an emergency if the insured was a paid or voluntary member of a police or fire department, first-aid squad, or a law enforcement agency at the time of the accident. This exception does not include an accident occurring after the motor vehicle ceases to be used in response to the emergency.
  10. The accident involves and is limited to only first party medical claims.
  11. The loss involves and is limited to only a claim made under the comprehensive portion of the policy unless the loss was intentionally caused by the insured.
8. **Violation Classification** - Violations are classified into four groups: major violations, minor violations, speeding, and alcohol related violations (including drugs). Major violations include but are not limited to: racing; homicide or assault with a vehicle; fleeing from an officer; hit and run; leaving an accident scene; felony involving a motor vehicle; reckless; careless or negligent driving; serious license/credential violations. Minor violations include but are not limited to: following too close; failure to yield; wrong side of road; disregard traffic device; failure to report accident; improper backing; passing or turning. DUI includes refusal to submit to chemical testing and open container violations.
9. **Mid-Term Re-rate** - A policy will not be re-rated for point charges during the policy term unless the operator for whom the points were charged is no longer a rated operator or is excluded from coverage.

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