

LINE OF BUSINESS:	Personal Auto	LINE(S) OF INSURANCE:	CODES:
CODE:	19	Auto No-fault (PIP)	19.0001
		Motorcycle	19.0002
		Recreational Vehicle (RV)	19.0003
		Other	19.0004
		Personal PP	19.1001
IF CHECKLIST IS NOT APPLICABLE, PLEASE EXPLAIN			

REVIEW REQUIREMENTS	REFERENCES	DESCRIPTION OF REVIEW STANDARDS / REQUIREMENTS
GENERAL REQUIREMENTS FOR ALL FILINGS		
EFFECTIVE DATE		Policies effective at 12:01 AM Standard Time
ELECTRONIC FILINGS	Insurance Bulletin 360 Title 24-A § 2304-A Rate filings Title 24-A § 2412 Filings, approval of forms	Maine requires that all rate and form filings be filed electronically through the NAIC's System for Electronic Rate and Form Filings (SERFF). See also Bureau of Insurance Bulletin 360 Electronic Submissions of Rate and Form Filings. Enter New Business and Renewal effective dates under the General Information tab in SERFF.
FILING SUBMISSION	Title 24-A § 2412 Filings, approval of forms Title 24-A § 2304-A Rate filings	Form filing requirements. Rate filing requirements.
LINE OF AUTHORITY	Auto Liability Auto Physical Damage	Must have requisite certificate of authority to transact business before submitting rate/rule/form filing
PRIOR APPROVAL FILE & USE	Title 24-A – §2304-A , Rate filings Title 24-A - §2412 . Filing, approval of forms	
SIDE BY SIDE COMPARISON		Please provide a marked-up copy of the existing rate/rule page(s) or forms being revised highlighting all changes by underlining additions and striking through deletions.
THIRD PARTY FILERS AUTHORITY	Title 24-A - §2412 . Filing, approval of forms Title 24-A - §2304-A . Rate filings	Must include authorization to communicate directly with third party filers.
FORMS - POLICY PROVISIONS		
ACCESS TO COURTS	Title 24-A - §2433 . Jurisdiction of courts, limitation of actions	Maine Courts have jurisdiction.
ACTION AGAINST COMPANY	Title 24-A - §2433 . Jurisdiction of courts, limitation of actions	Insured must be given 2 years from date of loss to bring suit against insurer. Foreign insurers.
AMBIGUOUS & MISLEADING	Title 24-A - §2413 . Grounds for disapproval	

APPLICATIONS	Title 24-A - §2411 . Representations in applications Title 24-A - §2412 . Filing, approval of forms Title 24-A - § 2186 Insurance Fraud Prevention	All statements are considered representations not warranties Must file applications only if to be made part of the policy. The Maine Fraud Warning must appear permanently affixed on all applications (i.e. new business, renewal, supplemental, etc...)
ARBITRATION	Title 24-A § 2433 . Jurisdiction of courts, Limitation of actions.	Arbitration must take place in the Maine County in which the policy was issued for delivery.
CANCELLATION & NON-RENEWAL	Title 24-A - Chapter 39 , CASUALTY INSURANCE CONTRACTS Rule Chapter 355 . § 7(C)(2)	The policy must contain statutory grounds for mid-term cancellation and nonrenewal. Minimum 20 days' advance notice required for cancellation, except 10 days for nonpayment & must allow 5 days for mail time. Proof of mailing is not proof of receipt until the fifth calendar day after mailing. Minimum 30 days' advance notice required for nonrenewal & must allow 3 days for mail time. Proof of mailing is not proof of receipt until the third calendar day after mailing. Notice of cancellation or nonrenewal must inform insured of right to request a hearing within 30 days of receipt of notice.
DISCRIMINATION	Title 24-A - §2162 . Unfair discrimination, rebates prohibited -- property, casualty, surety insurance	Restrictions on policy provisions relating to benefits not associated with loss and reductions in premium association with savings and expenses
DRIVER EXCLUSIONS & LIMITATIONS	Title 24-A - §2916-B . Exclusion of covered persons under personal automobile policy	A named driver exclusion is permitted in order to avoid cancellation or nonrenewal of an automobile insurance policy, and to allow the insurer to provide or to continue to provide coverage without an unreasonable risk. An insurer and the named insured may agree by an endorsement to the policy that is signed by the affected parties. Every endorsement shall contain the following wording in conspicuous print: "NOTICE TO POLICYHOLDER IF THE PERSON EXCLUDED FROM COVERAGE BY THIS ENDORSEMENT IS UNDER THE AGE OF 18 YEARS, YOU CAN BE HELD LIABLE UNDER STATE LAW FOR HIS OR HER NEGLIGENCE WHEN HE OR SHE OPERATES YOUR VEHICLE WITH YOUR PERMISSION. YOUR POLICY DOES NOT INSURE YOU AGAINST THIS LIABILITY."
FICTITIOUS GROUPS	Title 24-A - §2172 . Fictitious groups prohibited	Prohibited
FINANCIAL RESPONSIBILITY	Title 29-A - §1605 . Proof of financial responsibility Title 24-A - §2902 . Uninsured vehicle coverage; insolvency of insurer	Minimum bodily injury, property damage, medical payments and uninsured/underinsured motorists for private passenger type auto — refer to Motor Vehicle Code for minimum limits for school buses, etc.
FINANCIAL RESPONSIBILITY LIMITS	Title 29-A - §1605 . Proof of financial responsibility Title 29-A - §1605-A . Medical payments Title 24-A - §2902 . Uninsured vehicle coverage; insolvency of insurer	Minimum limits found in applicable sections of Motor Vehicle Code; UM limits must be same as BI Liability unless expressly request lower limits, but must be no less than minimum limits required for BI in Title 29-A

FRAUD WARNING	Title 24-A - §2186 . Insurance fraud prevention	Statutory (or substantially similar) wording must be included on all applications (i.e. new business, renewal, supplemental, etc...) and claim forms
GROUP POLICIES	Title 24-A - §2951 . Group property and casualty insurance Rule Chapter 375	See Rule 375 and Title 24-A Chapters 37 & 40-A for eligibility.
GUEST PASSENGER LIABILITY	Title 24-A - §2902 -B. Motorcycle passenger exclusion	Motorcycle passenger exclusion not permitted unless insurer notifies Bureau of Insurance and each licensed producer and separate exclusionary endorsement filed and approved
LOSS PAYEE	Title 24-A - §2908 Cancellation and Non Renewal Bulletin 372 § 2915	Where physical damage coverage is provided notice must be given to any party named in a loss payable clause.
MANUSCRIPT ENDORSEMENTS	Title 24-A - §2412 . Filing, approval of forms	Manuscript forms must be filed. Each manuscripted change is subject to review and can be filed as a consent to form filing pursuant to 24-A § 2308(2) .
MEDICAL PAYMENTS	Title 29-A - §1605-A . Medical payments	Minimum limit required by Motor Vehicle Code effective 1-1-2008 is \$2,000 per person.
MEDICAL PAYMENTS SUBROGATION	Title 24-A § 2910-A Subrogation; medical payments coverage	
PAYMENT OF LOSS TIME PERIOD	Title 24-A - §2436 . Interest on overdue payments	Payment within thirty days and interest on overdue payments of 1.5% per month
POLLUTION LIABILITY	Title 24-A - §2413 . Grounds for disapproval	Prohibited — deceptively affects coverage purported to be assumed
POST JUDGMENT INTEREST	Bulletin 353 : Bureau of Insurance Title 14 § 1602-C . Interest after judgment	Maine statutory law provides for the payment of post-judgment interest and case law has held that an insurer must pay post-judgment interest as a supplemental payment without regard to the policy terms (i.e. policy limit, sub-limits, exclusions, deductibles, retentions, etc...).
PRIOR APPROVAL FILE & USE	Title 24-A - §2412 . Filing, approval of forms	Statute contains a deemer provision
PRIVACY NOTICE	Title 24-A - §2206 . Notice of insurance information practices	See Title 24-A, Ch.24 generally for insurance information and privacy protection.
PUNITIVE DAMAGES	Title 24-A §2413	We do not allow in the Personal Auto Policy
READABILITY	Title 24-A - §2441 . Minimum policy language simplification standards	Minimum Flesch score of 50; 10-point type (16 or fewer characters per inch); one-point leaded.
SIGNATURES	Title 24-A - §2416 . Execution of policies	
SUBROGATION	Title 24-A - §2910-A . Subrogation; medical payments coverage Title 24-A, §3002 : Standard fire policy required; exceptions	Policy may not provide for subrogation or priority over an insured for medical payments
SUIT	Title 24-A - §2433 . Jurisdiction of courts, limitation of actions	Maine courts must have jurisdiction. Insured must be given two years to bring suit against insurer.
TERRORISM	Insurance - Bulletin 348	Not an eligible line.

UNINSURED/UNDERINSURED MOTORISTS	Title 24-A - §2902 . Uninsured vehicle coverage; insolvency of insurer Title 29-A - §1605 . Proof of financial responsibility	The policy must provide uninsured/underinsured motorist coverage. The amount of coverage may not be less than the minimum limits for bodily injury insurance under Title 29-A § 1605(1) .
VICARIOUS LIABILITY	Title 14 - §304 . Liability of parents or legal guardians for damage by children	Liable up to \$800 for damage of minor between 7 and 17 years old.
VOIDANCE	Title 24-A - §2411 . Representations in applications	Do not allow insurers to void coverage for concealment, misrepresentation or fraud except in compliance with Maine case law. See American Home Assurance Co. v. Ingeneri, 479 A.2d 897 (Me. 1984).
WARRANTIES	Title 24-A - §2411 . Representations in applications	Statements on applications are deemed to be representations, not warranties
RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY		
"A" RATED RISKS	Title 24-A - §2304-A . Rate filings	"a" rates and ranges must be filed along with any rates designated as "refer to company" or similar phrasing.
ADVISORY LOSS COST DELAYS, MODIFICATION, NON-ADOPTION	Title 24-A §2303 Making of rates Title 24-A §2304-A Rate filings Title 24-A - §2304-B . Reference filings Title 24-A §2321-D . Advisory organizations; permitted activity Title 24-A - §2321-E . Filing of prospective loss costs and supplemental information Insurance - Bulletin 176 (Workers' Comp Bulletin 241)	If an insurer that has filed to have its loss cost adjustments remain on file with the Bureau intends to delay, modify, or not adopt particular advisory organization's Reference Filing, the insurer must make a filing with the Bureau. The insurer's filed loss cost adjustments will remain in effect until the insurer withdraws them or files and receives approval of a revised Reference Filing Adoption Form.
CALCULATION OF UNEARNED/RETURN PREMIUM	Title 24-A - §2304-A . Rate filings	Must be filed as part of rating plan
CATASTROPHE HAZARDS	Title 24-A - §2303 . Making of rates	Rate provisions must be supported by experience or relevant catastrophe models
CHARGES, FEES, & PAYMENT PLANS	Title 24-A, §2304-A : Rate filings Title 24-A, §2403 : "Premium" defined Insurance Bulletin 383 Title 24-A - §2174(2) . Illegal dealing in premiums; excess charges for insurance	Must be filed as part of rating plan
COMPETITION		May support filing by citing specific competitors filing

CONSENT-TO-RATE	Title 24-A - §2308 . Excess rates	A rate in excess of that provided by a filing may be used on any specific risk, providing that the following requirements are satisfied: The insurer files a written application with the superintendent signed by the insured or applicant stating the reasons for the request. The superintendent assents to the use of an excess rate for the specific risk.
CREDIBILITY & OTHER FACTORS	Title 24-A, §2303 : Making of rates Title 24-A §2304-A . Rate Filings	Rate and loss costs multiplier calculation should reflect credibility. Credibility standards must be supported
CREDIT SCORING AND REPORTS	Title 24-A - §2169-B . Use of consumer reports in insurance underwriting Insurance - Bulletin 329	
DEDUCTIBLES	Title 24-A § 2304-A . Rate Filings	
DISCOUNTS & SURCHARGES	Title 24-A - §2303 . Making of rates Title 24-A - §2304-A . Rate filings	Surcharges and credits must be filed and supported.
EXPENSES & EXPERIENCE	Title 24-A - §2303 . Making of rates	Rate and loss costs multiplier calculation should reflect expenses of insurer
FEES & SERVICE CHARGES	Title 24-A § 2304-A . Rate Filings Title 24-A - § 2403 . "Premium" defined Insurance – Bulletin 383	Must be filed as part of rating plan. Fees and service charges include those associated with collection expense such as installment, nonsufficient funds, reinstatement, late and convenience fees, and other fees associated with policy issuance and delivery. Fees include those imposed by third-party vendors, such as automated clearing houses.
FILE & USE	Title 24-A - §2304-A . Rate filings	
INDIVIDUAL RISK RATING	Title 24-A - §2303 . Making of rates Title 24-A - §2304-A . Rate filings Title 24-A §2412-A . Large commercial contracts Title 24-A - §2308 . Excess rates	Permitted if risk meets specified criteria.
LOSS COST MULTIPLIERS	Title 24-A - §2304-B . Reference filings Insurance - Bulletin 176 (Workers' Comp Bulletin 241)	Insurer may satisfy rate filing requirements by adopting advisory organization filings and filing loss costs multiplier
MINIMUM PREMIUM RULES / MINIMUM RETAINED PREMIUM	Title 24-A - §2304-A . Rate filings	
MULTI-TIER	Title 24-A - §2304-A . Rate filings	Must be filed as part of rating plan
PROFIT LOADING	Title 24-A - §2303 . Making of rates	Rate and loss costs multiplier calculation may reflect profit loading and must include consideration for investment income

RATE/LOSS COST SUPPORTING INFORMATION	Title 24-A - §2302-A . Definitions Title 24-A - §2303 . Making of rates Title 24-A - §2304-A . Rate filings Title 24-A - §2304-B . Reference filings Insurance - Bulletin 176	All aspects of pricing must be filed and supported and/or may adopt advisory organization reference filings and file loss costs multiplier
RATING PLAN REQUIREMENTS	Title 24-A - §2304-A . Rate filings Title 24-A - §2304-B . Reference filings Insurance - Bulletin 176	All aspects of pricing must be filed and supported and/or may adopt advisory organization reference filings and file loss costs multiplier
RATING TIERS	Title 24-A - §2304-A . Rate filings Title 24-A - § 2382-C Insurance - Bulletin 277	
REBATE	Title 24-A - §2162 . Unfair discrimination, rebates prohibited -- property, casualty, surety insurance Title 24-A §2163 . Receipt of rebate, illegal inducement prohibited Insurance Bulletin 233 Insurance Bulletin 384	
SUPPORTING DATA	Title 24-A - §2302-A . Definitions Title 24-A - §2303 . Making of rates Title 24-A - §2304-A . Rate filings Title 24-A - §2304-B . Reference filings Insurance - Bulletin 176	All aspects of pricing must be filed and supported and/or may adopt advisory organization reference filings and file loss costs multiplier
SYMBOLS	Title 24-A - §2304-A . Rate filings	Must be filed as part of rating plan

TRENDING	Title 24-A - §2303 . Making of rates Title 24-A - §2304-A . Rate filings Title 24-A - §2304-B . Reference filings Insurance - Bulletin 176	All aspects of pricing must be filed and supported by experience and/or may adopt advisory organization reference filing and file loss costs multiplier
----------	---	---