

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

**DEPARTMENT OF BUSINESS REGULATION (INCLUDES THE OFFICE OF THE
HEALTH INSURANCE COMMISSIONER)**

Title of Rule: Unfair Property/Casualty Claims Settlement Practices

Rule Identifier: 230-RICR-20-40-2

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 01/17/2019

Hearing Date: 02/13/2019

End of Public Comment: 02/19/2019

Authority for this Rulemaking:

R.I. Gen. Laws § Chapter 27-9.1 and 29

Summary of Rulemaking Action:

The rule sets forth the regulatory requirements for Unfair Property/Casualty Claims Settlement Practices. In the last legislative session, the legislature amended the statute upon which the regulation is based by virtue of 2018 P.L. chs. 298 and 321. The Department proposes to make the following substantive changes to the regulation to comport with the statutory changes:

§ 2.3(A)(1) – the word "body" has been removed in accordance with the statutory amendment.

§ 2.3(A)(14) – the definition of "licensed motor vehicle glass repair shop" had been added.

§ 2.8(A)(3) – added the phrase "of the fair market value of the motor vehicle immediately preceding the time it was damaged" to provide clarification to the requirement.

§ 2.8(C)(5) – the provision has been amended to match the amendment to the statute.

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until February 19, 2019 by contacting the appropriate party at the address listed below:

Elizabeth Dwyer, Esq.

Department of Business Regulation (includes the Office of the Health Insurance Commissioner)
1511 Pontiac Ave
Cranston, RI 02920
elizabeth.dwyer@dbr.ri.gov

Public Hearing:

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.8, to consider the proposed amendment shall be held on February 13, 2019 at 10:00 am at Department of Business Regulation, Conference room 69-2, 1511 Pontiac Ave., Bldg 69, Cranston, RI 02920 at which time and place all persons interested therein will be heard. The seating capacity of the room will be enforced and therefore the number of persons participating in the hearing may be limited at any given time by the hearing officer, in order to comply with safety and fire codes.

The place of the public hearing is accessible to individuals who are handicapped. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-462-9551 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting.

Regulatory Analysis Summary and Supporting Documentation:

This proposed regulation will result in no adverse impact for small businesses.

In the development of the proposed regulation 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.

For full regulatory analysis or supporting documentation see agency contact person above.