

Summary of Public Comments

AGENCY: Rhode Island Department of Business Regulation (“Department”)

DIVISION: Insurance

RULE IDENTIFIER: 230-RICR-20-40-2

REGULATION TITLE: Unfair Property/Casualty Claims Settlement Practices

RULEMAKING ACTION: Full Rulemaking, Amendment

PUBLIC COMMENTS: The hearing was held on October 15, 2019. A representative of the auto insurance industry provided comments on each five of the changes as indicated below:

2.3(A)(2) – The change is simply a reference to the statutory definition, and they have no issue.

2.8(A)(2) – They have no issue with this proposal.

2.8(A)(4) – Although they agree that the change is consistent with the statute, they believe the drafting was difficult in part because the statute includes an incorrect citation. R.I. Gen. Law Chapter 31-46 controls salvage titles, not R.I. Gen. Law Chapter 31-1 as provided in the statute. Pursuant to R.I. Gen. Law Chapter 31-46, only a RI licensed salvage rebuilder may perform repairs in order for the vehicle to be allowed by the Department of Motor Vehicles (DMV) to be driven on the roads. They are concerned with the lack of information from DBR and DMV on exactly what needs to be sent to consumers. They are concerned with the possibility of confusion and would like additional instructions. DBR indicated that they were working with the Commercial Licensing Division (which licenses Salvage Rebuilders) and the DMV and hope to be able to provide additional direction in the future.

2.8(B)(1)(b)(1) – They are concerned about confusion, however, agree that this is statutory language and there is no other alternative that would clarify the requirement.

2.8(C)(1) – They voiced their belief that repairs under \$2,500 could still be done by photos and DBR agreed with that assessment.