

230-RICR-20-05-7

## **TITLE 230– Department of Business Regulation**

### **CHAPTER 20 – Insurance**

#### **SUBCHAPTER 05 – Personal Lines - Automobile and Homeowners Insurance**

##### **PART 7 - Automobile Theft and Insurance Fraud Assessment**

### **7.1 Authority**

This Regulation is promulgated pursuant to R.I. Gen. Laws §§ 31-50-4 and 42-14-17.

### **7.2 Purpose**

The purpose of this Regulation is to set forth the method by which payments made to fund The Office of Automobile Theft and Insurance Fraud are to be implemented

### **7.3 Definitions**

A. As used in this Regulation:

1. "Director" means the Director of Business Regulation or his or her designee.
2. "Insurer" means all persons, firms, corporations, or associations authorized to write automobile insurance in this state.
3. "Superintendent" means the Superintendent of the State Police.
4. "Market Share" means an insurer's percentage share of the total of the automobile liability and physical damage written premiums in this state in a calendar year.

### **7.4 Method of Funding**

A. At such times as deemed appropriate by the Director, each insurer shall be notified in writing by the Department of Business Regulation of the amount owed which amount shall be

1. based upon the insurer's most recently determinable annual percentage market share on or before March 1 of each year, and
  2. equal to one (\$1) dollar times the total of registrations of vehicles having a gross weight of ten thousand (10,000) pounds or less, as determined by the Director.
- B. The number of registrations of vehicles shall be obtained from the Registry of Motor Vehicles. Said amount may be collected by an insurer as a policy surcharge, separately identifiable on either the policy declaration page or billing.

## **7.5 Payments**

All amounts payable pursuant to § 7.4 of this Part shall be remitted by the insurer within thirty (30) days of receipt of the written notification by the Department of Business Regulation of the amount owed. All payments shall be made by check payable to the General Treasurer, delivered to the Superintendent.

## **7.6 Failure to Comply**

Any insurer who fails to pay the amount owed pursuant to § 7.4 of this Part may be subject to suspension or revocation of its license.

## **7.7 Severability**

If any section, term, or provision of this Regulation should be adjudged invalid for any reason, that judgment should not effect, impair, or invalidate any remaining section, term, or provision, which shall remain in full force and effect.

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**TITLE 230 - DEPARTMENT OF BUSINESS REGULATION  
(INCLUDES THE OFFICE OF THE HEALTH INSURANCE  
COMMISSIONER)**

**CHAPTER 20 - INSURANCE**

**SUBCHAPTER 05 - PERSONAL LINES - AUTOMOBILE AND HOMEOWNERS  
INSURANCE**

**PART 7 - Automobile Theft and Insurance Fraud Assessment (230-RICR-20-05-7)**

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Editorial Note: This Part was filed with the Department of State prior to the launch of the Rhode Island Code of Regulations. As a result, this digital copy is presented solely as a reference tool. To obtain a certified copy of this Part, contact the Administrative Records Office at (401) 222-2473.