



Automobile Insurance Premium Refund Filings DFS Working Guidelines for COVID-19

Filing Requirements

1. If the company intends to inform policyholders of the refunds via a general notice, a rule filing must be submitted for approval. If the company intends to inform policyholders of the refunds via an endorsement, a form/rule filing must be submitted for approval.
2. The endorsement/rule, which is part of the policy, must comply with the requirements of NYIL section 2324 (Rebating).
3. The refunds must be applied in a manner that comports with Article 23 standards (see section 2303). If any class of policyholders are excluded, the company's eligibility rule should specify.
4. The refunds, which may not be implemented prior to the effective date of the approved filing, must be based on prior loss history data for premium payments applicable to future months (e.g., refunds based on March/April loss history for payments applicable to May/June).
 - a. Support should be submitted for the refunds.
 - b. If "competition" is used, the file number(s) should be provided.
5. The filed endorsement/rule should include the following:
 - a. The period covered, and the amount (percentage) of the refunds.
 - b. The form of the refunds (e.g., check, electronic payment/account credit, or policy account credit).
 - c. The timing of the refunds (when issued).
 - d. The treatment of qualified policies no longer in effect with the company.
 - e. The applicable policies (e.g., motorcycle, automobile, etc.).
6. The company must confirm that any changes to the approved filing, including any additional refunds, will be submitted for approval.

Footnote

Policyholder dividends issued by mutual companies should be in compliance with NYIL section 4114.