

LINE OF BUSINESS:	Personal Auto	LINE(S) OF INSURANCE:	CODE S:
CODE:	19	Private Passenger Auto (PPA)	19.0001
		Motorcycle	19.0002
		Recreational Vehicle (RV)	19.0003
		Other	19.0004
IF CHECKLIST IS NOT APPLICABLE, PLEASE EXPLAIN			

REVIEW REQUIREMENTS	REFERENCES	DESCRIPTION OF REVIEW STANDARDS / REQUIREMENTS	CONFIRM COMPLIANCE AND IDENTIFY LOCATION OF STANDARD IN FILING MUST EXPLAIN IF REQUIREMENT IS INAPPLICABLE
<b>GENERAL REQUIREMENTS FOR ALL FILINGS</b>			
ADOPTING ANOTHER INSURER'S FILING / "ME TOO" FILINGS		Include the other insurer's Maine approved SERFF file tracking number(s) or a complete copy of the stamped Maine approved filing	
EFFECTIVE DATE		Confirm that policies are effective at 12:01 AM Standard Time	
ELECTRONIC FILINGS	Insurance <a href="#">Bulletin 360</a>  Title 24-A <a href="#">§ 2304-A</a> Rate filings  Title 24-A <a href="#">§ 2412</a> Filings, approval of forms	Confirm that New Business and Renewal effective dates are entered under the General Information tab in SERFF.  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 <a href="#">Bulletin 360</a> : Electronic Submissions of Rate and Form Filings.	
FILING SUBMISSION	Title 24-A <a href="#">§ 2412</a> Filings, approval of forms  Title 24-A <a href="#">§ 2304-A</a> Rate filings	Form filing requirements.  Rate filing requirements.	
LINE OF AUTHORITY	Auto Liability  Auto Physical Damage	Confirm that company has requisite certificate of authority to transact business before submitting rate/rule/form filing	

PRIOR APPROVAL	Title 24-A – <a href="#">§2304-A</a> , Rate filings  Title 24-A - <a href="#">§2412</a> . Filing, approval of forms  Title 24-A – <a href="#">§7056</a> (1)	Prior approval required for rates and forms. Statute contains a 30-day deemer provision.	
SIDE BY SIDE COMPARISON		Confirm that filing includes 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 - <a href="#">§2412</a> . Filing, approval of forms  Title 24-A - <a href="#">§2304-A</a> . Rate filings	Confirm that filing includes authorization to communicate directly with third party filers.	
<b>FORMS - POLICY PROVISIONS</b>			
ACCESS TO COURTS  ARBITRATION  SERVICE OF SUIT	Title 24-A - <a href="#">§2433</a> . Jurisdiction of courts, limitation of actions	Confirm that forms comply with the following:  Maine Courts have jurisdiction  If applicable, arbitration must take place in the Maine County in which the policy was issued for delivery  Insured must be given two years from date of loss to bring suit against insurer.	
ACTION AGAINST COMPANY	Title 24-A - <a href="#">§2433</a> . 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 - <a href="#">§2413</a> . Grounds for disapproval	Forms should not contain or incorporate any inconsistent, ambiguous or misleading clauses, or exceptions which deceptively affect the risk purported to be assumed in the general coverage of the contract.	
APPLICATIONS	Title 24-A - <a href="#">§2411</a> . Representations in applications  Title 24-A - <a href="#">§2412</a> . Filing, approval of forms  Title 24-A - <a href="#">§ 2186</a> 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 <a href="#">§ 2433</a> . Jurisdiction of courts, Limitation of actions.	Confirm that (1) arbitration will take place in the Maine County in which the policy was issued for delivery; (2) arbitration will be entered only by mutual consent.	

CANCELLATION & NON-RENEWAL	<p>Title 24-A - <a href="#">Chapter 39</a>, CASUALTY INSURANCE CONTRACTS</p> <p><a href="#">Rule Chapter 355</a>. § 7(C)(2)</p>	<p>The policy must contain statutory grounds for mid-term cancellation and nonrenewal.</p> <p>Minimum 20 days' advance notice required for cancellation, except 10 days for nonpayment &amp; must allow 5 days for mail time. Proof of mailing is not proof of receipt until the fifth calendar day after mailing.</p> <p>Minimum 30 days' advance notice required for nonrenewal &amp; must allow 3 days for mail time. Proof of mailing is not proof of receipt until the third calendar day after mailing.</p> <p>Notice of cancellation or nonrenewal must inform insured of right to request a hearing within 30 days of receipt of notice.</p>	
DISCRIMINATION AND REBATING	<p>Title 24-A - <a href="#">§2162</a>. Unfair discrimination,</p> <p>Title 24-A - <a href="#">§2163-A</a> Rebates prohibited; Permitted activities</p>	<p>Do any provisions give the insured a benefit not associated with indemnification or loss? If so, please state whether provision(s) falls within the list of activities allowed by statute.</p>	
DRIVER EXCLUSIONS & LIMITATIONS	<p>Title 24-A - <a href="#">§2916-B</a>. Exclusion of covered persons under personal automobile policy</p>	<p>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:</p> <p>"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."</p>	
FAMILY EXCLUSIONS PROHIBITED	<p>Title 24-A <a href="#">§2902-D</a></p>	<p>An insurer may not sell or renew a motor vehicle liability insurance policy with a provision that excludes coverage for injury to the insured or any family member of the insured.</p>	
FICTITIOUS GROUPS	<p>Title 24-A - <a href="#">§2172</a>. Fictitious groups prohibited</p>	<p>Insurers cannot make preferences or distinctions based upon any fictitious grouping of persons.</p>	
FINANCIAL RESPONSIBILITY	<p><a href="#">Title 29-A - §1605</a>. Proof of financial responsibility</p> <p>Title 24-A - <a href="#">§2902</a>. Uninsured vehicle coverage; insolvency of insurer</p>	<p>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.</p>	

FINANCIAL RESPONSIBILITY LIMITS	<a href="#">Title 29-A - §1605</a> . Proof of financial responsibility  <a href="#">Title 29-A - §1605-A</a> . Medical payments  Title 24-A - <a href="#">§2902</a> . 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 - <a href="#">§2186</a> . Insurance fraud prevention	Confirm that statutory (or substantially similar) wording is included on all applications (i.e. new business, renewal, supplemental, etc.) and claim forms.	
GROUP POLICIES	Title 24-A - <a href="#">§2951</a> . Group property and casualty insurance  <a href="#">Rule Chapter 375</a>	See Rule 375 and Title 24-A Chapters 37 & 40-A for eligibility.	
GUEST PASSENGER LIABILITY	Title 24-A - <a href="#">§2902-B</a> . 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	
LIVERY		An insurer may exclude livery, but may not deny, cancel or refuse to renew a policy or impose a surcharge solely on the basis that an insured or member of the household who customarily operates the insured's vehicle is a volunteer driver. Volunteer driver means someone who transports goods or people for a non-profit/charitable organization without compensation above expenses. See VOLUNTEER DRIVERS.	
LOSS PAYEE	Title 24-A - <a href="#">§2908</a> Cancellation and Non Renewal  <a href="#">Bulletin 372</a>  <a href="#">§ 2915</a>	Confirm that mortgagee notification conforms to the Standard Fire Policy.	
MANUSCRIPT ENDORSEMENTS	Title 24-A - <a href="#">§2412</a> . Filing, approval of forms	Confirm that manuscript forms, if any, are filed. Each manuscripted change is subject to review and can be filed as a consent to form filing pursuant to 24-A <a href="#">§ 2308(2)</a> .	
MEDICAL PAYMENTS	<a href="#">Title 29-A - §1605-A</a> . Medical payments  Title 24-A § 7403-A(1)(D)	Minimum limit required by Motor Vehicle Code effective 1-1-2008 is \$2,000 per person.	
MEDICAL PAYMENTS SUBROGATION	Title 24-A <a href="#">§ 2910-A</a> Subrogation; medical payments coverage	Policy may not provide for subrogation or priority over the insured unless certain conditions are met.	
PAYMENT OF LOSS TIME PERIOD	Title 24-A - <a href="#">§2436</a> . Interest on overdue payments	Payment is due within thirty days; Maine law provides interest on overdue payments of 1.5% per month.	
POLLUTION LIABILITY	Title 24-A - <a href="#">§2413</a> . Grounds for disapproval	Confirm that policy does not contain pollution liability exclusion. Such exclusions deceptively affect the coverage purported to be assumed.	

POST JUDGMENT INTEREST	<a href="#">Bulletin 353</a> : Bureau of Insurance <a href="#">Title 14 § 1602-C</a> . Interest after judgment	Confirm that policy allows for the payment of post-judgment interest in accordance with Maine case law as a supplemental payment without regard to the policy terms (i.e. policy limit, sub-limits, exclusions, deductibles, retentions, etc.).	
PRIOR APPROVAL	Title 24-A - <a href="#">§2412</a> . Filing, approval of forms	Prior approval required for rates and forms. Statute contains a 30-day deemer provision.	
PRIVACY NOTICE	Title 24-A - <a href="#">§2206</a> . Notice of insurance information practices	See Title 24-A, Ch. 24 generally for insurance information and privacy protection.	
PUNITIVE DAMAGES	Title 24-A <a href="#">§2413</a>	We do not allow in the Personal Auto Policy	
READABILITY	Title 24-A - <a href="#">§2441</a> . Minimum policy language simplification standards	Confirm that policy meets a minimum Flesch score of 50; that the policy is written in 10-point type (16 or fewer characters per inch), one-point leaded.	
RENTAL	<a href="#">Rule Chapter 175</a> Title 24-A <a href="#">§ 2927(3)</a>	Notice to insureds advising of rental coverage provided.	
SIGNATURES	Title 24-A - <a href="#">§2416</a> . Execution of policies	Confirm that policies will be executed in the name of and on behalf of the insurer.	
SUBROGATION	Title 24-A - <a href="#">§2910-A</a> . Subrogation; medical payments coverage	Confirm that policy does not provide for subrogation or priority over an insured for medical payments.	
SUIT	Title 24-A - <a href="#">§2433</a> . Jurisdiction of courts, limitation of actions	Maine courts must have jurisdiction.  Insured must be given two years to bring suit against insurer.	
TERRORISM	Insurance - <a href="#">Bulletin 400</a>	Not an eligible line.	
UNINSURED/UNDE RINSURED MOTORISTS	Title 24-A - <a href="#">§2902</a> . Uninsured vehicle coverage; insolvency of insurer  <a href="#">Title 29-A - §1605</a> . 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 <a href="#">Title 29-A § 1605(1)</a> .	
VICARIOUS LIABILITY	<a href="#">Title 14 - §304</a> . Liability of parents or legal guardians for damage by children	Confirm that liability coverage extends to \$800 for damage by minors between 7 and 17 years old.	
VOIDANCE	Title 24-A - <a href="#">§2411</a> . Representations in applications	Confirm that coverage is not voided 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)	
VOLUNTEER DRIVERS	Title 24-A <a href="#">§ 2902-F</a>	An insurer may not deny, cancel or refuse to renew a policy or impose a surcharge solely on the basis that an insured or member of the household who customarily operates the insured's vehicle is a volunteer driver. Volunteer driver means someone who transports goods or people for a non-profit/charitable organization without compensation above expenses. See LIVERY.	
WARRANTIES	Title 24-A - <a href="#">§2411</a> . Representations in applications	Confirm that statements are deemed to be representations, not warranties.	
<b>RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY</b>			

"A" RATED RISKS	Title 24-A - <a href="#">§2304-A</a> . Rate filings Title 24-A – <a href="#">§7056</a> (1)	“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 <a href="#">§2303</a> Making of rates Title 24-A <a href="#">§2304-A</a> Rate filings Title 24-A - <a href="#">§2304-B</a> . Reference filings Title 24-A <a href="#">§2321-D</a> . Advisory organizations; permitted activity Title 24-A - <a href="#">§2321-E</a> . Filing of prospective loss costs and supplemental information Insurance - <a href="#">Bulletin 176</a> (Workers' Comp <a href="#">Bulletin 241</a> )	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.	
AGE BASE RULE	Title 24-A <a href="#">§ 2916</a> . Automobile insurance, cancellation, nonrenewal and certain changes because of age, prohibited	An insurer may not refuse to issue or increase the premium of any personal automobile insurance policy of any kind whatsoever because a person has reached a certain age.	
CALCULATION OF UNEARNED/RETURN PREMIUM	Title 24-A - <a href="#">§2304-A</a> . Rate filings	Must be filed as part of rating plan	
CATASTROPHE HAZARDS	Title 24-A - <a href="#">§2303</a> . Making of rates	Rate provisions must be supported by experience or relevant catastrophe models	
CHARGES, FEES, & PAYMENT PLANS	Title 24-A, <a href="#">§2304-A</a> : Rate filings Title 24-A, <a href="#">§2403</a> : "Premium" defined Insurance <a href="#">Bulletin 383</a> Title 24-A - <a href="#">§2174(2)</a> . Illegal dealing in premiums; excess charges for insurance	Must be filed as part of rating plan	
COMPETITION	Title 24-A, <a href="#">§2304-A</a> : Rate filings	May support filing by citing specific competitors SERFF file tracking number or providing a complete copy of the stamped Maine approved filing.	

CONSENT-TO-RATE	Title 24-A - <a href="#">§2308</a> . 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, <a href="#">§2303</a> : Making of rates  Title 24-A <a href="#">§2304-A</a> . Rate Filings	Rate and loss costs multiplier calculation should reflect credibility.  Credibility standards must be supported	
CREDIT SCORING AND REPORTS	Title 24-A - <a href="#">§2169-B</a> . Use of consumer reports in insurance underwriting  Insurance - <a href="#">Bulletin 329</a>  Insurance - <a href="#">Bulletin 412</a>	Insurers, vendors, and consumer reporting agencies should develop and implement procedures that will prevent existing policyholders from receiving at renewal adverse action notices based on the existence of freezes that they have placed.	
DEDUCTIBLES	Title 24-A <a href="#">§ 2304-A</a> . Rate Filings		
DISCOUNTS & SURCHARGES	Title 24-A - <a href="#">§2303</a> . Making of rates  Title 24-A - <a href="#">§2304-A</a> . Rate filings  Title 24-A - <a href="#">§2902-G</a> Discounted premiums for older drivers	Surcharges and credits must be filed and supported.	
EXPENSES & EXPERIENCE	Title 24-A - <a href="#">§2303</a> . Making of rates	Rate and loss costs multiplier calculation should reflect expenses of insurer	
FEES & SERVICE CHARGES	Title 24-A <a href="#">§ 2304-A</a> . Rate Filings  Title 24-A - <a href="#">§ 2403</a> . “Premium” defined  Insurance – <a href="#">Bulletin 383</a>	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.	
INDIVIDUAL RISK RATING	Title 24-A - <a href="#">§2303</a> . Making of rates  Title 24-A - <a href="#">§2304-A</a> . Rate filings  Title 24-A <a href="#">§2412-A</a> . Large commercial contracts  Title 24-A - <a href="#">§2308</a> . Excess rates	Permitted if risk meets specified criteria.	

LAW ENFORCEMENT OFFICERS' AND EMERGENCY RESPONDERS' INSURANCE RATES	Title 24-A <a href="#">§ 2174-B</a>	An insurer may not increase the premium for a personal auto policy of a law enforcement officer or emergency responder for accidents that occurred during the scope of employment and were paid for by other insurance.	
LOSS COST MULTIPLIERS	Title 24-A - <a href="#">§2304-B</a> . Reference filings Insurance - <a href="#">Bulletin 176</a>	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 - <a href="#">§2304-A</a> . Rate filings		
MODELS	Title 24-A - <a href="#">§2304-A</a> . Rate filings  Title 24-A <a href="#">§ 2382</a> -C. Filing of Rates and other rating information; filing of forms	All models (i.e., insurance scoring, GLMs, other rating variables, tiering...) must be filed as part of the rating plan.	
MULTI-TIER	Title 24-A - <a href="#">§2304-A</a> . Rate filings	Must be filed as part of rating plan	
PRIOR APPROVAL	Title 24-A - <a href="#">§2304-A</a> . Rate filings	Prior approval required for rates and forms. Statute contains a 30-day deemer provision.	
PROFIT LOADING	Title 24-A - <a href="#">§2303</a> . Making of rates	Rate and loss costs multiplier calculation may reflect profit loading and must include consideration for investment income	
PUBLIC WORKS EMPLOYEES' INSURANCE RATES	Title 24-A - <a href="#">§2174-A</a>	No insurer may increase the premium for a personal insurance policy providing motor vehicle liability or collision insurance to a public works employee on the basis of one or more accidents involving a motor vehicle operated by that employee.	
RATE/LOSS COST SUPPORTING INFORMATION	Title 24-A - <a href="#">§2302-A</a> . Definitions  Title 24-A - <a href="#">§2303</a> . Making of rates  Title 24-A - <a href="#">§2304-A</a> . Rate filings  Title 24-A - <a href="#">§2304-B</a> . Reference filings  Insurance - <a href="#">Bulletin 176</a>	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 - <a href="#">§2304-A</a> . Rate filings  Title 24-A - <a href="#">§2304-B</a> . Reference filings  Insurance - <a href="#">Bulletin 176</a>	All aspects of pricing must be filed and supported and/or may adopt advisory organization reference filings and file loss costs multiplier	



RATING TIERS	<p>Title 24-A - <a href="#">§2304-A</a>. Rate filings</p> <p>Title 24-A <a href="#">§ 2382-C</a>.</p> <p>Insurance - <a href="#">Bulletin 277</a></p>		
REBATE	<p>Title 24-A - <a href="#">§2162</a>. Unfair discrimination, rebates prohibited -- property, casualty, surety insurance</p> <p>Title 24-A <a href="#">§2163</a>. Receipt of rebate, illegal inducement prohibited</p> <p>Title 24-A <a href="#">§ 2163-A</a>. Permitted activities</p> <p>Insurance <a href="#">Bulletin 233</a></p> <p>Insurance <a href="#">Bulletin 426</a></p>		
SUPPORTING DATA	<p>Title 24-A - <a href="#">§2302-A</a>. Definitions</p> <p>Title 24-A - <a href="#">§2303</a>. Making of rates</p> <p>Title 24-A - <a href="#">§2304-A</a>. Rate filings</p> <p>Title 24-A - <a href="#">§2304-B</a>. Reference filings</p> <p>Insurance - <a href="#">Bulletin 176</a></p>	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 - <a href="#">§2304-A</a> . Rate filings	Must be filed as part of rating plan	
TRENDING	<p>Title 24-A - <a href="#">§2303</a>. Making of rates</p> <p>Title 24-A - <a href="#">§2304-A</a>. Rate filings</p> <p>Title 24-A - <a href="#">§2304-B</a>. Reference filings</p> <p>Insurance - <a href="#">Bulletin 176</a></p>	All aspects of pricing must be filed and supported by experience and/or may adopt advisory organization reference filing and file loss costs multiplier	
UNDERWRITING GUIDELINES	<p>Title 24-A - <a href="#">§2304-A</a>. Rate filings</p> <p>Title 24-A <a href="#">§ 2382-C</a>. Filing of Rates and other rating information; filing of forms</p> <p>Insurance <a href="#">Bulletin 415</a></p>	Must be filed as part of rating plan.	