

Review Requirements Checklist

Private Passenger Auto

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Line(s) of Insurance/Business:

- Personal Auto; filing code(s) 19.0000
- Private Passenger Auto; filing code 19.0001
- Motorcycle; filing code 19.0002
- Recreational Vehicle; filing code 19.0003
- Other Personal; filing code 19.0004

Links:

- [Illinois Compiled Statutes Online](#)
- [Administrative Regulations Online](#)
- [Product Coding Matrix](#)

The Department's checklists include summaries that do not provide detailed information about all laws, regulations and bulletins. Therefore, the insurers should review the actual laws, regulations and bulletins to ensure forms are fully compliant before filing with the Department.

A form filing fee is required pursuant to 215 ILCS 5/408 (1)(jj).

LINE OF AUTHORITY	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Must have proper Class and Clause authority to conduct this line of business in Illinois.	215 ILCS 5/4 List of Classes/Clauses	<p>To write Private Passenger Auto No-Fault (PIP) or Other Private Passenger Auto Liability insurance in Illinois, companies must be licensed to write:</p> <p>1. Class 2, Clause (b)</p> <p>To write Private Passenger Auto Physical Damage insurance in Illinois, companies must be licensed to write:</p> <p>1. Class 2, Clause (b) or Class 3, Clause (e)</p>

		<p>To write combination Private Passenger Auto Liability and Physical Damage, companies must be licensed to write:</p> <ol style="list-style-type: none"> 1. Class 2, Clause (b), or 2. Class 2, Clause (b) and Class 3, Clause (e)
SERFF FILINGS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
<p>The submission letter must contain specified information.</p> <p>"Me too" filings are not allowed.</p>	<p>50 IL Adm. Code 753</p>	<p>All companies must file, using the System for Electronic Rate and Form Filing (SERFF):</p> <ol style="list-style-type: none"> 1. Copies of all policy forms on these kinds of business and, for mutual companies, a separate proxy signature line for the insured to sign, if applicable; 2. Copies of generally used endorsement forms on these kinds of business; 3. Copies of all application forms used on these kinds of business, including a separate proxy signature line for the insured to sign if applicable; 4. A copy of the declaration page, in non-individualized, template form, absent personal policyholder information; and 5. A copy of the policy jacket, if used by the company. <p>All filings must be accompanied by a forms submission letter that includes:</p> <ol style="list-style-type: none"> 1. The name of the advisory organization or company making the filing; 2. Title, form number, and edition identification for the forms; 3. Information as to what Class and Clause coverage is written under; 4. Identification of all applicable endorsements and applications as to the policy forms for which the endorsements and applications are used;

		<p>5. Notification as to whether the filing is new or supersedes a present filing. Identification of all changes in all superseding filings, as well as identification of all superseded forms, is required; and</p> <p>6. Effective date of use.</p> <p>Companies under the same ownership or general management are required to make separate individual company filings.</p> <p>Company Group (“Me too”) filings are unacceptable.</p>
FILING SUBMISSION	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
When forms must be filed.	50 IL Adm. Code 753	Forms must be received by the Department no later than their effective dates of use.
Final printed forms must be filed.	50 IL Adm. Code 753	Typed or printer's proof copies may be submitted for review, but must be re-filed in printed form. Statements, provisions, or endorsements may not be typed or superimposed on a policy or endorsement.
Requirements for company FEIN numbers.		Company must include all Federal Employer Identification Numbers (FEINs) for companies making the filing.
All forms submitted under the same SERFF tracking number must have common coverage relationship.		All forms under an assigned SERFF tracking number must have a common coverage relationship. (e.g., all forms in an auto filing must pertain only to auto, etc.)
NO FILE OR FILING EXEMPTIONS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Manuscript endorsements are not required to be filed.	215 ILCS 5/143(3)	<p>Insurers are not required to file riders or endorsements prepared to meet special, unusual, peculiar, or extraordinary conditions applying to an individual risk.</p> <p>Because Section 143(3) exempts only riders or endorsements, policy forms applying to an individual risk must still be filed. In addition,</p>

		because Section 143(3) exempts only endorsements applying to an individual risk, if a company uses the same endorsement on more than one risk, such form no longer qualifies for the filing exemption and must be filed.
SIDE BY SIDE	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Form changes must be highlighted.	50 IL Adm. Code 753	Changes from currently filed forms must be highlighted.
THIRD PARTY FILERS AUTHORITY	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
<p>Insurer may authorize an advisory organization to make a form filing on its behalf.</p> <p>Insurer may change or delay the effective date of an advisory organization form filing by properly notifying the Department.</p> <p>Insurer may authorize attorneys, consulting firms, etc. to submit form filings to the Department, as long as the filing includes proper authorization.</p>	50 IL Adm. Code 753	<p>Insurer may authorize an advisory organization, of which it is a member or subscriber, to file forms on its behalf, as long as the insurer has on file with the Department a forms authorization letter which includes:</p> <ol style="list-style-type: none"> 1) the name of the authorized advisory organization. 2) the kinds of business for which filings will be made. 3) authorization clause or language. 4) effective date of authorization. <p>Insurer may change or delay the effective date of an advisory organization form filing by notifying the Department. The notice shall include the insurer name, FEIN number, line of insurance, advisory organization name and filing number, and effective date desired.</p> <p>Insurer may authorize attorneys, consulting firms, etc. to submit form filings to the Department, as long as the filing includes a notice, signed by an authorized company officer, giving authority for the entity to act on the insurer's behalf on any issues related to the filing.</p>
AMBIGUOUS & MISLEADING	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS

The Director may disapprove a form filing if it contains inconsistent, ambiguous, or misleading clauses.	215 ILCS 5/143(2)	Director may disapprove any form that contains inconsistent, ambiguous, or misleading clauses.
APPLICATIONS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Applications must be filed.	50 IL Adm. Code 753	Applications must be filed including all online/electronic applications.
ARBITRATION	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Policy must contain arbitration provisions for UM and UMPD in accordance with the law requirements.	215 ILCS 5/143a	<p>Policies must contain specific arbitration language with regard to Uninsured Motorist Bodily Injury liability coverage (UM) and Uninsured Motorist Property Damage coverage (UMPD).</p> <p>Any decision made by the arbitrators shall be binding for the amount of damages not exceeding \$75,000 for bodily injury to or death of any one person, \$150,000 for bodily injury to or death of 2 or more persons in any one motor vehicle accident, or the corresponding policy limits for bodily injury or death, whichever is less.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>
BANKRUPTCY PROVISIONS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Policies that contain liability coverage must include a bankruptcy provision.	215 ILCS 5/388	All policies containing liability coverage must include a provision stating that insolvency or bankruptcy of the insured shall not release the company from its duties to pay under the policy.
CANCELLATION & NON-RENEWAL	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
May not refuse to issue a policy on sole basis of previous refusal, cancellation or nonrenewal by any insurer.	215 ILCS 5/143.10	No company shall refuse to issue a policy on the sole basis that the insured or applicant for such policy was previously refused issuance or renewal of a policy by an insurer, or such insured's policy was cancelled on a prior date by any insurer.

Policy must contain cancellation provision.	215 ILCS 5/143.11	Policy must include a cancellation provision setting out the manner in which the policy may be cancelled.
Physically handicapped persons. Applies only to auto policies defined in Section 143.13(a).	215 ILCS 5/143.24a 215 ILCS 5/143.13(a)	Insurers may not refuse to accept an application from a physically handicapped person, refuse to issue such insurance to a physically handicapped applicant, solely because of physical handicap, or issue or cancel under conditions less favorable to physically handicapped persons than non-handicapped persons. Insurers are also prohibited from charging a higher premium to physically handicapped individuals. Applies only to auto policies defined in Section 143.13(a).
Insurers may not refuse to insure based on identity of prior carrier. Applies only to policies issued for vehicles designed for highway use.	215 ILCS 5/155.27	No insurer may refuse to insure the applicant solely based upon the identity of the applicant's prior carrier. Applies only to policies issued for vehicles designed for highway use.
CALCULATION OF UNEARNED/RETURN PREMIUM	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Pro rata refund required. Applies only to "private passenger auto" as defined in Section 143.13(a).	215 ILCS 5/143.12a 215 ILCS 5/143.13(a)	If the insurer or policyholder cancels a policy of automobile insurance, the insurer must refund the unearned premium pro-rated to the date of cancellation. Applies only to auto policies defined in Section 143.13(a).
CONDITIONAL RENEWAL	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Assignment or transfer of policies among or between insurers within an insurance holding company system or insurers under common management or control, or as a result of a merger, acquisition, or restructuring of an insurance company, is not a nonrenewal for	215 ILCS 5/143.11b	Assignment or transfer of policies among or between insurers within an insurance holding company system or insurers under common management or control, or as a result of a merger, acquisition, or restructuring of an insurance company, is not a nonrenewal for purposes of the notification requirements.

purposes of the notification requirements.		A company making an assignment or transfer of a policy among or between insurers as stated above, must deliver to the named insured notice of such assignment or transfer at least 60 days prior to the renewal date. An exact and unaltered copy of the notice shall also be sent to the insured's producer, if known, and agent of record.
60 days advance notice of renewal with changes in deductibles or coverages applicable to an entire line of business.	215 ILCS 5/143.17	If, at renewal, the insurer is imposing changes in deductibles or coverage for any policy forms applicable to an entire line of business, then written notice of the changes must be mailed 60 days prior to the renewal or anniversary date. Notification shall be sent to the insured's broker, if known, or the agent of record, if known, and to the last known mortgagee or lien holder.
NOTICE OF CANCELLATION	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Cancellation notice mailing requirements and requirements for canceling premium financed insurance contracts.	215 ILCS 5/143.14	Insurer must mail cancellation notice to the named insured at the last mailing address known by insurer. Insurer must maintain proof of mailing on a form acceptable to U.S. Post Office or other commercial mail delivery service. Notification must also be mailed to the insured's broker, if known, or the agent of record and to the mortgage or lien holder listed on the policy. Section 143.14 also contains requirements for canceling premium financed insurance contracts and procedures for returning unearned premium. See law for specific details of requirements.
Number of days notice required for cancellation of policies and notice requirements.	215 ILCS 5/143.15	Insurers must mail cancellation notice to the named insured and to the mortgagee or lien holder, if known, at the last known mailing address, at least: 10 days prior to the effective date of cancellation for non-payment of premium; and at least 30 days prior to the effective date of cancellation for any other reason.

		All notices shall include a specific explanation of the reason(s) for cancellation.
Insurer must advise insured of eligibility for the Illinois Automobile Insurance Plan. Applies only to policies issued for vehicles designed for highway use.	215 ILCS 5/143.20	When a policy of automobile insurance is cancelled other than for nonpayment of premium, or in the event of nonrenewal, insurer must notify the named insured of their possible eligibility for insurance through the Illinois Automobile Insurance Plan. Such notice shall accompany or be included in the cancellation or nonrenewal notice. Applies only to policies issued for vehicles designed for highway use.
Cancellation notice must advise insured of right to request a hearing.	215 ILCS 5/143.23	If a company cancels a policy mid-term, for any reason except non-payment of premium, the cancellation notice must advise the named insured of the right to request a hearing to appeal such decision, and the procedure to follow for such appeal.
NOTICE OF NON-RENEWAL	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Requirements for nonrenewal of a policy.	215 ILCS 5/143.17	Insurers must mail nonrenewal notice to the named insured at least 30 days in advance of effective date. Insurer shall maintain proof of mailing on a recognized U.S. Post office form or other commercial mail delivery service. The notice of nonrenewal and proof of mailing shall be effected on the same date. Notification shall also be sent to the insured's broker, if known, or the agent of record, if known, and to the last known mortgagee or lien holder. All notices shall provide a specific explanation of the reason(s) for nonrenewal.
Insurer must advise insured of eligibility for the Illinois Automobile Insurance Plan. Applies only to policies issued for vehicles designed for highway use.	215 ILCS 5/143.20	When a policy of automobile insurance is cancelled other than for nonpayment of premium, or in the event of nonrenewal, insurer must notify the named insured of their possible eligibility for insurance through the Illinois Automobile

		Insurance Plan. Such notice shall accompany or be included in the cancellation or nonrenewal notice. Applies only to policies issued for vehicles designed for highway use.
Non-renewal notice must advise insured of right to request a hearing.	215 ILCS 5/143.23 215 ILCS 5/143.13(a)	If a company non-renews an auto policy as defined in Section 143.13(a), the nonrenewal notice must advise the named insured of the right to request a hearing to appeal such decision, and the procedure to follow for such appeal.
PERMISSIBLE REASONS FOR CANCELLATION	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
May not cancel because agent's contract with insurer was terminated.	215 ILCS 5/141.01	Insurers may not cancel any policy on the grounds that the company's contract with the agent through whom the policy was obtained has been terminated.
May not cancel a policy on sole basis of previous refusal, cancellation or nonrenewal by any insurer.	215 ILCS 5/143.10	Insurers may not cancel a policy on the sole basis that the insured or applicant for such policy was previously refused issuance or renewal of a policy by an insurer, or such insured's policy was cancelled on a prior date by any insurer.
Reasons for canceling an auto policy that has been effective for 60 days or more. Applies only to auto policies defined in Section 143.13(a).	215 ILCS 5/143.19 215 ILCS 5/143.13(a)	After a policy of automobile insurance as defined in Section 143.13(a) has been effective for 60 days, or if such policy is a renewal policy, the insurer shall not exercise its option to cancel such policy except for one or more of the following reasons: a. Nonpayment of premium; b. The policy was obtained through a material misrepresentation; c. Any insured violated any of the terms and conditions of the policy; d. The named insured failed to disclose fully his motor vehicle crashes and moving traffic violations for the preceding 36 months if called for in the application;

		<p>e. Any insured made a false or fraudulent claim of knowingly aided or abetted another in the presentation of such a claim;</p> <p>f. The named insured or any other operator who either resides in the same household or customarily operates an automobile insured under such policy:</p> <ol style="list-style-type: none"> 1. has, within the 12 months prior to the notice of cancellation, had his driver's license under suspension or revocation; 2. is or becomes subject to epilepsy or heart attacks, and such individual does not produce a certificate from a physician testifying to his unqualified ability to operate a motor vehicle safely; 3. has a crash record, conviction record (criminal or traffic), physical, or mental condition which is such that his operation of an automobile might endanger the public safety; 4. has, within the 36 months prior to the notice of cancellation, been addicted to the use of narcotics or other drugs; or 5. has been convicted, or had pretrial release revoked, during the 36 months immediately preceding the notice of cancellation, for any felony, criminal negligence resulting in death, homicide or assault arising out of the operation of a motor vehicle, operating a motor vehicle while in an intoxicated condition or while under the influence of drugs, being intoxicated while in, or about, an automobile or while having custody of an automobile, leaving the scene of a crash without stopping to report, theft or unlawful taking of a motor vehicle, making false statements in an application for an operator's or chauffeur's license or has been convicted or pretrial release has been revoked for 3 or more violations within the 12 months immediately preceding the notice of cancellation, of any law, ordinance, or regulation limiting the speed of motor vehicles or any of the provisions of the motor vehicle laws of any state, violation of which constitutes a misdemeanor,
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		<p>whether or not the violations were repetitions of the same offense of different offenses;</p> <p>g. The insured automobile is:</p> <ol style="list-style-type: none"> 1. so mechanically defective that its operation might endanger public safety; 2. used in carrying passengers for hire or compensation (the use of an automobile for a car pool shall not be considered use of an automobile for hire or compensation); 3. used in the business of transportation of flammables or explosives; 4. an authorized emergency vehicle; 5. changed in shape or condition during the policy period so as to increase the risk substantially; or 6. subject to an inspection law and has not been inspected or, if inspected, has failed to qualify.
Applies to Motorcycles and Recreational Vehicles not defined in Section 143.13a.	215 ILCS 5/143.16a	<p>After a policy has been in effect for 60 days, insurer may only cancel for the following 6 reasons: (a) non-payment of premium; (b) the policy was obtained through a material misrepresentation; (c) any insured violated any terms and conditions of the policy; (d) the risk originally accepted has measurably increased; (e) the insurer certifies to the Director of the loss of reinsurance for all or a substantial part of the underlying risk; or (f) the Director determines that continuation of the policy could place the insurer in violation of Illinois insurance laws.</p>

Payment of claims not grounds for cancellation of auto policy. Applies only to auto policies defined in Section 143.13(a).	215 ILCS 5/143.19a 215 ILCS 5/143.13(a)	Insurers may not cancel an auto policy where the sole basis for such cancellation is payment by the insurance company of a claim or claims against such policy. Applies only to auto policies defined in Section 143.13(a).
Physically handicapped persons. Applies only to auto policies defined in Section 143.13(a).	215 ILCS 5/143.24a 215 ILCS 5/143.13(a)	Insurers may not refuse to accept an application from a physically handicapped person, refuse to issue such insurance to a physically handicapped applicant, solely because of physical handicap, or issue or cancel under conditions less favorable to physically handicapped persons than non-handicapped persons. Insurers are also prohibited from charging a higher premium to physically handicapped individuals. Applies only to auto policies defined in Section 143.13(a).
Location of agent not grounds for cancellation of an auto policy. Applies only to auto policies defined in Section 143.13(a).	215 ILCS 5/143.26 215 ILCS 5/143.13(a)	Insurers may not cancel an auto policy solely on the grounds that the agent or broker is not located in geographical proximity to the residence of applicant. Applies only to auto policies defined in Section 143.13(a).
PERMISSIBLE REASONS FOR NON-RENEWAL	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
May not refuse to renew because agent's contract with insurer was terminated.	215 ILCS 5/141.01	Insurers may not refuse to renew any policy on the grounds that the company's contract with the agent through whom the policy was obtained has been terminated.
May not refuse to renew a policy on sole basis of previous refusal, cancellation or nonrenewal by any insurer.	215 ILCS 5/143.10	Insurers may not refuse to renew a policy on the sole basis that the insured or applicant for such policy was previously refused issuance or renewal of a policy by an insurer, or such insured's policy was cancelled on a prior date by any insurer.

<p>Limited reasons for nonrenewal of an auto policy that has been effective or renewed for 5 or more years.</p> <p>Applies only to auto policies defined in Section 143.13(a).</p>	<p>215 ILCS 5/143.19.1</p> <p>215 ILCS 5/143.13(a)</p>	<p>After a policy of automobile insurance, as defined in Section 143.13, has been effective or renewed for 5 or more years, the company shall not exercise its right of non-renewal unless:</p> <ul style="list-style-type: none"> a. The policy was obtained through a material misrepresentation; or b. Any insured violated any of the terms and conditions of the policy; or c. The named insured failed to disclose fully his motor vehicle crashes and moving traffic violations for the preceding 36 months, if such information is called for in the application; or d. Any insured made a false or fraudulent claim or knowingly aided or abetted another in the presentation of such a claim; or e. The named insured or any other operator who either resides in the same household or customarily operates an automobile insured under such a policy: <ul style="list-style-type: none"> 1. Has, within the 12 months prior to the notice of non-renewal had his drivers license under suspension or revocation; or 2. Is or becomes subject to epilepsy or heart attacks, and such individual does not produce a certificate from a physician testifying to his unqualified ability to operate a motor vehicle safely; or 3. Has a crash record, conviction record (criminal or traffic), or a physical or mental condition which is such that his operation of an automobile might endanger the public safety; or 4. Has, within the 36 months prior to the notice of non-renewal, been addicted to the use of narcotics or other drugs; or 5. Has been convicted or had pretrial release revoked, during the 36 months immediately preceding the notice of non-renewal, for any felony, criminal negligence resulting in death,
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		<p>homicide or assault arising out of the operation of a motor vehicle, operating a motor vehicle while in an intoxicated condition or while under the influence of drugs, being intoxicated while in or about an automobile or while having custody of an automobile, leaving the scene of a crash without stopping to report, theft or unlawful taking of a motor vehicle, making false statements in an application for an operators or chauffeurs license, or has been convicted or pretrial release has been revoked for 3 or more violations within the 12 months immediately preceding the notice of non-renewal, of any law, ordinance or regulation limiting the speed of motor vehicles or any of the provisions of the motor vehicle laws of any state, violation of which constitutes a misdemeanor, whether or not the violations were repetitions of the same offense or different offenses; or</p> <p>f. The insured automobile is:</p> <ol style="list-style-type: none"> 1. So mechanically defective that its operation might endanger public safety; or 2. Used in carrying passengers for hire or compensation (the use of an automobile for a car pool shall not be considered use of an automobile for hire or compensation); or 3. Used in the business of transportation of flammables or explosives; or 4. An authorized emergency vehicle; or 5. Changed in shape or condition during the policy period so as to increase the risk substantially; or 6. Subject to an inspection law and it has not been inspected or, if inspected, has failed to qualify; or <p>g. The notice of the intention not to renew is mailed to the insured at least 60 days before the date of nonrenewal as provided in Section 143.17.</p>
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Reporting of claim not grounds for nonrenewal of auto policy. Applies only to auto policies defined in Section 143.13(a).	215 ILCS 5/143.19b 215 ILCS 5/143.13(a)	Insurers may not nonrenew where the sole basis for nonrenewal was the reporting of a claim or claims against such policy and such claim or claims were closed without payment. Applies only to auto policies defined in Section 143.13(a).
Prohibited reasons for nonrenewing auto policy. Applies only to auto policies defined in Section 143.13(a).	215 ILCS 5/143.24 215 ILCS 5/143.13(a)	Insurers may not nonrenew an auto policy as defined in Section 143.13(a) for any of the following reasons: a) Age; b) Sex; c) Race; d) Color; e) Creed; f) Ancestry; g) Occupation; h) Marital Status; i) Employer of the insured; j) Physical handicap.
Location of agent not grounds for nonrenewal of auto policy. Applies only to auto policies defined in Section 143.13(a).	215 ILCS 5/143.26 215 ILCS 5/143.13(a)	Insurers may not nonrenew an auto policy solely on the grounds that the agent or broker is not located in geographical proximity to the residence of applicant. Applies only to auto policies defined in Section 143.13(a).
CONSUMER INFORMATION	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Insurer must advise insured of eligibility for the Illinois Automobile Insurance Plan. Applies only to policies issued for vehicles designed for highway use.	215 ILCS 5/143.20	When a policy of automobile insurance is cancelled other than for nonpayment of premium, or in the event of nonrenewal, insurer must notify the named insured of their possible eligibility for insurance through the Illinois Automobile Insurance Plan. Such notice shall accompany or be included in the cancellation or nonrenewal notice. Applies only to policies issued for vehicles designed for highway use.
Cancellation or nonrenewal notice must advise insured of right to request a hearing.	215 ILCS 5/143.23	If an insurer cancels a policy mid-term, for any reason except non-payment of premium, or non-renews a policy, the cancellation or nonrenewal notice must advise the named insured of the right to request a hearing to appeal such decision, and the procedure to follow for such appeal.
Written notice of company's complaint Department and	215 ILCS 5/143c	No policy may be delivered unless the policyholder or certificate holder is provided

<p>Department of Insurance Public Service Department.</p>	<p>50 IL Adm. Code 931</p>	<p>written notice of the address of the complaint Department of the insurance company, and the address of the Public Service Department of the Department of Insurance or its successor. Rule 931 provides more specific guidance that:</p> <p>a) such notice shall accompany any newly issued policy or binder;</p> <p>b) "written notice" shall be satisfied by: any printed notice delivered with a policy or certificate; any adhering label attached to a policy or certificate; any computerized notice issued concurrently with a computer issued policy or certificate; or any other form of individual written notice substantially similar to the above.</p> <p>Notice of Availability of the Department of Insurance shall be no less informative than the following: Illinois Department of Insurance, Consumer Division, 122 S. Michigan Ave., 19th Floor, Chicago, Illinois 60603 and Illinois Department of Insurance 320 West Washington Street, Springfield, Illinois 62767.</p> <p>The address to be used for the company shall be an office that can service all types of complaints. If one office cannot service all types of complaints, then the additional addresses of each appropriate service office must be given.</p> <p>In addition to providing the required addresses, the notification should set forth the minimum amount of information included in the following suggested wording: "This notice is to advise you that should any complaints arise regarding this insurance, you may contact the following."</p>
CONTENT OF POLICIES	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
<p>Reasons for which the Director may disapprove a form filing.</p>	<p>215 ILCS 5/143(2)</p>	<p>The Director may disapprove any form that (i) violates any provision of the Illinois Insurance Code, (ii) contains inconsistent, ambiguous, or misleading clauses, or (iii) contains exceptions and conditions that will unreasonably or deceptively affect the risks that are purported to be assumed by the policy.</p>

Other language provision.	215 ILCS 5/155.32 215 ILCS 5/143.13(a)	Insurers may provide insurance policies, endorsements, riders, and any explanatory or advertising material in a language other than English. In the event of a dispute or complaint, the English language version shall control the resolution. Applies to policies of auto insurance as defined in Section 143.13(a).
Requirements for form content and readability.	50 IL Adm. Code 753	There must be printed at the head of the policy the name of the insurer or insurers issuing the policy, the location of the Home Office thereof; a statement of whether the insurer is a stock, mutual, reciprocal, Lloyds, alien insurer, or an insurer operating under a charter by Special Act of the Legislature of any state. There may be added thereto such devices, emblems or designs and dates as are appropriate for the insurer issuing the policy. All forms must be identified by a descriptive title, form number and edition identification. All forms must be printed in not less than eight-point type.
DECLARATIONS PAGE	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Must clearly indicate the separate premiums being charged for each coverage or group of coverages. Applies only to auto policies defined in Section 143.13(a).	50 IL Adm. Code 2601 215 ILCS 5/143.13(a)	The policy must clearly indicate the separate premium being charged for each coverage or group of coverages. Applies only to auto policies defined in Section 143.13(a).
DEFENSE WITHIN LIMITS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Defense costs may not be included in limits of liability.	215 ILCS 5/143(2)	Defense costs must be paid as supplement to the limits of liability. Defense costs may not be included in the limits of liability. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.
DEFINITIONS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS

Definition of "policy of automobile insurance."	215 ILCS 5/143.13(a)	Definition of "policy of automobile insurance" -- means policy issued to natural person as named insured for motor vehicles of the private passenger, station wagon, or any other 4-wheeled motor vehicle with a load capacity of 1500 pounds or less which is not used in the occupation, profession or business of the insured or not used as a public or livery conveyance for passengers nor rented to others. Includes named non-owner's policies.
Definition of "all other policies of personal lines."	215 ILCS 5/143.13(c)	Definition of "all other policies of personal lines" - means any other policy of insurance issued to a natural person for personal or family protection. Includes motorcycles, recreational vehicles, and other miscellaneous vehicles not designed for highway use.
Definition of "renewal" or "to renew."	215 ILCS 5/143.13(d)	Definition of "renewal" or "to renew."
Definition of "nonpayment of premium."	215 ILCS 5/143.13(e)	Definition of "nonpayment of premium."
Definition of "policy delivered or issued for delivery in this State."	215 ILCS 5/143.13(f)	Definition of "policy delivered or issued for delivery in this State."
Definition of "cancellation" or "cancelled."	215 ILCS 5/143.13(g)	Definition of "cancellation" or "cancelled."
Definitions included in requirements for use of credit information in connection with personal lines policies -- effective October 1, 2003	215 ILCS 157/ Company Bulletin 2003-03 215 ILCS 157/22	Public Act 93-0114 regarding use of credit information for personal lines insurance became effective October 1, 2003. Please see the specific Public Act for details. In addition, please refer to Company Bulletin 2003-03 for specific information and guidance. 215 ILCS 157/22 requires insurers to review/consider an exception to the risk score based upon extraordinary life events after receiving a written and signed notification from the applicant or insured explaining how the applicant or insured believes the extraordinary life event adversely impacts the applicant's or insured's insurance risk score. (Effective July 1, 2006)
DISCRIMINATION	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS

<p>Physically handicapped persons. Applies only to auto policies defined in Section 143.13(a).</p>	<p>215 ILCS 5/143.24a</p> <p>215 ILCS 5/143.13(a)</p>	<p>Insurers are prohibited from charging a higher premium to physically handicapped individuals.</p> <p>Insurers may not refuse to accept an application from a physically handicapped person, refuse to issue such insurance to a physically handicapped applicant, solely because of physical handicap, or issue or cancel under conditions less favorable to physically handicapped persons than non-handicapped persons. Insurers are also prohibited from charging a higher premium to physically handicapped individuals.</p> <p>Applies only to auto policies defined in Section 143.13(a).</p>
<p>May not cancel, or refuse to issue or renew certain policies solely due to hate crimes.</p>	<p>215 ILCS 5/143.24c</p> <p>Title 26 U.S.C. Sections 170(b)(1)(A)(i), (ii), and (vi).</p>	<p>Insurers may not cancel a policy solely on the basis that one or more claims have been made against any policy during the preceding 60 months, for a loss that is the result of a hate crime, if the insured provides evidence to the insurer that the act causing the loss is identified as a hate crime on a police report.</p> <p>Applies to policies issued to an individual, a religious organization described in Section 170(b)(1)(A)(i) of Title 26 of the United States Code, or an educational organization described in Section 170(b)(1)(A)(ii) of Title 26 of the United States Code, or any other nonprofit organization described in Section 170(b)(1)(A)(vi) of Title 26 of the United States Code that is organized and operated for religious, charitable, or educational purposes.</p>
<p>Redlining -- When geographic location of risk may be grounds for refusing to insure.</p>	<p>215 ILCS 5/155.22</p>	<p>Insurer may not refuse to provide insurance solely on the basis of the specific geographic location of the risk unless such refusal is for a business purpose which is not a mere pretext for unfair discrimination.</p>

Unfair methods of competition or unfair or deceptive acts or practices defined.	215 ILCS 5/424(3)	It is an unfair method of competition or unfair and deceptive act or practice if a company makes or permits any unfair discrimination between individuals or risks of the same class or of essentially the same hazard and expense element because of the race, color, religion, or national origin of such insurance risks or applicants.
Unfair methods of competition or unfair or deceptive acts or practices defined.	215 ILCS 5/424(5)	It is an unfair method of competition or unfair and deceptive act or practice if a company makes or charges any rate for insurance against losses arising from the use or ownership of a motor vehicle which requires a higher premium of any person by reason of his physical handicap, race, color, religion, or national origin.
Procedure as to unfair methods of competition or unfair or deceptive acts or practices not defined.	215 ILCS 5/429	Outlines the procedures the Director follows when he has reason to believe that a company is engaging in unfair methods of competition or unfair or deceptive acts or practices.
Civil Union Partnerships-effective June 1, 2011	750 ILCS 75/1 Civil Union Fact Sheet	The Religious Freedom Protection and Civil Union Act (Public Act 96-1513) will allow both same-sex and different-sex couples to enter into a civil union with all of the obligations, protections, and legal rights that Illinois provides to married heterosexual couples. Please note that whenever a policy form, application, or rating rule includes the terms "spouse," "married," or "immediate family member" it is required that parties to a civil union be included in these definitions.
DOMESTIC ABUSE	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Intentional acts exclusion -- exception for innocent co-insured.	215 ILCS 5/155.22b	If a policy excludes property damage coverage for intentional acts, the insurers may not deny payment to an innocent co-insured who did not cooperate in or contribute to the creation of the loss if the loss arose out of a pattern of criminal domestic violence and the perpetrator of the loss is criminally prosecuted for the act causing the loss.

Rating, claims handling, and underwriting decisions based solely on domestic violence.	215 ILCS 5/155.22b	No insurer may that issues a property and casualty policy may use the fact that an applicant or insured incurred bodily injury as a result of a battery committed against him/her by a spouse or person in the same household as a sole reason for a rating, underwriting, or claims handling decision.
EXCLUSIONS & LIMITATIONS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Exceptions to exclusions for bodily injury for family members of the insured.	215 ILCS 5/143.01	If a form includes an exclusion of coverage for bodily injury for members of the family of the insured, the form must state that such exclusion shall not be applicable when a third party acquires a right of contribution against a member of the injured person's family, or when any person not in the household of the insured was driving the vehicle of the insured involved in the accident which is the subject of the claim or lawsuit.
Coverage for permissive drivers. Applies to private passenger type autos	215 ILCS 5/143.13a (Effective 1/1/08)	Permissive drivers must have the same limits of bodily injury liability, property damage liability, uninsured and underinsured motorists liability and medical payments as a named insured.
Reasonable belief exclusions	215 ILCS 5/143(2)	Reasonable belief exclusions may not apply to the insured, spouse, or resident relatives.
Business Use exclusions are prohibited. Applies only to forms issued for vehicles designed for highway use.	215 ILCS 5/143(2)	Forms may not exclude coverage for "business use," as such classification is an underwriting consideration for which an additional premium may be collected. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly. Applies only to forms issued for vehicles designed for highway use.
Exclusions for unlicensed drivers are prohibited.	215 ILCS 5/143(2)	Forms may not exclude unlicensed drivers, whether underage or under license suspension or revocation. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect

		the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.
Exclusions of coverage due to DUI or other traffic offenses are prohibited.	215 ILCS 5/143(2)	Forms may not exclude coverage because the operator is convicted of a DUI or other traffic offense. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.
Coverage for temporary substitute vehicles is required. Applies only to auto policies defined in Section 143.13(a).	215 ILCS 5/143(2) 215 ILCS 5/143.13(a)	Forms must provide, at a minimum, excess liability and physical damage coverage for temporary substitute vehicles if the form would have covered the out of service vehicle. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly. Applies only to auto policies defined in Section 143.13(a).
Communicable disease exclusions must be specific.	215 ILCS 5/143(2)	Forms may not exclude broad categories of communicable disease. Forms may exclude only specific diseases, such as AIDS, or specific classes of diseases, such as sexually transmitted diseases. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.
Required time period for notifying company of replacement vehicles or newly acquired vehicles. Applies to all personal motor vehicles including but not limited	215 ILCS 5/143(2) 215 ILCS 5/143.13(a)	Forms must provide at least 30 days for insured to notify company of replacement or newly acquired autos before coverage for such autos is excluded. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions

to autos, motorcycles, boats, and recreational vehicles.		that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.
Requirements for exclusions for racing. Applies only to forms issued for vehicles designed for highway use.	215 ILCS 5/143(2)	Forms may not exclude coverage if vehicle was involved in racing, except if racing event was prearranged or organized. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly. Applies only to forms issued for vehicles designed for highway use.
Coverage for replacement of child restraint system. Applies only to auto policies defined in Section 143.13(a).	215 ILCS 5/143.32 215 ILCS 5/143.13(a)	An insurance policy must provide coverage for replacement of a child restraint system that was in use by a child during an accident to which coverage is applicable. Applies only to auto policies defined in Section 143.13(a).
Intentional acts exclusion -- exception for innocent co-insured.	215 ILCS 5/155.22b	If a policy excludes property damage coverage for intentional acts, the insurers may not deny payment to an innocent co-insured who did not cooperate in or contribute to the creation of the loss if the loss arose out of a pattern of criminal domestic violence and the perpetrator of the loss is criminally prosecuted for the act causing the loss.
Named driver exclusions. Applies only to policies issued for vehicles designed for highway use.	Illinois court cases 215 ILCS 5/143(2)	Illinois courts have upheld named-driver exclusions if the form was signed by the named insured. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly. Applies only to policies issued for vehicles designed for highway use.

Diminution In Value (Property Damage - 3rd Party Liability)	215 ILCS 5/143(2)	Diminution in Value language is prohibited in third party liability coverage. The proper measure of damages is according to general tort law. In Illinois the body of law controlling the measure of damages in tort cases is set forth in the Illinois Pattern Jury Instructions. In general, the measure of damages in cases of property damage is the reasonable value of necessary repairs and/or the difference between the property's fair market value immediately before and after the event causing the damage. If after the repairs are performed to the real property there is still a decrease in the fair market value of the property, then the plaintiff is also entitled to the diminution in market value of the property. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.
Exception for excluding class of persons	50 IL Adm. Code 921	Policy may not exclude a class of persons solely as a consideration of the rate class applied thereto, nor shall such a provision be included in any automobile insurance policy unless the insured, because of unusual hazards or exposures, would not otherwise meet the company's normal underwriting standards for acceptance.
Exclusions for certain kinds of vehicle equipment are prohibited. Applies only to vehicles that are of the private passenger or station wagon type.	50 IL Adm. Code 924	Policy may not exclude standard or optional equipment available from the manufacturer of the auto named in the policy for that make, model, and model year unless the company issues an endorsement signed by the named insured. Any such endorsement must contain the following information: a) The named insured's signature. b) The date the endorsement was signed by the named insured. c) The policy number.

		<p>d) Identification of the specific item or items to be excluded from the named insured's policy as a result of the endorsement.</p> <p>e) Specific identification of the automobile to which the endorsement applies.</p> <p>This prohibition does not apply to:</p> <p>a) loss of or damage to any device or instrument designed for the recording, reproduction, receiving, or transmittal of sound, radio waves, microwaves or television signals unless such device or instrument is permanently installed in the dash or console opening specified by the manufacturer of the motor vehicle for the installation of such equipment.</p> <p>b) loss or damage to any tape, wire, record disc or other medium for use with any device or instrument designed for the recording, reproduction, or recording and reproduction of sound.</p> <p>Applies only to vehicles that are of the private passenger or station wagon type.</p>
Liability coverage for stated drivers only is prohibited.	625 ILCS 5/7-317(b) 2	The Financial Responsibility Act requires that all vehicle owners' policies insure every named insured and any other person using the vehicle with the express or implied permission of the named insured. Stated or named driver forms are prohibited.
MOLD	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Filing procedures and requirements for exclusions and limitations related to mold.	Company Bulletin 2002-07	Please refer to Company Bulletin 2002-7 for specific information and guidance.
TERRORISM	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Terrorism Risk Insurance Program Reauthorization Act of 2015 and Filing Procedures and Requirements for Terrorism-Related Forms, Rules and Rates.	Company Bulletin 2015-03	Please refer to Company Bulletin 2015-03 for specific information and guidance.

GROUP POLICIES	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
<p>Group vehicle insurance defined.</p> <p>Group vehicle policies may provide coverage for physical damage, liability or both.</p> <p>A group physical damage policy and certificate incidental thereto does not meet IL mandatory insurance requirements and must contain a warning to that effect.</p>	<p>215 ILCS 5/388a-388g</p> <p>215 ILCS 5/393a-393g</p> <p>215 ILCS 5/400.1</p> <p>IL Adm. Code 2302</p> <p>215 ILCS 5/900-906</p>	<p>Per Regulation 906, there are no enabling statutes in IL which authorize the writing of group fire, casualty, inland marine, or surety insurance. The effect is to require that all fire, casualty, inland marine, or surety insureds of the same class shall be treated alike. This regulation is not applicable where the Illinois Insurance Code specifically authorizes the grouping of risks.</p> <p>Therefore, only professional liability for certain groups, and group legal liability are specifically allowed by statute to be written on a group basis in Illinois. See requirements below and refer to laws for specific information and guidance.</p>
<p>Group vehicle insurance authorized.</p> <p>Insurers with Class 2(b) and/or Class 3(e) authority may write group vehicle.</p> <p>Such policies must be filed in accordance with Section 143.</p> <p>Such policies must comply with Section 7-317 of the IL Vehicle Code.</p>	<p>215 ILCS 5/388b</p> <p>215 ILCS 5/143</p>	<p>Any insurer authorized to write Class 2(b) and/or Class 3(e) may issue group vehicle policies.</p> <p>Such policies must be filed per Section 143 and shall include provisions required by Sections 388c- 388f.</p> <p>A group vehicle insurance policy that provides liability coverage must comply with the requirements of Section 7-317 of the IL Vehicle Code.</p>
<p>"Entire contract" specified.</p>	<p>215 ILCS 5/388c</p>	<p>Group vehicle insurance policies shall provide that the policy, the application of the employer, or executive officer or trustee of any association, and the individual applications, if any, of the employees, members or employees of members insured shall constitute the entire contract between the parties, and that all statements made by the employer, or the executive officer or trustee, or by the individual employees, members or employees of members shall, in the absence of fraud, be deemed representations and not warranties, and that no such statement shall be used in defense to a claim under the policy, unless it is contained in a written applications.</p>

Certificates required.	215 ILCS 5/388d	Each group vehicle insurance policy shall provide that the insurer will issue to the employer, or to the executive officer or trustee of the association, for delivery to the employee, member or employee of a member, who is insured under such policy, an individual certificate setting forth a statement as to the insurance protection to which he is entitled and to whom payable and, at the request of any participating member or employee that has liability insurance coverage, will issue a certificate of his vehicle insurance to the Secretary of State as proof of the insured's financial responsibility in compliance with the IL Vehicle Code.
New members of group.	215 ILCS 5/388e	Each group vehicle policy shall provide that to the group or class thereof originally insured shall be added from time to time all new employees of the employer, members of the association or employees of members eligible to and applying for insurance in such group or class but participation in the group plan shall not be required as a condition of employment, nor shall any member not participating in the plan be coerced or discriminated against.
Conversion rights.	215 ILCS 5/388f	Each group vehicle insurance policy shall provide that any member of the group shall have the right to convert his group policy to an individual standard policy of insurance in the same company as offered by the insurer to the non-group insureds upon termination of his connection with the group extending him the same limits of coverage.
Cancellation restricted.	215 ILCS 5/388g	Insurer may not cancel the insurance of an individual member of a group covered by a group vehicle insurance policy except for the non-payment of premium by such member or unless the insurance for the entire group is cancelled. In such cases, notice of cancellation as provided in like-non-group policies shall be given to each member and, when appropriate, to the Secretary of State.

LIMITS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Minimum limits for Bodily Injury and Property Damage liability.	625 ILCS 5/7-203	Minimum Bodily Injury liability limits are \$25,000 per person and \$50,000 per accident. Minimum Property Damage liability limits are \$20,000 per accident.
ACTION AGAINST COMPANY	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Requirements for forms that contain provisions that limit time for bringing suit against the company for UIM coverage.	215 ILCS 5/143(2)	If the form contains a provision that limits time for bringing suit against the company under the UIM coverage, the language must state that time for bringing suit shall begin after a judgment is rendered rather than after the accident, so as not to conflict with the exhaustion clause. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.
Periods of limitation tolled.	215 ILCS 5/143.1	If the form contains a provision limiting the period of time within which the insured may bring suit, the provision must state that the running of such period is tolled from the date proof of loss is filed until the date the claim is denied in whole or in part.
DEFENSE COSTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Defense costs may not be included in limits of liability.	215 ILCS 5/143(2)	Defense costs must be paid as supplement to the limits of liability. Defense costs may not be included in the limits of liability. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.

PAYMENT OF LOSS TIME PERIOD	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
If a form states when a claim will be paid, the language must conform to this Rule.	50 IL Adm. Code 919.50	If the form contains a provision stating when a claim shall be paid, the provision must comply with this Rule that states that the company shall affirm or deny liability on claims within a reasonable time and shall offer payment within 30 days of affirmation of liability if the amount of the claim is determined and not in dispute. For those portions of the claim which are not in dispute and the payee is known, the company shall tender payment within said 30 days.
PAYMENT OF TOTAL LOSS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Required fee and tax reimbursement when total loss occurs.	215 ILCS 5/154.9	If an insured/claimant elects to replace their total loss vehicle, the insurer shall pay any tax imposed along with title and transfer fees. These taxes and fees must be paid in addition to the limit of liability on first party claims.
MINIMUM STANDARDS FOR CONTENT (POLICIES AND STANDARD FORMS)	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Coverage for temporary substitute vehicles is required. Applies only to auto policies defined in Section 143.13(a).	215 ILCS 5/143(2) 215 ILCS 5/143.13(a)	Forms must provide, at a minimum, excess liability and physical damage coverage for temporary substitute vehicles if the form would have covered the out of service vehicle. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly. Applies only to auto policies defined in Section 143.13(a).
Required time period for notifying company of replacement vehicles or newly acquired vehicles.	215 ILCS 5/143(2)	Forms must provide at least 30 days for insured to notify company of replacement or newly acquired autos before coverage for such autos is excluded. Any forms that contain provisions to the contrary

Applies to all personal motor vehicles including but not limited to autos, motorcycles, boats, and recreational vehicles.	215 ILCS 5/143.13(a)	are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.
Coverage for permissive drivers Applies to private passenger type autos	215 ILCS 5/143.13a (Effective 1/1/08)	Permissive drivers must have the same limits of bodily injury liability, property damage liability, uninsured and underinsured motorist liability and medical payments as a named insured.
Reasonable belief exclusions	215 ILCS 5/143(2)	Reasonable belief exclusions may not apply to the insured, spouse, or resident relatives.
Coverage for replacement of child restraint system. Applies only to auto policies defined in Section 143.13(a).	215 ILCS 5/143.32 215 ILCS 5/143.13(a)	An insurance policy must provide coverage for replacement of a child restraint system that was in use by a child during an accident to which coverage is applicable. Applies only to auto policies defined in Section 143.13(a).
Liability coverage for stated drivers only is prohibited.	625 ILCS 5/7-317(b) 2	The Financial Responsibility Act requires that all vehicle owners' policies insure every named insured and any other person using the vehicle with the express or implied permission of the named insured. Stated or named driver forms are prohibited.
MEDICAL PAYMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Insurer must use a Utilization Review Organization (URO) when determining what is medically necessary, reasonable or usual and customary.	Company Bulletin CB 2000-7 215 ILCS 134/10 215 ILCS 5/143(2)	Utilization review means the evaluation of the medical necessity, appropriateness and efficiency of the use of health care services, procedures and facilities The Utilization Review Organization (URO) must be registered with the Department.
OTHER INSURANCE	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS

Requirements for "Other Insurance" provisions.	215 ILCS 5/143(2)	"Other Insurance" provisions must state that coverage under the policy will share proportionately with other similar coverages. However, coverage for non-owned autos may state that coverage is excess. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.
PERMISSIBLE DRIVER	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Liability coverage for stated drivers only is prohibited.	625 ILCS 5/7-317(b) 2	The Financial Responsibility Act requires that all vehicle owners' policies insure every named insured and any other person using the vehicle with the express or implied permission of the named insured. Stated or named driver forms are prohibited.
Coverage for permissive drivers Applies to private passenger type autos	215 ILCS 5/143.13a (Effective 1/1/08)	Permissive drivers must have the same limits of bodily injury liability, property damage liability, uninsured and underinsured motorists liability and medical payments as a named insured.
PREMIUM REFUND	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Pro rata refund required. Applies only to "private passenger auto" as defined in Section 143.13(a).	215 ILCS 5/143.12a 215 ILCS 5/143.13(a)	If the insurer or policyholder cancels a policy of automobile insurance, the insurer must refund the unearned premium pro-rated to the date of cancellation. Applies only to auto policies defined in Section 143.13(a).
PUNITIVE DAMAGES	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Punitive damages.	95 IL. App. 34 3d 1122 215 ILCS 5/143(2)	An insurer may not reimburse an insured for punitive damages assessed as a result of the insured's own misconduct. If form excludes coverage for punitive damages, the form must state that it provides a defense for claims involving both compensatory and punitive damages. Any forms that contain provisions to the

		contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.
Other language provision.	215 ILCS 5/155.32 215 ILCS 5/143.13(a)	Insurers may provide insurance policies, endorsements, riders, and any explanatory or advertising material in a language other than English. In the event of a dispute or complaint, the English language version shall control the resolution. Applies to policies of auto insurance as defined in Section 143.13(a).
REBATES	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Payments or acceptance of rebates prohibited. Rebates -- penalties.	215 ILCS 5/151 215 ILCS 5/152	No insurer, agent or broker shall offer, give, etc., any rebate of premium, agent's commission, profits, dividends, or any special advantage in date of policy or age of issue, or any other valuable consideration or inducement, upon issuance or renewal, which is not specified in the policy contract of insurance. However, insurers may pay a bonus to policyholders or abate their premiums, in whole or in part, out of surplus accumulated from nonparticipating insurance. Insurers may also offer a child passenger restraint system, or a discount from the purchase price of a child passenger restraining system to policyholders, when the purpose of such system is the safety of a child and compliance with the "Child Passenger Protection Act." No insured or applicant shall directly or indirectly receive or accept any rebate of premium or agent's or broker's commission, or any favor or advantage,

		<p>or any valuable consideration or inducement, other than such as is specified in the policy.</p> <p>Any company or person violating any provision of Section 151 shall be guilty of a Class B misdemeanor.</p>
UNINSURED/UNDERINSURED MOTORISTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
<p>Requirements for minimum Uninsured Motorist Bodily Injury (UM) and Uninsured Motorist Property Damage (UMPD) limits.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>	<p>215 ILCS 5/143a</p>	<p>Forms that include coverage for bodily injury liability must also include coverage for Uninsured Motorist Bodily Injury (UM) in amounts equal to the Illinois financial responsibility limits (currently \$25,000 per person and \$50,000 per accident).</p> <p>Forms that include coverage for property damage liability must also include coverage for Uninsured Motorist Property Damage (UMPD) in amounts equal to the Actual Cash Value (ACV) of the vehicle, or \$15,000, whichever is less, subject to a \$250 deductible. Such coverage must be offered for all private passenger type vehicles not covered by collision. Although UMPD must be offered, no written rejection is necessary.</p> <p>Also includes other requirements. See law for details to ensure that all forms comply with requirements.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>
<p>Requirements for Increased Limits of Uninsured Motorist Bodily Injury (UM) coverage and additional Underinsured Motorist Bodily Injury (UIM) coverage.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>	<p>215 ILCS 5/143a-2</p>	<p>Forms that include bodily injury limits greater than the minimum financial responsibility limits (currently \$25,000 per person and \$50,000 per accident) must include Uninsured Motorists Bodily Injury (UM) coverage equal to the insured's BI limits, unless specifically rejected by the insured.</p>

		<p>Forms that include coverage for additional UM liability limits must include Underinsured Motorists Bodily Injury (UIM) coverage equal to the insured's UM bodily injury limits.</p> <p>See specific law for details to ensure that all forms comply with requirements.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>
Social Security benefits may not be deducted from Underinsured Motorist Bodily Injury (UIM) limit.	Roberts v. Northland	IL Supreme Court decision. Social Security disability benefits may not be deducted from Underinsured Motorist Bodily Injury (UIM) limit.
<p>Coverage for permissive drivers</p> <p>Applies to private passenger type autos</p>	215 ILCS 5/143.13a (Effective 1/1/08)	Permissive drivers must have the same limits of bodily injury liability, property damage liability, uninsured and underinsured motorist liability and medical payments as a named insured.
<p>Requirements for forms that contain provisions that limit time for bringing suit against the company for UIM coverage.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>	215 ILCS 5/143(2)	<p>If the form contains a provision that limits time for bringing suit against the company under the UIM coverage, the language must state that time for bringing suit shall begin after a judgment is rendered rather than after the accident, so as not to conflict with the exhaustion clause. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>
VOIDANCE	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Requirements to rescind a policy for misrepresentation or false warranty.	215 ILCS 5/154	A policy may not be rescinded, defeated or avoided unless the misrepresentation is stated in policy, endorsement or rider attached thereto, or in the written application therefore, and was made with the actual intent to deceive, or materially

		<p>affected either the acceptance of the risk or the hazard assumed by the company.</p> <p>No personal lines policy may be rescinded after the policy has been in effect for one year, or one policy period, whichever is less.</p>
MISCELLANEOUS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Prejudgment interest.	215 ILCS 5/143(2)	Illinois courts do not award prejudgment interest. However, if a form references payment of prejudgment interest, then such payment must be a supplementary coverage and not paid within the policy limits. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.
Post-judgment interest.	215 ILCS 5/143(2)	If a form references payment of post-judgment interest, then such payment must be a supplementary coverage and not paid within the policy limits. Any forms that contain provisions to the contrary are deemed to contain exceptions and conditions that unreasonably or deceptively affect the risks that are purported to be assumed by the policy, in violation of Section 143(2) and will be disapproved accordingly.
<p>Loss information required to be provided.</p> <p>Applies to 'policy of automobile insurance' as defined in paragraph (a) of Section 143.13.</p>	215 ILCS 5/143.10b 215 ILCS 5/143.13	<p>Insurers must provide the following loss information for the 5 previous policy years to the named insured within 30 days of the insured's written request:</p> <ul style="list-style-type: none"> a) on closed claims, date and description of occurrence, and total amount of payments; b) on open claims, date and description of occurrence and total amount of payments; c) for any occurrence not included above, the date and description of occurrence.
Requirements for termination of line of business.	215 ILCS 5/143.11a	Insurers must notify the Director of the termination of a line of insurance, as well as the reasons for the action, 90 days before termination of any policy is effective.

Endorsements that amend another endorsement are prohibited.	215 ILCS 5/143(2)	An endorsement may not be used to amend another endorsement. Such endorsements are deemed to result in inconsistent, ambiguous, or misleading clauses, in violation of Section 143(2) and will be disapproved accordingly.
Negative response roll-ons are prohibited.	215 ILCS 5/429	Form changes that are optional may not be applied "automatically unless the insured rejects." Insurers must offer the option and the insured must respond affirmatively for the change to be added. To apply the option automatically constitutes a negative roll-on and is considered to be an unfair or deceptive act or practice in violation of Section 429.
Rental vehicle required when loss of use occurs.	50 IL Adm. Code 919.80	In automobile property damage liability claims in which liability is reasonably clear, the company shall pay for the reasonable and necessary costs, in direct proportion to the extent of its liability, incurred in the rental of another automobile provided that the loss of use claim is submitted and substantiated. In those cases where the company pays a flat rental amount per day, week or month, it must disclose to the claimant where the claimant can obtain a vehicle for the amount of its payment.
RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY FILING REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Private passenger auto and motorcycle rates and rules must be filed in Illinois. "Me too" filings are not allowed. Insurer may authorize attorneys, consulting firms, etc. to submit form filings to the Department, as long as the filing includes proper authorization.	50 IL Adm. Code 754	Company Rate Information shall be completed for each company when a filing is being submitted that includes: A) Overall % Indicated Change. B) Overall % Rate Impact – This is the statewide average percentage change to the accepted rates for the coverages included for each company. C) Written premium change for this program – This is the statewide change in written premium based on the proposed overall percentage rate impact for each company.

		<p>D) Number of policyholders affected for this program – This is the number of policyholders affected by the overall percentage rate impact for each company.</p> <p>E) Written premium for this program – This is the statewide written premium for each company.</p> <p>F) Maximum % Change.</p> <p>G) Minimum % Change.</p> <p>For private passenger auto and motorcycle, rate and rule filings are use and file. Such rate and rule filings must be received by the Department no later than 10 days after their stated effective dates.</p> <p>Insurers are prohibited from continuing to use the new rate or rule, or rate level if the rate or rule have not been received by the Department within 10 days after the effective dates of use.</p> <p>Insurers may authorize attorneys, consulting firms, etc. to submit rate filings to the Department, as long as the filing includes a notice, signed by an authorized company officer, giving authority for the entity to act on the insurer's behalf on any issues related to the filing.</p>
For all other lines of personal auto, e.g. motorhomes, off-road recreational vehicles, snowmobiles, etc., rates and rules are not required to be filed in Illinois.		For all other lines of personal auto, e.g. motorhomes, off-road recreational vehicles, snowmobiles, etc., rates and rules are not required to be filed in Illinois.
INDIVIDUAL RISK RATING	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Individual risks.	50 IL Adm. Code 754	<p>A company is not required to file rates or rates for individual Illinois risks which cannot be rated in the normal course of business rating because of special or unusual characteristics and must be rated on the basis of underwriting judgment.</p> <p>Company must maintain documentary information regarding such individual risk rates for review by</p>

		<p>the Department's Property & Casualty Compliance Unit.</p> <p>A company is not required to file rates on individual risks where the development of the rate for the individual risk is dependent on an inspection of improvements on real property and an application of a schedule, the elements of which include loss ratio, hazard analysis, risk analysis and classification of municipal fire defenses.</p> <p>However, the company must maintain documentary information and records in its offices which will be available for review by the Department's Property & Casualty Compliance Unit.</p>
DISCOUNTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Defensive driving discount requirements.	215 ILCS 5/143.29	<p>Auto liability policies must include rate/premium reductions for insureds over age 55 who successfully complete a defensive driving course.</p> <p>Also includes specific time frames for how long the reduction must remain in effect.</p> <p>Requirement does not apply to fleet policies or commercial unless there is a regularly assigned principal operator.</p> <p>See law for specific information and guidance.</p>
Anti-theft device discount requirements.	50 IL Adm. Code 932	Provides for discount of not less than 5% on comprehensive coverage to qualifying automobiles.
PREMIUMS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
Bodily injury liability base rates.	215 ILCS 5/155.17	The base rate for bodily injury liability must be the same for all territories within a city with a population of 2,000,000 or more. Currently in Illinois, this applies only to the city of Chicago.

SURCHARGES	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
<p>Insurers may not surcharge based on identity of prior carrier prohibited.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>	<p>215 ILCS 5/155.27</p>	<p>No company may impose a surcharge upon an applicant for a policy of automobile insurance solely based upon the identity of the applicant's prior carrier.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>
<p>Insurers may not charge a higher premium to physically handicapped persons.</p> <p>Applies only to auto policies defined in Section 143.13(a).</p>	<p>215 ILCS 5/143.24a</p> <p>215 ILCS 5/143.13(a)</p>	<p>Insurers are prohibited from charging a higher premium to physically handicapped individuals.</p> <p>Applies only to auto policies defined in Section 143.13(a).</p>
<p>Insurers may not increase the premium rates for no more than one speeding ticket not in excess of 10 mph over the posted limit.</p> <p>Applies only to personal lines auto insurance policies.</p>	<p>215 ILCS 5/155.26</p>	<p>No company may increase the premium rates for a renewal policy if the sole basis for the proposed increase is that the insured was convicted of no more than one offense for speeding where such speeding was not in excess of 10 miles an hour over the posted limit.</p> <p>Applies only to personal lines auto insurance policies.</p>
<p>Insurers may not surcharge or charge a fee for making a Financial filing.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>	<p>625 ILCS 5/7-317(l)</p>	<p>Insurers may not surcharge or impose fee for having to file a Financial Responsibility Certificate.</p> <p>This section contains other requirements for financial responsibility filings -- see law for specific information and guidance.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>
OTHER FEES	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
<p>Insurers may not charge a fee for making a Financial filing.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>	<p>625 ILCS 5/7-317(l)</p>	<p>Companies may not surcharge or impose fee for having to file a Financial Responsibility Certificate.</p>

		<p>This section contains other requirements for financial responsibility filings -- see law for specific information and guidance.</p> <p>Applies only to policies issued for vehicles designed for highway use.</p>
CREDIT SCORING AND REPORTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
<p>Requirements for use of credit information in connection with personal lines policies -- effective October 1, 2003.</p>	<p>215 ILCS 157/Company Bulletin 2003-03</p> <p>215 ILCS 157/22</p> <p>215 ILCS 157/30</p> <p>215 ILCS 157/20</p>	<p>Public Act 93-0114 regarding use of credit information for personal lines insurance became effective October 1, 2003.</p> <p>Please see the specific Public Act for details. In addition, please refer to Company Bulletin 2003-03 for specific information and guidance. 215 ILCS 157/22 requires insurers to review/consider an exception to the risk score based upon extraordinary life events after receiving a written and signed notification from the applicant or insured explaining how the applicant or insured believes the extraordinary life event adversely impacts the applicant's or insured's insurance risk score. (Effective July 1, 2006)</p> <p>If credit information is used to underwrite or rate a risk, the insurer or agent must disclose on the application or at the time the application is taken, that credit information may be used in connection with the application. The disclosure may be written or provided in the same medium as the application for insurance.</p> <p>An insurer shall at annual renewal, upon the request of an insured or the insured's agent, re-underwrite and rerate the insured's policy based upon an updated credit report.</p>
OTHER	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS
<p>Unfair methods of competition or unfair or deceptive acts or practices defined.</p>	<p>215 ILCS 5/424(3)</p>	<p>It is an unfair method of competition or unfair and deceptive act or practice if a company makes or permits any unfair discrimination between individuals or risks of the same class or of essentially the same hazard and expense element because of the race, color, religion, or national origin of such insurance risks or applicants.</p>

Unfair methods of competition or unfair or deceptive acts or practices defined.	215 ILCS 5/424(5)	It is an unfair method of competition or unfair and deceptive act or practice if a company makes or charges any rate for insurance against losses arising from the use or ownership of a motor vehicle which requires a higher premium of any person by reason of his physical handicap, race, color, religion, or national origin.
Procedure as to unfair methods of competition or unfair or deceptive acts or practices not defined.	215 ILCS 5/429	Outlines the procedures the Director follows when he has reason to believe that a company is engaging in unfair methods of competition or unfair or deceptive acts or practices.

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