

subsequently recovered, your insurer must pay for the damage done to the car while missing, the cost of towing, any reasonable storage charges as well as substitute transportation expenses.

The Insurance Department has issued regulations that require your insurance company to give you a prompt and fair settlement. These regulations govern the guidelines and time limits within which an insurer must handle any claims you make, under auto collision and comprehensive insurance, and with liability claims you make against another driver.

Under these regulatory standards, in responding to a claim made under the comprehensive or collision coverages of your policy, your auto insurer must:

- inspect the damaged vehicle and make a good faith offer within six business days after receiving notification of the loss, provided that your car is available for inspection. A good faith offer is one that can be backed up with the name of a Department of Motor Vehicles-registered repair shop that will perform the repairs at the insurer's offer;
- promptly give you or your authorized representative a detailed written estimate of the cost of repairs;
- identify, but only at your request (unless the claim is solely for glass breakage), a conveniently located auto repair shop that will repair your car at the insurance company's estimated cost of repair and give you a written guarantee, backed by your insurer, of the work performed;
- pay the actual cash value (retail value plus sales tax), which is subject to depreciation and applicable deductions, if your car is a total loss because it was stolen or damaged beyond repair, or replace it with a substantially similar car, in accordance with governing regulatory standards;
- make payment within five (5) business days after you and the insurer have agreed upon a settlement;
- if your car is stolen, reimburse you for your car rental expenses up to the amount stated in the policy (some auto insurers issue a policy with optional rental car reimbursement coverage, which also pays for such expenses when your car cannot be operated during a covered collision loss); and
- furnish you with a written explanation of the reasons for delay if your claim has not been settled within 30 days after the date you notified the insurer of the loss.

With respect to collision and other physical damage claims, your insurance company is required to obtain from you and your auto body repair shop a "Certification of Automobile Repairs" form, in order to determine the extent to which your damaged car has been repaired. If you fail to submit this form, your loss settlement on a subsequent loss may be reduced.

### XIII. IF YOU HAVE A COMPLAINT OR INQUIRY

If you feel you have been treated unfairly by an insurance company, insurance producer (agent or broker), adjuster, or any other licensee of the New York State Insurance Department, you are urged to bring the matter to the attention of the Insurance Department by filing a complaint. You may do this by mailing in the complaint form found in the back of this Guide. Or, by calling, writing or visiting the Department, you may ask the Insurance Department to look into the situation.



Our Consumer Services Bureau investigates complaints by policyholders and claimants against their insurance companies, brokers, agents or adjusters regarding claims, cancellations, and other issues regarding auto insurance and other types of insurance. You may write or visit the Consumer Services Bureau at any of the following offices of the New York State Insurance Department:

Empire State Plaza Agency Building No. 1 Albany, NY 12257	160 West Broadway 19 <sup>th</sup> Floor New York, NY 10013	65 Court Street Room 7 Buffalo, NY 14202
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For No-Fault issues or claims, call the Insurance Department at 212-602-0334.

For general information and complaints regarding auto insurance claims (other than No-Fault), cancellations or non-renewals, or if you wish to complain about an insurance broker, agent or adjuster, call:

New York City	212-602-0203
Albany	518-474-6600
Buffalo	716-847-7618
All Other Areas	800-342-3736

For information about auto insurance rates, discounts, surcharges, policy forms, or premium verification, you may contact:

Property / Casualty Bureau  
New York State Insurance Department  
160 West Broadway  
New York, New York 10013-3393  
Telephone 800-522-4370 or 212-602-0541

## XIV. WHAT ABOUT FRAUD?

It is estimated that more than a quarter or even one-third of all auto insurance claims contain some element of fraud, resulting in higher insurance premiums. Under the Insurance Law, licensees of the Insurance Department (i.e., insurers, agents, brokers, adjusters) are required to report any suspected fraudulent acts to the Department's Insurance Frauds Bureau. Through an investigative and administrative process, the Insurance Department can fine any person involved in the fraud up to \$5,000, plus the value of the fraudulent claim, in addition to any criminal penalties that a court may impose.

In addition, to help combat fraud, the National Insurance Crime Bureau (NICB) has been established by the insurance industry. Among other functions, NICB maintains records of vehicles stolen or damaged, to ensure that fraudulent claims are not made on non-existent or destroyed vehicles. The Insurance Department requires auto insurers to report all physical damage claims directly to the NICB, which any person may contact at [T: 800-TEL-NICB (835-6422)] to report fraudulent claims.

If you have reason to believe that there has been an insurance fraud, you are encouraged to submit such information to:

Insurance Frauds Bureau  
New York State Insurance Department  
160 West Broadway  
New York, New York 10013-3393

## XV. AUTO INSURANCE PRICES IN NEW YORK

### A. Auto Insurance Companies Listed

This section contains information and price comparisons to help you shop for auto insurance. It contains sample prices from among the 20 leading auto insurers licensed in New York State, and from the ten best performing companies in the 1993 annual complaint ranking compiled by the Insurance Department. The Department is in the process of compiling the 1994 annual complaint ranking which will be published as a supplement to this Guide.

Due to overlap between these three categories, the tables that follow list representative rates charged by a total of 25 auto insurance companies, plus Auto Plan rates. In addition, two companies were omitted for the following reasons: *Motors Insurance Company* and *Executive Insurance Company*—which only write physical damage coverages.

## B. Types of Coverages Listed

The comparative premium tables displayed in this Guide reflect the rates for private passenger auto liability, No-Fault and physical damage (comprehensive and collision) coverages in selected territories for the selected insurers. The rates shown are for owners or operators who have been licensed and have not had accidents or traffic violations for the past three years.

The Appendix I prices represent annual premium charges for these auto coverages (described in Chapters II and III of this Guide):

### 1. Required Coverages (these amounts change effective 1/1/96 - see Chapter II):

- A. Bodily Injury Liability—at \$10,000/\$20,000 limits, including \$50,000/\$100,000 limits in the event of death;
- B. Uninsured Motorists Coverage—at \$10,000/\$20,000 limits, including, in the event of death, \$50,000/\$100,000 limits;
- C. Property Damage Liability—at a \$5,000 limit; and
- D. Basic No-Fault—to a maximum of \$50,000.

### 2. Optional Coverages:

- A. Comprehensive—for a 1995 car (moderately priced), with a \$200 deductible;
- B. Collision—for a 1995 car (moderately priced), with a \$200 deductible;
- C. Bodily Injury Liability—the additional cost of raising mandatory minimum limits to \$100,000/\$300,000;
- D. Property Damage Liability—the additional cost of raising this coverage from the minimum \$5,000 level to a \$50,000 limit; and
- E. Additional No-Fault—the additional cost of raising basic benefits to a maximum of \$100,000 and providing out-of-state coverage.

## C. Rating Territories

The place where you park and drive your car also affects the cost of your insurance. Although the general concept of insurance is to spread the risk of losses among a large number of people, premiums are adjusted for smaller sub-groups of risks in certain areas (such as Brooklyn) that will have more similar experience statistically than that of all the policyholders in a larger area (such as New York State). Because of its size and diversity, most insurers divide New York State into over 70 rating territories.

In highly congested urban areas, where there is a greater likelihood of auto insurance losses, rates tend to be higher than for suburban and rural areas. For example, rates for comprehensive

coverage are higher in urban areas due to the higher rates of auto theft in these areas. Increasing costs of payments made under auto insurance claims, including the costs of liability suits, medical expenses and legal fees, as well as the incidence of fraud, also contribute to premium costs.

Price comparisons for selected territories are shown in this Guide. Detailed descriptions of territories can be found in Appendix II, although some insurers utilize different territorial classifications. The territories used include New York's most populated areas plus representative cross-sections of suburban and rural areas in this State.

#### **D. Type of Car**

As discussed previously, the cost of your auto physical damage insurance (collision and comprehensive) varies widely, depending on the make and model of your car. The comparative physical damage prices shown in Appendix I are for a moderately priced 1995 model (see Chapter IX for examples of symbol 5 vehicles).

As discussed in Chapter IX, insurance premiums will generally be higher for cars that have higher purchase prices or repair costs. Cars that are less expensive or easier to repair will usually cost less to insure in contrast to vehicles of similar cost and age with poorer repair records.

When shopping for a new or used car, it is best to check with your insurance professional to verify the cost of insuring the particular vehicle you are considering purchasing.

#### **E. Differences in Rates Among Insurers**

There is active competition among auto insurers in New York State. As the tables that follow show, rates can vary considerably among insurers. The differences in rates are based, among other factors, on the specific experience of the particular group of insureds a company insures.

Therefore, it is always a good idea to obtain quotes from several insurers. Consumers who shop get better value for their insurance dollar than those who do not.

#### **F. Don't Shop for Price Alone**

Price is only one of many factors to consider in selecting an insurance company. The price comparisons listed in this Guide are useful, but keep a number of key considerations in mind:

- Beyond price, you should also be looking at factors such as insurance company claim practices, reliability, the services provided by agents, brokers or insurance companies, and the particular coverages the company offers to meet your individual needs.
- The premiums shown in the tables are those charged on June 30, 1995, for new policyholders. Although the underlying costs of auto insurance -- such as medical costs, wages and the cost of auto replacement parts -- are likely to rise with inflation, the tables will tend to reflect relative price relationships among these insurers over time.

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