

September 20, 1985

SUBJECT: INSURANCE

WITHDRAWN

Circular Letter No. 15 (1985)

September 20, 1985

TO: ALL INSURERS LICENSED TO WRITE TAXICAB & OTHER LIVERY BUSINESS

Pursuant to § 2305(b)(2) & 2328 of the Insurance Law, rates for livery vehicles are subject to this Department's prior approval. The Department of Motor Vehicles (DMV) has requested that this Department inform all insurers writing or proposing to write taxicab, limousine, black car, bus or other livery business in this State that, this year and in the future:

No extensions will be granted by DMV in regard to the issuance of FH-1 certificates of insurance or FH-4 notices of termination under the Financial Security Program administered by DMV.

Accordingly, appropriate rate filings must be submitted for this Department's review and approval no later than October 15, 1985, in order to become effective December 31, 1985 and prevent disruption of registrations and lapses of insurance coverage at year-end, because:

-- publication and notice rules under the State Administrative Procedures Act (SAPA) generally require a minimum of two (2) months between filing and effective date; and

-- new livery insurance rates must be reviewed and approved by December 1, 1985, in order to comply with the DMV no-extension policy, including applicable notice provisions pursuant to § 370 of the Vehicle & Traffic Law.

Next year and in succeeding years, livery insurance rate filings should be submitted to this Department no later than October 1st. The purpose of this timetable is to ensure that livery transportation in this State will not be put in jeopardy. An insurer's failure to follow this timetable will result in coverage lapses and license suspensions for livery owners and operators.

All livery insurance rate filings should be delivered to the attention of:

Elliot Cohen, Principal Actuary
Casualty Actuarial Bureau
New York State Insurance Department
160 West Broadway -- 18th Floor
New York, New York 10013

Please acknowledge receipt of this circular letter, and direct any inquiries, to Mr. Cohen (212-602-0263).

Very truly yours,

[SIGNATURE]

JAMES P. CORCORAN

SUPERINTENDENT OF INSURANCE