

**Rules of**  
**Department of Insurance,**  
**Financial Institutions and**  
**Professional Registration**  
**Division 500—Property and Casualty**  
**Chapter 2—Automobile Insurance**

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**Title 20—DEPARTMENT OF  
INSURANCE, FINANCIAL  
INSTITUTIONS AND  
PROFESSIONAL REGISTRATION  
Division 500—Property and Casualty  
Chapter 2—Automobile Insurance**

**20 CSR 500-2.100 Minimum Standards for  
Automobile Policies**

*PURPOSE: This regulation requires the filing of private passenger automobile insurance policies used in this state and specifies the minimum standards to be found in them. The contents of renewal certificates are specified and limitations placed on the use of restrictive endorsements. This regulation was adopted pursuant to the provisions of section 374.045, RSMo (1986) and implements sections 374.040, 375.936, 379.110—379.120, 379.203, 379.470, 379.475 and 379.480, RSMo (1986).*

(1) Documents to be Filed with the Director of Insurance. All insurance companies authorized to write private passenger automobile insurance in Missouri shall file with the director of insurance duplicate copies of all automobile insurance policies, endorsements and renewals or other extension of coverage certificates which the company uses in Missouri.

(2) Minimum Automobile Policy Standards.

(A) No private passenger automobile policy which conflicts with any of the criteria set forth in this regulation may be issued to a Missouri insured.

(B) Definition of the insured, as to an owned automobile, shall include—

1. The spouse if a resident of the same household; and

2. Any person using or any organization responsible for the use of the automobile with the express or implied permission of the named insured or spouse.

(C) Medical payments coverage shall not be excess over any accident and sickness insurance other than that provided under an automobile insurance policy unless the excess provisions are clearly disclosed to the insured and properly reflected in the rating of the coverage. This disclosure must be by endorsement or on the declarations page or by another method acceptable to the Department of Insurance.

(D) Physical damage coverage shall not exclude any attached factory-installed equipment as is usual and incidental to the use and operation of a private passenger automobile as a vehicle.

(E) The geographical policy territory shall not be less than the United States of America, its territories and possessions and Canada.

(F) Newly acquired and replacement automobile coverage provisions shall provide not fewer than thirty (30) days within which to advise the company of the acquisition.

(G) Uninsured motor vehicle coverage, whether provided within the policy or separately by endorsement, shall not—

1. Permit medical payments or Workers' Compensation payments set-off;

2. Force or force by intent, arbitration of claims;

3. Deny carrier insolvency as a basis for claim; and

4. Utilize any definition more limiting than uninsured motor vehicle as construed in section 379.203, RSMo;

(H) Total theft supplementary coverage for loss of use must be provided under comprehensive coverage—

1. Not greater than a forty-eight (48)-hour waiting period before payment begins may be used;

2. The maximum payment shall not be less than ten dollars (\$10) per day subject to an aggregate payment of not less than three hundred dollars (\$300); and

3. A provision terminating these payments at the time the insurer extends a reasonable settlement offer is expressly permitted.

(3) Contents of Renewal Certificates. Any billing, renewal certificate or other document designed to afford an extension of coverage of the originally issued policy must state—the original policy number; the name of the insured; the term and coverage afforded; and that if, subsequent to the issuance of the policy, the coverage provided is extended or broadened without an additional charge, this coverage shall inure to the benefit of the insured under the policy from the effective date of that revision. This provision shall not be required if a liberalization clause is contained in the underlying policy.

(4) Restrictive Endorsements.

(A) No driver or operator exclusion is acceptable for use on the private passenger auto policy other than as to the named person. These endorsements shall include a provision for the signature of the named insured accepting and acknowledging the restriction in coverage.

(B) No endorsement or policy amendment may be utilized which reduces, limits or restricts coverage provided under a private passenger automobile policy or which attempts to limit or restrict coverage, directly

or indirectly, solely because of the age, residence, race, sex, color, creed, national origin, ancestry or lawful occupation of the insured.

(5) Effective Date. The provisions of this regulation shall become effective on April 15, 1975. All policy forms subject to this regulation shall be deemed to comply with the provisions on that date. Existing policy forms shall be amended by endorsement or replaced by a complying policy on their next renewal date not later than July 1, 1975, unless the director shall grant a specific extension of time for compliance.

*AUTHORITY: sections 374.040, 374.045, 375.936, 379.110—379.120, 379.203, 379.470, 379.475 and 379.480, RSMo 1986.\* This rule was previously filed as 4 CSR 190-17.010. This version of rule filed April 7, 1975, effective April 17, 1975. Amended: Filed Aug. 16, 1977, effective Dec. 11, 1977. Amended: Filed Sept. 12, 1978, effective Feb. 12, 1979.*

*\*Original authority: 374.040, RSMo 1939, amended 1967; 374.045, RSMo 1967; 375.936, RSMo 1959, amended 1967, 1969, 1971, 1976, 1978; 379.110—379.120, see Revised Statutes of Missouri; 379.203, RSMo 1967, amended 1971, 1972; 379.470, RSMo 1947; 379.475, RSMo 1947; and 379.480, RSMo 1947.*

*State Farm Mutual Co. v. Universal Underwriters Co., 94 SW2d 950 (Mo. App. 1980). 4 CSR 190-17.010 may not be interpreted to invalidate all escape and excess clauses from private passenger automobile insurance policies.*

*Survivors Ben. Ins. Co. v. Farmer, 514 SW2d 565 (Mo. 1974). Superintendent of insurance has the duty to approve or disapprove life insurance contracts and forms and no contract or form may be used in Missouri without the approval of the superintendent.*

*Kisling v. MFA Mutual Ins. Co., 399 SW2d 245 (Mo. App. 1966). Policy exclusion making uninsured motorist coverage inapplicable to bodily injury where insured, without consent of insurance company, makes settlement with party who may be legally liable therefor, held against public policy and invalid.*

*Op. Atty. Gen. No. 112, Edmiston, 6-21-76. Insurance companies are required to pay a filing fee pursuant to section 374.230(6), RSMo for documents filed with the director of the Division of Insurance pursuant to sections 376.405, 376.675 and 376.777, RSMo (1978) and section 379.321, RSMo (1978). The filing fee imposed by section 374.230(6)*



is for each document and not each page of each document. The filing fee paid pursuant to section 374.230(6) is not, pursuant to section 148.400, RSMo, deductible from the premium tax payable by such companies.

*Op. Atty. Gen. No. 81 Scharz, 4-8-66. Foreign insurance company cannot be authorized to do business under name same as or similar to existing domestic or foreign insurance company.*

**20 CSR 500-2.200 Motorcycle Policy**

*PURPOSE: This regulation requires certain coverages on motorcycle insurance policies, pursuant to the provisions of sections 374.040, 374.045, 375.936, 379.110—379.120, 379.203, 379.470, 379.475 and 379.480, RSMo.*

(1) Documents to be Filed with the Director of Insurance. All insurance companies licensed to write motorcycle insurance in Missouri shall file with the director of insurance copies of all motorcycle insurance policies, endorsements and renewal or other extension of coverage certificates which the company uses in Missouri.

(2) Motorcycle Passengers' Bodily Injuries Covered. Any policy of insurance providing bodily injury liability coverage for operators of motorcycles, motor scooters or other two (2)-wheeled motor vehicles licensed for highway use must offer medical payment coverage for operators and passenger liability coverage. If the insured declines this coverage, the declination must be written, either as a part of the application or as a separate document.

*AUTHORITY: sections 374.040, 374.045, 375.936, 379.110—379.120, 379.203, 379.470, 379.475 and 379.480, RSMo 1986.\* This rule was previously filed as 4 CSR 190-17.020. Original rule filed April 7, 1975, effective April 17, 1975.*

*\*Original authority: 374.040, RSMo 1939, amended 1967; 374.045, RSMo 1967; 375.936, RSMo 1959, amended 1967, 1969, 1971, 1976, 1978; 379.110—379.120, see Revised Statutes of Missouri; 379.203, RSMo 1967, amended 1971, 1972; 379.470, RSMo 1947; 379.475, RSMo 1947; and 379.480, RSMo 1947.*

*Op. Atty. Gen. No. 159, Shear, 12-21-76. The requirements of section 379.120, RSMo (Supp. 1975) apply to insurers cancelling automobile insurance policies which have been in effect for less than sixty days.*

**20 CSR 500-2.300 Cancellation and Nonrenewal of Automobile Insurance**

*PURPOSE: This regulation describes policy provisions, charges, and procedures relating to cancellation and nonrenewal of private passenger automobile insurance contracts. This regulation was adopted pursuant to section 374.045, RSMo, and implements sections 303.170—303.210, 379.110—379.120, and 379.470, RSMo.*

(1) Applicability. This regulation applies to all private passenger automobile policies not excluded by definition in section 379.110(3), RSMo.

(2) Statutory Standards for Applicants.

(A) Any insurer that insures only a particular class of persons or operates within a specific geographical area must file with the Missouri Department of Insurance, Financial Institutions and Professional Registration (DIFIP) a statement signed by an officer which specifies the exact criteria for membership in that class or defines by inclusion or exclusion that specific geographical area.

(B) No insurer or its insurance producer or representative may ask any applicant, policyholder, or operator whether any other insurer has cancelled, refused to write, or refused to renew a policy of automobile insurance to the person. This information may not be obtained indirectly through contacts with an applicant's prior insurer. Questions which seek information as to whether any other insurer has cancelled, refused to write, or refused to renew a policy of automobile insurance may appear on an automobile insurance application form only if a prominent disclaimer appears immediately alongside of or below the question stating that "This question cannot be asked in the state of Missouri."

(C) If an insurer offers an applicant the minimum limits of insurance coverage required by the Motor Vehicle Safety Responsibility Law (Chapter 303, RSMo), the insurer has adequately evidenced its willingness to write automobile liability insurance for the applicant. There has not been a refusal to write because higher limits of liability are refused the applicant.

(D) As used in section 379.114, RSMo, the term residence includes, in addition to the location, the existence of other residents of any usual or routine dwelling place of the applicant.

(3) Cancellation.

(A) A cancellation occurs whenever an insurer, directly or indirectly, terminates an automobile insurance contract or policy prior

to its expiration date. If a contract or policy has a period of less than six (6) months or no fixed expiration date, it shall be considered as if written for successive periods of six (6) months. Any attempt by the insurer to terminate the contract or policy on a date other than its anniversary date is a cancellation.

(B) If an insured has received coverage under an automobile insurance contract for over sixty (60) days, cancellation shall be governed by sections 379.110—379.120, RSMo.

(4) Financial Responsibility Charges.

(A) The provisions of sections 303.170 and 303.180, RSMo, specify how persons required to furnish proof of financial responsibility with the director of revenue may do so by filing a written certificate of insurance, certifying that there is in effect a motor vehicle liability policy for the benefit of the person required to file that proof. Those certified policies can be canceled only in accordance with the provisions of section 303.210, RSMo. Documenting that a certified policy is in force is accomplished by filing a form, typically an SR-22 form, with the director of revenue. The cancellation or termination of a certified policy is accomplished by filing an SR-26 form with the director of revenue. Any insurer providing coverage to an insured under a certified policy may file, on behalf of him/herself and the person covered, any such form as the situation requires.

(B) Any special premium charge assessed by an insurer for providing coverage to an insured under a certified policy shall be reasonable in amount, and may include charges for the following:

1. The cost to the insurer of filing one (1) SR-22 form or other appropriate form. This charge shall be assessed only once during the period of the certified policy, including renewals, provided however, that if the policy has been canceled due to the nonpayment of premium, an additional charge may be assessed upon any reinstatement of the policy by the insurer;

2. The cost to the insurer of filing one (1) SR-26 form; and

3. The cost of providing ten (10) days of coverage after notice of cancellation to the director of revenue, pursuant to section 303.210, RSMo.

(5) Cancellation or Termination of Certified Policies.

(A) When an insurance carrier has certified a motor vehicle liability policy under section 303.170 or 303.180, RSMo, the insurance so certified shall not be canceled or terminated until at least ten (10) days after a



notice of cancellation or termination of the insurance has been filed with the office of the director of revenue by means of an SR-26 form. This notice of cancellation or termination will not be required where one (1) certified policy is replaced with a new or renewed certified policy and there has been no gap in coverage, nor shall it be required where the time period for maintaining proof of financial responsibility has expired.

(B) For purposes of this section, the notification of the cancellation or termination of a certified policy shall be deemed to have been filed with the Department of Revenue three (3) days after mailing, if mailed, provided the insurance company maintains a record system available for examination by the Department of Insurance which accurately indicates the date of the mailing of those notices. In other instances, that notice shall be deemed by the Department of Insurance to have been filed on the date the notification is stamped received by the Department of Revenue.

(6) Joint Underwriting Association.

(A) Any notice of cancellation, nonrenewal, or refusal to write a policy must contain the following notice or a notice substantially similar to: "You may obtain automobile insurance through the Missouri Automobile Insurance Plan (AIP) if you qualify. We urge you to contact any insurance producer of your choice immediately for further information."

(B) Insurers may substitute as the second sentence of the notice the following: "We urge you to contact your (insert company name) insurance producer or any other insurance producer of your choice immediately for further information."

*AUTHORITY: sections 303.170–303.210 and 379.470, RSMo 2000, section 374.045, RSMo Supp. 2009, and sections 379.110–379.120, RSMo 2000 and Supp. 2009.\* This rule was previously filed as 4 CSR 190-17.050. Original rule filed Feb. 26, 1975, effective March 8, 1975. Amended: Filed March 6, 1975, effective March 16, 1975. Amended: Filed April 13, 1978, effective Aug. 11, 1978. Amended: Filed Aug. 13, 1981, effective Jan. 1, 1982. Amended: Filed March 10, 1982, effective June 15, 1982. Amended: Filed Nov. 14, 1991, effective June 25, 1992. Amended: Filed July 12, 2002, effective Jan. 30, 2003. Amended: Filed Oct. 29, 2004, effective April 30, 2005. Amended: Filed March 22, 2010, effective Oct. 30, 2010.*

*\*Original authority: 303.170–303.210, see Revised Statutes of Missouri; 374.045, RSMo 1967, amended 1993, 1995, 2008; 379.110–379.120, see Revised Statutes of Missouri; and 379.470, RSMo 1947.*

*Atty. Gen. No. 159, Shear, 12-21-76. The requirements of section 379.120, RSMo (Supp. 1975) apply to insurers cancelling automobile insurance policies which have been in effect for less than sixty days.*

**20 CSR 500-2.400 Vendors'/Lenders' Single Interest**

*PURPOSE: This regulation is designed to permit vendors'/lenders' single interest and make that use consonant with the purpose of 20 CSR 500-4.100. This regulation is adopted pursuant to section 374.045, RSMo and implements sections 303.200, 365.080, 367.170, 375.936, 379.400, 379.470 and 408.280, RSMo.*

(1) Scope. This regulation covers individual vendors'/lenders' single interest, vendors'/lenders' dual interest or collateral protection insurance policies sold in connection with a credit transaction.

(2) Consumers' Rights. The debtor or consumer, as defined in 20 CSR 500-1.700, shall be vested by the insurance company with all those rights described in section (4) of that regulation. These specifically include the rights of substitution, free choice of insurer and insurance producer and refund upon cancellation. A full and fair disclosure of those rights must accompany the notice to provide insurance.

(3) Notice Required.

(A) In the event acceptable insurance is not provided by the debtor at or before the consummation of the credit transaction or the provided insurance is cancelled, the creditor shall give the debtor written notice of requirement to provide insurance. This notice shall be delivered by first-class mail to the last known address of the debtor or in person and shall contain the following information:

1. That the security instrument requires a specified amount and type of insurance on the collateral, including a loss payable clause for the benefit of the creditor;

2. That this insurance has not been received by the creditor;

3. That the debtor may obtain the required insurance from any insurance producer duly licensed in Missouri s/he may choose and from any company authorized to do business in Missouri;

4. That if the insurance is not received within thirty (30) days, the creditor will obtain insurance to protect the interest of the creditor and charge the debtor, including applicable finance charges at the same rate

that the security instrument calls for pertaining to the underlying indebtedness; and

5. That the policy obtained by the creditor will not provide bodily injury nor property damage liability insurance.

(B) This insurance may be from an individual policy or from a policy issued and delivered to the creditor. The individual policy or certificate of coverage must be mailed, first class mail, or delivered in person to the last known address of the debtor, at the time the policy or certificate is issued. This certificate or policy must state in clear language that—

1. No subrogation shall run against the debtor from the insurance company; and

2. In the event of a loss, the insurance company shall pay a minimum of the lesser of the following:

A. The cost of the repair of the collateral less a maximum deductible of two hundred dollars (\$200) computed as a minimum deductible of one hundred dollars (\$100) plus twenty percent (20%) of the next five hundred dollars (\$500);

B. The actual cash value of the collateral; or

C. The outstanding net balance of the credit transaction, provided, however, if the net outstanding balance is less than one thousand dollars (\$1,000), then the coverage shall be the lesser of that described in subparagraph (3)(B)2.A. or B.;

3. Physical damage to the automobile will be covered under the terms of the policy without being predicated upon the default or delinquency of the debtor or the repossession of the vehicle; and

4. The substance in narrative form of the statement in 20 CSR 500-1.700(6).

(C) Each insurance company, reciprocal, interinsurance exchange or other legal entity doing business subject to this regulation shall be responsible for the continuing training and actions of its insurance producers, as stated in 20 CSR 500-4.100(7).

(4) Policy Requirements. No policy may be used within the scope of this regulation which predicates the insurer's liability upon the default or delinquency in payments by the debtor or upon the repossession of the vehicle. All policies written under it must meet the intent of this regulation to which end the director will consider substance over form in any determination of conformity.

(5) Premium Rates and Schedules of Premium Rates. All premium rates and all schedules of premium rates pertaining to policies of insurance delivered or issued for delivery in this state shall be filed with the



director prior to their use in this state. The director shall approve any rate or schedules of premium rates if s/he finds that the rates or schedule of premium rates are reasonable in relation to the benefits provided under the policies of insurance. A premium rate or schedule of premium rates shall be presumed to be reasonable for purposes of this section if the rate or schedule of rates produces or may reasonably be expected to produce a loss ratio of sixty percent (60%) or greater.

*AUTHORITY: sections 303.200, 365.080, 367.170, 374.045, 375.936 and 408.280, RSMo 2000.\* This rule was previously filed as 4 CSR 190-17.080. Original rule filed Dec. 20, 1974, effective Dec. 30, 1974. Amended: Filed Dec. 23, 1975, effective Jan. 2, 1976. Amended: Filed Aug. 4, 1989, effective Dec. 1, 1989. Amended: Filed Jan. 13, 1995, effective July 30, 1995. Amended: Filed July 12, 2002, effective Jan. 30, 2003.*

*\*Original authority: 303.200, RSMo 1953; 365.080, RSMo 1963, amended 1989; 367.170, RSMo 1951, amended 1984; 374.045, RSMo 1967, amended 1993, 1995; 375.936, RSMo 1959, amended 1967, 1969, 1971, 1976, 1978, 1983, 1991; and 408.280, RSMo 1961, amended 1989.*

## 20 CSR 500-2.500 Mobile Homes as Collateral

*PURPOSE: This regulation requires certain policy provisions in insurance on mobile homes which are loan collateral. This regulation was adopted pursuant to section 374.045 and implements sections 365.080, 367.170, 375.936, 379.400, 379.470 and 408.280, RSMo.*

### (1) Definitions.

#### (A) Mobile home includes:

1. Mobile home, any manufactured housing unit, transportable on its own chassis, axle and wheels, designed for permanent occupancy when connected to utilities;

2. Travel trailer, any manufactured recreational vehicle, transportable on its own chassis, axle and wheels when towed by a motor vehicle, designed for temporary occupancy, to include a camper trailer; and

3. Motor home, any self-propelled, licensed, registered motor vehicle, designed for use principally on the public right-of-way as a recreational vehicle and designed to provide temporary living quarters, including truck-mounted camper units.

(B) Dual interest as used shall mean a policy of insurance in which the interests of the lien-holder/vendor and the named insured debtor/borrower are each insured as their interest may appear. Coverage for the debtor

shall not be less than the standard fire policy with extended coverage endorsements. Vendors' single interest may be written in conjunction with and incidental to a dual interest policy.

(C) Vendors'/lenders' single interest shall be an incidental coverage written in conjunction with a dual interest policy. This vendors' single interest coverage may include conversion, secretion, embezzlement, collision and repossession return expense coverages.

### (2) Substantial Protection Required.

(A) Vendors'/lenders' single interest may not be written on mobile homes as a separate policy. It only may be written as a portion of a dual interest policy protecting the interests of the debtor/borrower and the creditor as they may appear.

(B) Lienholders, or sellers of mobile homes, or both, may not be listed as additional insureds or appear in any other manner as insureds on a policy insuring the mobile home where the policy is purchased by the owner of the mobile home. They may be named in a loss payable clause as a payee or be a payee under the vendors'/lenders' single interest portion of that policy.

(C) No policy subject to this regulation may be written unless it covers substantially the actual cash value of the mobile home, except for the vendors'/lenders' single interest portion of that policy which may be measured by the loan balance payable.

(3) Consumers' Rights, Rates and Training. Insurers doing business subject to this regulation shall comply with the following sections of 20 CSR 500-1.700 to foster open competition among the insurers: section (4) Consumers' Rights, to include providing full and fair written notice of these rights before the underlying mobile home credit transaction is consummated; section (5) Rates; and section (7) Training Required, to include the proper application of rates to each risk.

(4) Premium Rates and Schedules of Premium Rates. All premium rates and all schedules of premium rates pertaining to policies of insurance delivered or issued for delivery in this state shall be filed with the director prior to their use in this state. The director shall approve any rate or schedules of premium rates if s/he finds that the rates or schedule of premium rates are reasonable in relation to the benefits provided under the policies of insurance. A premium rate or schedule of premium rates shall be presumed to be reasonable for purposes of this section if the rate or schedule of rates produces or

may reasonably be expected to produce a loss ratio of sixty percent (60%) or greater.

*AUTHORITY: sections 303.200, 365.080, 367.170, 374.045, 375.936 and 408.280, RSMo 1994.\* This rule was previously filed as 4 CSR 190-17.090. Original rule filed Dec. 20, 1974, effective Dec. 30, 1974. Amended: Filed Aug. 4, 1989, effective Dec. 1, 1989. Amended: Filed Jan. 13, 1995, effective July 30, 1995.*

*\*Original authority: 303.200, RSMo 1953; 365.080, RSMo 1963, amended 1989; 367.170, RSMo 1951, amended 1984; 374.045, RSMo 1967, amended 1993; 375.936, RSMo 1959, amended 1967, 1969, 1971, 1976, 1978, 1983, 1991; and 408.280, RSMo 1961, amended 1989.*

## 20 CSR 500-2.600 Rate Increases

*PURPOSE: This regulation specifies one form of unfair discrimination in modification of rates applicable to policies of automobile insurance where the claim under the policy is not due to the fault of the operator. This regulation was adopted pursuant to provisions of section 374.045 and implements section 379.470, RSMo.*

(1) Rate Modification Prohibited. Any rating plan or rating system shall be considered unfairly discriminatory within the meaning of section 379.470, RSMo if the rating plan or rating system increases the insured's automobile insurance premium as a result of an accident for which a claim is made upon the insured's policy under the following circumstances:

(A) The insured automobile was lawfully parked (an automobile rolling from a parked position shall not be considered as lawfully parked, but shall be considered as being operated by the last operator);

(B) The insured or other operator residing in the same household or owner has been reimbursed by or on behalf of a person responsible for the accident or has judgment against that person;

(C) The insured automobile was struck in the rear by another vehicle and the insured operator has not been convicted of a moving traffic violation in connection with the accident;

(D) The operator of the other automobile involved in the accident was convicted of a moving traffic violation and the insured operator was not convicted of a moving traffic violation in connection with the accidents;

(E) The insured automobile was damaged as a result of contact with a hit-and-run driver if the insured or other operator so reports the accident to the proper authorities within



twenty-four (24) hours after discovery of the accident;

(F) Accidents involving damage by contact with animals or fowl;

(G) Accidents involving physical damage limited to and caused by flying gravel, missiles or falling objects; or

(H) Accidents occurring as a result of the operation of any automobile in response to an emergency if the operator at the time of the accident was responding to a call of duty as a paid or volunteer member of any police or fire department, first-aid squad or any law enforcement agency.

(2) Any premium notice sent by an insurer which increases the premium payable under policies of automobile insurance as a result of accident claims made under these policies shall be accompanied by a notice which shall specifically state the reasons for the increase in premiums and the percentage or dollar amount of this increase which is applicable to accident claims made under these policies. All these notices as required shall be submitted to this department prior to their use in this state to assure compliance with this regulation.

(3) In no event shall an insurer request an increase in premium from any insured in connection with any claim arising out of any accident for which the insured was not at fault. In connection with any accident caused by the insured, an insurer may request an increase in premium as a result of payment by an insurer to or on behalf of the insured in settlement of any claim made by or against the insured.

*AUTHORITY: sections 374.045 and 379.470, RSMo 1986.\* This rule was previously filed as 4 CSR 190-17.100. Original rule filed April 13, 1978, effective Aug. 11, 1978. Amended: Filed Aug. 16, 1979, effective Nov. 15, 1979.*

*\*Original authority: 374.045, RSMo 1967, amended 1993, 1995 and 379.470, RSMo 1947.*

### **20 CSR 500-2.700 Experience of Comprehensive, Uninsured Motorists, Fire, Theft and C.A.C.**

*PURPOSE: This regulation specifies one form of unfair discrimination in modification of rates for comprehensive, uninsured motorists, fire, theft and combined additional coverages auto coverage. This regulation was adopted pursuant to the provisions of section 374.045, RSMo and implements section 379.470, RSMo.*

(1) Rate Modification Prohibited. Any rating plan or rating system which modifies the insured's automobile insurance premium charged for uninsured motorist coverage, comprehensive coverage or fire, theft and combined additional coverages (C.A.C.) or any combination based upon any insured's driving record of violations or accidents shall be considered unfairly discriminatory within the meaning of section 379.470, RSMo.

(2) Scope and Application. This regulation shall not be construed so as to apply to rating programs involving insurance upon fleets of vehicles.

(3) Effective Date. All existing rating plans or rating systems affected by this regulation must be amended to comply not later than July 1, 1976. No new rating plans or rating systems may provide for rate modification so defined and prohibited.

*AUTHORITY: sections 374.045 and 379.470, RSMo 1986.\* This rule was previously filed as 4 CSR 190-16.090. Original rule filed Dec. 23, 1975, effective Jan. 2, 1976. Amended: Filed April 13, 1978, effective Aug. 11, 1978.*

*\*Original authority: 374.045, RSMo 1967, amended 1993, 1995 and 379.470, RSMo 1947.*