

CHAPTER 3

AUTOMOBILE INSURANCE

Authority

N.J.S.A. 17:1C-6(e) and 17:1-8.1.

Source and Effective Date

R.1996 d.58, effective January 4, 1996.
See: 27 N.J.R. 3682(a), 28 N.J.R. 855(a).

Executive Order No. 66(1978) Expiration Date

Chapter 3, Automobile Insurance, expires on January 4, 2001.

Chapter Historical Note

Chapter 3, New Jersey Automobile Insurance Plan, became effective January 31, 1972 as R.1972 d.20. See: 3 N.J.R. 223(d), 4 N.J.R. 49(d). Subchapter 7, Automobile Reparation Reform Act, became effective December 4, 1972 as R.1972 d.244. See: 4 N.J.R. 270(a), 5 N.J.R. 13(c).

1973 Revisions: Amendments became effective January 3, 1973 as R.1973 d.3. See: 4 N.J.R. 307(a), 5 N.J.R. 47(d). Further amendments became effective January 25, 1973 as R.1973 d.30. See: 4 N.J.R. 305(b), 5 N.J.R. 48(a). Further amendments became effective January 26, 1973 as R.1973 d.35. See: 5 N.J.R. 20(b). Further amendments became effective May 31, 1973 as R.1973 d.140. See: 5 N.J.R. 150(a), 5 N.J.R. 229(b). Further amendments became effective August 31, 1973. See: 5 N.J.R. 350(b). Further amendments became effective December 4, 1973 as R.1973 d.337. See: 6 N.J.R. 15(d).

1974 Revisions: Amendments became effective July 24, 1974 as R.1974 d.208. See: 6 N.J.R. 322(b).

1975 Revisions: Amendments became effective July 1, 1975 as R.1975 d.130. See: 7 N.J.R. 113(a), 7 N.J.R. 276(d).

1976 Revisions: Subchapter 10, Auto Physical Damage Claims, became effective May 1, 1976 as R.1976 d.46 and R.1976 d.47. See: 8 N.J.R. 38(b), 8 N.J.R. 136(b). Amendments became effective October 18, 1976 as R.1976 d.328. See: 8 N.J.R. 421(a), 8 N.J.R. 516(a). Further amendments became effective November 22, 1976 as R.1976 d.371. See: 8 N.J.R. 481(b), 8 N.J.R. 559(c).

1977 Revisions: Amendments became effective March 23, 1977 as R.1977 d.100. See: 9 N.J.R. 178(b). Further amendments became effective March 31, 1977 as R.1977 d.114. See: 9 N.J.R. 127(a), 9 N.J.R. 239(a).

1978 Revisions: Amendments became effective January 1, 1978 as R.1977 d.437. See: 9 N.J.R. 435(d), 9 N.J.R. 586(b). Further amendments became effective January 19, 1978 as R.1978 d.12. See: 9 N.J.R. 585(c), 10 N.J.R. 69(c).

1979 Revisions: Amendments became effective August 17, 1979 as R.1979 d.155. See: 11 N.J.R. 142(a), 11 N.J.R. 250(a).

1982 Revisions: Amendments became effective August 16, 1982 as R.1982 d.246. See: 14 N.J.R. 543(b), 14 N.J.R. 917(d).

1983 Revisions: Subchapter 8, Nonrenewal of Automobile Insurance Policies, was readopted effective June 6, 1983 as R.1983 d.190. See: 15 N.J.R. 231(a), 15 N.J.R. 927(a). Subchapter 12, Automobile Rate Filers: Flattening of Premium Taxes and Assessments Made for the Unsatisfied Claim and Judgement Fund, became effective October 3, 1983 as R.1983 d.424. See: 15 N.J.R. 1170(a), 15 N.J.R. 1666(a). Subchapter 13, Automobile Rate Filers: Deductibles for Private Passenger Automobile Collision and Comprehensive Coverage, became effective October 17, 1983 as R.1983 d.467. See: 15 N.J.R. 1342(a), 15 N.J.R. 1769(b). Subchapter 6, Insurance Identification Card, was

readopted effective December 29, 1983 as R.1983 d.648. See: 15 N.J.R. 1919(a), 16 N.J.R. 145(c).

1984 Revisions: Sections 13.3, 13.4 and 13.5 were originally amended as an emergency amendment effective January 4, 1984 as R.1984 d.3. See: 15 N.J.R. 1961(a), 16 N.J.R. 246(c). Amendments became effective January 17, 1984 as R.1983 d.648. See: 15 N.J.R. 1919(a), 16 N.J.R. 145(c). Public Notice for automobile insurance written notice/buyer's guide coverage selection form as contained in Subchapter 15. See: 16 N.J.R. 254(d). Subchapter 15, Standards for Written Notice: Buyer's Guide and Coverage Selection Form, became effective April 2, 1984 as R.1984 d.114. See: 15 N.J.R. 2142(a), 16 N.J.R. 733(a). Subchapter 14, Personal Injury Protection Options, became effective April 2, 1984 as R.1984 d.116. See: 15 N.J.R. 2139(a), 16 N.J.R. 730(b). Subchapter 7 was scheduled to expire August 17, 1984. The Governor granted a waiver of the scheduled expiration date from August 17, 1984 to November 15, 1984. On November 15, 1984, the Governor granted a second waiver from November 15, 1984 to February 13, 1985. Amendments became effective November 5, 1984 as R.1984 d.480. See: 16 N.J.R. 1692(a), 16 N.J.R. 3037(b).

1985 Revisions: Subchapter 7 was readopted pursuant to Executive Order No. 66(1978) effective February 13, 1985 with amendments effective March 18, 1985. See: 17 N.J.R. 43(a), 17 N.J.R. 707(b). Further amendments became effective February 19, 1985 (operative April 22, 1985) as R.1985 d.72. See: 16 N.J.R. 3285(a), 17 N.J.R. 458(c). Subchapter 17, Rating Organizations, became effective October 6, 1985 as R.1985 d.609. See: 16 N.J.R. 2936(a), 17 N.J.R. 2905(a). Further amendments became effective December 16, 1985 as R.1985 d.629. See: 16 N.J.R. 3170(a), 17 N.J.R. 2988(a).

1986 Revisions: Pursuant to Executive Order No. 66(1978), Chapter 3, Automobile Insurance was readopted effective January 6, 1986 (operative May 6, 1986) as R.1985 d.654. See: 16 N.J.R. 3286(a), 17 N.J.R. 89(b). Subchapter 20, Reporting Financial Disclosure and Excess Profit Reports, became effective April 7, 1986 as R.1986 d.111. See: 17 N.J.R. 2597(a), 18 N.J.R. 692(a). Subchapter 8, Nonrenewal of Automobile Insurance Policies, was revised effective October 6, 1986 as R.1986 d.418. See: 18 N.J.R. 1079(a), 18 N.J.R. 2039(a). Subchapter 17, Rating Organizations, was repealed and new rules became effective October 6, 1986 as R.1986 d.419. See: 18 N.J.R. 1171(b), 18 N.J.R. 2045(a). Subchapter 22, Coverage Option Survey: Personal Injury Protection and Tort Threshold Options, became effective November 17, 1986 as R.1986 d.463. See: 18 N.J.R. 1344(b), 18 N.J.R. 2329(a).

1987 Revisions: Subchapter 7 was extensively revised effective March 16, 1987 as R.1987 d.140. See: 19 N.J.R. 44(a), 19 N.J.R. 453(a). Sections 1 through 4 were repealed, section 5 was recodified to section 6 and new rules were adopted for sections 1 through 5. As part of R.1987 d.142, section 13.3 was amended, effective March 16, 1987. See: 19 N.J.R. 46(a), 19 N.J.R. 455(a). Further amendments became effective June 15, 1987 as R.1987 d.249. See: 18 N.J.R. 2415(a), 19 N.J.R. 1096(a). Subchapter 23, Dangerous Drivers or Drivers with Excessive Claims, became effective December 21, 1987 as R.1987 d.527. See: 19 N.J.R. 1880(a), 19 N.J.R. 2403(b). Public Notice: Recission of Circular Letter # 75. See: 19 N.J.R. 570(e).

1989 Revisions: Subchapter 26, Accident Claims; Subchapter 27, Unsatisfied Claim and Judgement Fund Board; and Subchapter 28, Unsatisfied Claim and Judgement Fund's Reimbursement of Excess Medical Expense Benefits Paid by Insurers, were adopted as new rules by R.1989 d.268, effective May 15, 1989. See: 21 N.J.R. 688(a), 21 N.J.R. 1363(a). Subchapter 20, Reporting Financial Disclosure and Excess Profit Reports, was repealed and replaced by R.1989 d.277, effective May 15, 1989. See: 21 N.J.R. 667(b), 21 N.J.R. 1335(a), 21 N.J.R. 1517(b). Subchapter 24, Policy Constants; and Subchapter 25, Residual Market Equalization Charges (RMECs), were adopted as new rules by R.1989 d.278, effective May 15, 1989. See: 20 N.J.R. 3104(a), 21 N.J.R. 1358(b). Subchapter 20A, Standard Limiting Effect of Negative Excess Investment Income in the Computation of Excess Profits, was adopted as new rules by R.1989 d.306, effective June 5, 1989. See: 21 N.J.R. 842(a), 21 N.J.R. 1517(c). Subchapter 17,

Rating Organizations, was repealed by R.1989 d.328, effective June 19, 1989. See: 21 N.J.R. 973(a), 21 N.J.R. 1708(a). Subchapter 30, Motor Vehicle Self-Insurance, was adopted as new rules by R.1989 d.584, effective November 20, 1989. See: 21 N.J.R. 2876(a), 21 N.J.R. 3666(b).

1990 Revisions: Subchapter 31, Examination of the Financial Experience of Private Passenger Automobile Insurers, was adopted as new rules by R.1990 d.108, effective February 5, 1990. See: 21 N.J.R. 3726(a), 22 N.J.R. 425(a). Subchapter 18, Private Passenger Automobile Insurance: Rate Filing Review Procedures, was adopted as new rules by R.1990 d.109, effective February 5, 1990. See: 21 N.J.R. 3422(b), 22 N.J.R. 421(a). Subchapter 16, Rate Filing Requirements: Voluntary Market Private Passenger Automobile Insurance, was adopted as new rules by R.1990 d.116, effective February 5, 1990. See: 21 N.J.R. 2182(a), 22 N.J.R. 399(a). Subchapter 1, Provisions and Operations, was repealed and replaced by Subchapter 1, Commercial Automobile Insurance Plan, by R.1990 d.118, effective February 5, 1990. See: 21 N.J.R. 3613(a), 22 N.J.R. 392(b). Subchapter 16A, Flex Rate Percentage Calculations for Private Passenger Automobile Insurance, was adopted as new rules by R.1990 d.161, effective March 19, 1990. See: 21 N.J.R. 3719(a), 22 N.J.R. 963(a). Amendments to Subchapter 31 were adopted as R.1990 d.290, effective June 4, 1990. See: 22 N.J.R. 1026(a), 22 N.J.R. 1725(b). Subchapter 34, Eligible Persons Qualifications and Automobile Insurance Eligibility Points Schedule, was adopted as emergency new rules by R.1990 d.620, effective November 26, 1990 (operative April 1, 1991). See: 22 N.J.R. 3847(a). Subchapter 36, Automobile Physical Damage Insurance Inspection Procedures, was adopted as emergency new rules by R.1990 d.622, effective November 26, 1990 (operative March 1, 1991). See: 22 N.J.R. 3861(a). Subchapter 38, Towing and Storage Fee Schedule, was adopted as emergency new rules by R.1990 d.623, effective November 26, 1990 (operative January 1, 1991). See: 22 N.J.R. 3874(a). Subchapter 29, Medical Fee Schedules: Automobile Insurance Personal Injury Protection Coverage, was adopted as emergency new rules by R.1990 d.624, effective November 26, 1990 (operative January 1, 1991). See: 22 N.J.R. 3809(a). Subchapter 37, Order of Benefit Determination Between Automobile Personal Injury Protection and Health Insurance, was adopted as emergency new rules by R.1990 d.625, effective November 26, 1990. See: 22 N.J.R. 3777(a). Subchapter 35, Private Passenger Automobile Insurance Underwriting Rules, was adopted as emergency new rules by R.1990 d.627, effective November 26, 1990. See: 22 N.J.R. 3856(a). Subchapter 19, Standard/Non-Standard Rating Plans, was adopted as emergency new rules by R.1990 d.628, effective November 26, 1990. See: 22 N.J.R. 3804(a).

1991 Revisions: Pursuant to Executive Order No. 66(1978), Chapter 3 was readopted as R.1991 d.45, effective January 4, 1991, with amendments effective February 4, 1991. As part of R.1991 d.45, Subchapters 2 through 5, concerning the Automobile Insurance Plan (AIP), were repealed effective February 4, 1991. See: 22 N.J.R. 1678(a), 23 N.J.R. 306(b). Subchapter 37 was readopted as R.1991 d.90, effective January 25, 1991, with changes effective February 19, 1991. See: 22 N.J.R. 3777(a), 23 N.J.R. 597(a). Subchapter 19 was readopted as R.1991 d.92, effective January 25, 1991, with changes effective February 19, 1991. See: 22 N.J.R. 3804(a), 23 N.J.R. 532(a). Subchapter 34 was readopted as R.1991 d.93, effective January 25, 1991 (operative April 1, 1991), with changes effective February 19, 1991. See: 22 N.J.R. 3847(a), 23 N.J.R. 572(a). Subchapter 35 was readopted as R.1991 d.94, effective January 25, 1991, with changes effective February 19, 1991. See: 22 N.J.R. 3856(a), 23 N.J.R. 577(a). Subchapter 36 was readopted as R.1991 d.95, effective January 25, 1991 (operative October 1, 1992), with changes effective February 19, 1991. See: 22 N.J.R. 3861(a), 23 N.J.R. 579(a), 23 N.J.R. 1132(c). Subchapter 29 was readopted as R.1991 d.96, effective January 15, 1991, with changes effective February 19, 1991. See: 22 N.J.R. 3809(a), 23 N.J.R. 536(a). Subchapter 38 was readopted as R.1991 d.97, effective January 25, 1991, with changes effective February 19, 1991. See: 22 N.J.R. 3874(a), 23 N.J.R. 592(a). Subchapter 24, Policy Constants, was repealed by R.1991 d.216, effective April 15, 1991. See: 22 N.J.R. 3441(a), 23 N.J.R. 1132(a). Subchapter 25, Residual Market Equalization Charges (RMECs), was repealed by R.1991 d.217, effective April 15, 1991. See: 22 N.J.R. 3442(a), 23 N.J.R. 1132(b). Subchapter 39, Reductions in Premium Charges for Private Passenger Automobiles Equipped with Anti-Theft, Vehicle Recovery and Safety Features, was adopted as new rules by R.1991 d.363, effective July 15, 1991 (operative September 1, 1991). See: 23 N.J.R. 384(a), 23 N.J.R. 2144(a).

1992 Revisions: Subchapter 33, Appeals from Denial of Automobile Insurance, was adopted as new rules by R.1992 d.192, effective April 30, 1992. See: 24 N.J.R. 546(a), 24 N.J.R. 1510(a). Subchapter 40, Insurers Required to Provide Automobile Insurance Coverage to Eligible Persons, was adopted as new rules by R.1992 d.207, effective May 4, 1992. See: 23 N.J.R. 3736(a), 24 N.J.R. 336(a), 24 N.J.R. 1796(b). Subchapter 2, New Jersey Personal Automobile Insurance Plan, was adopted as new rules by R.1992 d.370, effective September 21, 1992. See: 24 N.J.R. 331(a), 24 N.J.R. 3400(a). Subchapter 3, Limited Assignment Distribution Servicing Carriers, was adopted as new rules by R.1992 d.371, effective September 21, 1992. See: 24 N.J.R. 519(a), 24 N.J.R. 3414(a). Subchapter 42, Producer Assignment Program, was adopted as emergency new rules by R.1992 d.381, effective September 4, 1992 (expires November 3, 1992). See: 24 N.J.R. 3421(a). Subchapter 42 was readopted as R.1992 d.482, effective November 2, 1992, with changes effective December 7, 1992. See: 24 N.J.R. 3421(a), 24 N.J.R. 4397(a).

1993 Revisions: Subchapter 44, Special Rules for Effecting Coverage for Private Passenger Automobile Insurance, was adopted as emergency new rules by R.1993 d.135, effective March 1, 1993 (operative March 8, 1993; expires April 30, 1993). See: 25 N.J.R. 1290(a). Subchapter 44 was readopted as R.1993 d.238, effective April 30, 1993. See: 25 N.J.R. 1290(a), 25 N.J.R. 2479(a).

1994 Revisions: Subchapter 2B, Market Transition Facility of New Jersey Suspension of Claims, was adopted as emergency new rules by R.1994 d.164, effective March 1, 1994 (expires April 30, 1994). See: 26 N.J.R. 1393(a). Subchapter 2B was readopted as R.1994 d.261, effective April 29, 1994. See: 26 N.J.R. 1393(a), 26 N.J.R. 2288(a). Subchapter 32, Certification of Compliance: Mandatory Liability Coverages, was adopted as new rules by R.1994 d.477, effective September 19, 1994. See: 26 N.J.R. 1939(a), 26 N.J.R. 3866(a).

1995 Revisions: Subchapter 31, Examination of the Financial Experience of Private Passenger Automobile Insurers, was repealed by R.1995 d.171, effective March 20, 1995. See: 27 N.J.R. 41(a), 27 N.J.R. 1190(b). Subchapter 45, Insurers Required to Provide Survey Information, was adopted as new rules by R.1995 d.235, effective May 1, 1995. See: 27 N.J.R. 289(a), 27 N.J.R. 1803(a).

1996 Revisions: Pursuant to Executive Order No. 66(1978), Chapter 3 was readopted as R.1996 d.58, effective January 4, 1996, with amendments effective February 5, 1996. As part of R.1996 d.58, Subchapter 2A, New Jersey Automobile Full Insurance Underwriting Association Claims Payment Deferral; Subchapter 3, Limited Assignment Distribution Servicing Carriers; and Subchapter 23, Dangerous Drivers or Drivers with Excessive Claims, were repealed effective February 5, 1996. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. COMMERCIAL AUTOMOBILE INSURANCE PLAN

11:3-1.1 Purpose and scope

(a) The purpose of this subchapter is to establish a plan pursuant to N.J.S.A. 17:29D-1:

1. To provide the coverages described herein, subject to the conditions stated, for motor vehicles other than those vehicles subject to the New Jersey Personal Automobile Insurance Plan and any private passenger vehicle that is owned by or driven by a person who meets the definition of an eligible person pursuant to N.J.S.A. 17:33B-13 and N.J.A.C. 11:3-34;

2. To provide for the apportionment of insurance coverage for eligible applicants who are in good faith entitled to but are unable to procure the same, through the voluntary market; and

3. To establish a procedure for the sharing of premiums, losses, and expenses among all insurers who are participants in New Jersey as defined within this subchapter for all risks eligible for coverage under the provisions of this subchapter.

Amended by R.1996 d.58, effective February 5, 1996.
See: 27 N.J.R. 3682(a), 28 N.J.R. 855(a).
Amended by R.1996 d.502, effective October 21, 1996.
See: 27 N.J.R. 4489(a), 28 N.J.R. 4586(a).

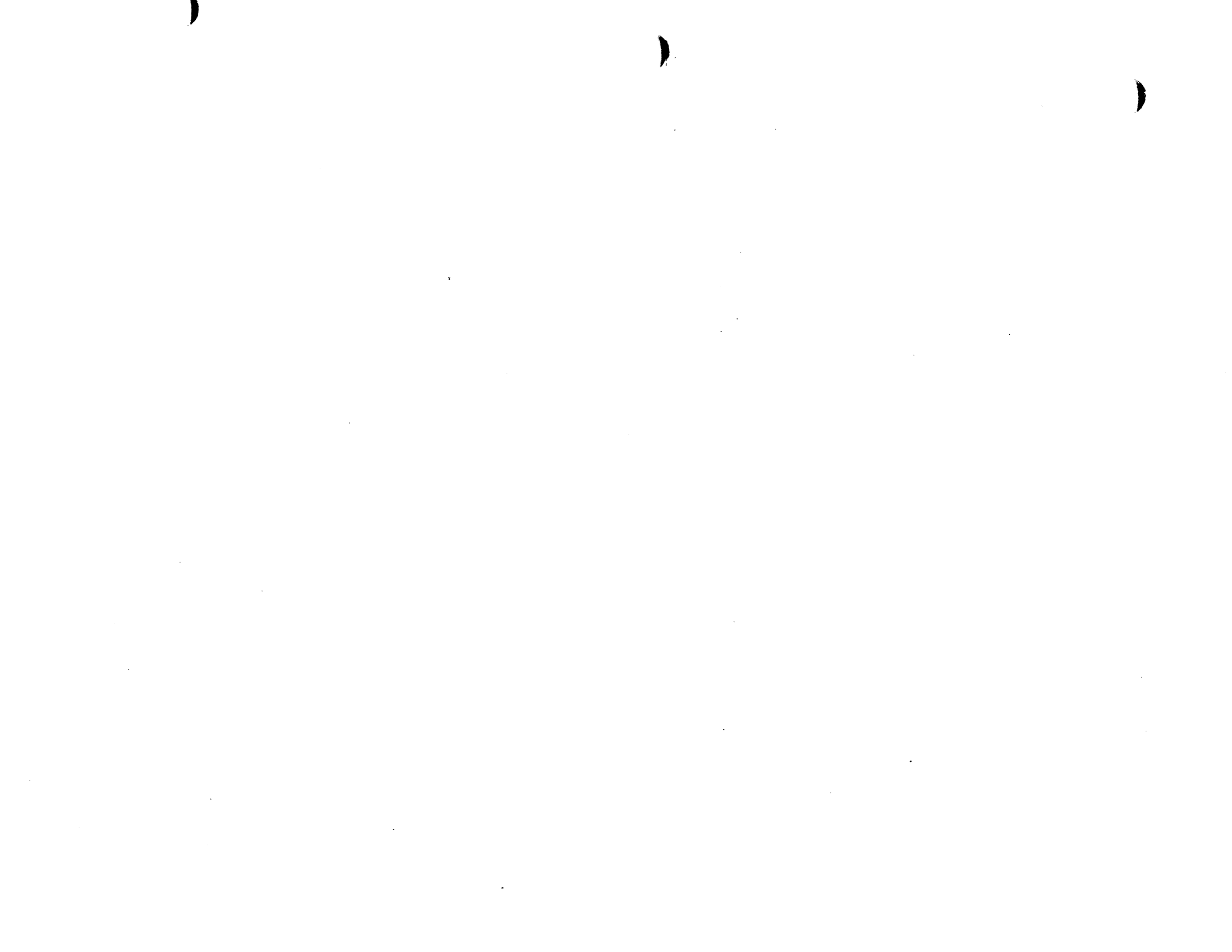
11:3-1.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

“CAIP” means the Commercial Automobile Insurance Plan pursuant to this subchapter.

“CAIP manager” means the entity employed by the Governing Committee to manage and conduct the administrative affairs of the CAIP on a daily basis.

“Commissioner” means the Commissioner of the New Jersey Department of Insurance.



Amended by R.1991 d.17, effective January 7, 1991.
 See: 22 N.J.R. 2082(b), 23 N.J.R. 106(a).
 Amended by R.1992 d.254, effective June 15, 1992.
 See: 24 N.J.R. 529(a), 24 N.J.R. 2264(a).
 Appendix deleted and replaced with new appendix
 Amended by R.1994 d.24, effective January 3, 1994.
 See: 25 N.J.R. 1829(a), 26 N.J.R. 241(a).
 Amended by R.1996 d.58, effective February 5, 1996.
 See: 27 N.J.R. 3682(a), 28 N.J.R. 855(a).
 Repeal and New Rule, R.1996 d.312, effective July 15, 1996.
 See: 28 N.J.R. 1616(a), 28 N.J.R. 3627(b).
 Administrative correction.
 See: 28 N.J.R. 3798(b).

SUBCHAPTER 20A. (RESERVED)

Subchapter Historical Note

Subchapter 20A, Standard Limited Effect of Negative Excess Investment Income in the Computation of Excess Profits, was repealed by R.1996 d.312, effective July 15, 1996. See: 28 N.J.R. 1616(a), 28 N.J.R. 3627(b).

SUBCHAPTER 21. PERSONAL INJURY PROTECTION COVERAGE REDUCED PIP PREMIUM CHARGE FOR ADDITIONAL AUTOS IN ONE-DRIVER HOUSEHOLDS

11:3-21.1 Purpose

The purpose of this rule is to implement N.J.S.A. 39:6A-4.1, which provides for reduced personal injury protection premiums for additional automobiles in one-driver households.

11:3-21.2 Reduction of PIP premium

(a) In any instance where a named insured is the owner, the only designated operator of two or more automobiles insured by the same insurer under one or more policies, and the only licensed driver residing in the household, the full basic PIP rate shall be charged on one automobile, and a percentage discount shall be given on the PIP premium charge on each additional auto. For the three-year period commencing with the operative date of this rule, the premium reduction shall be at least 50 percent of the approved charge for the applicable territory of garaging for the additional automobile(s), exclusive of expense fees and policy constants or residual market equalization charges.

11:3-21.3 Automobiles eligible for premium reduction

(a) Except as provided in paragraph 1 below, the reduced premiums shall only apply to a private passenger automobile

of a private passenger or station wagon type that is owned or hired by an individual or by husband and wife who are residents of the same household and is neither used as a public or livery conveyance for passengers nor rented to others with a driver; and a motor vehicle with a pick-up body, a delivery sedan, a van, or a panel truck or a camper type vehicle used for recreational purposes owned by an individual or by husband and wife who are residents of the same household, not customarily used in the occupation, profession or business of the insured other than farming or ranching. An automobile owned by a farm family copartnership or corporation which is principally garaged on a farm or ranch and otherwise meets the definitions contained in this section, shall be considered a private passenger automobile owned by two or more relatives resident in the same household.

1. The reduced premium shall not apply to automobiles for which the basic PIP premium charge is less than \$25.00, exclusive of expense fees and policy constants or residual market equalization charges, and which are of the following types:

- i. Automobiles 10 years or older and maintained primarily for use in exhibitions, parades and club activities, or
- ii. A self-propelled vehicle with a living area that is an integral part of the chassis or a pick-up with a permanently attached camper body.

(b) A reduced premium charge for PIP coverage as specified in (a) above shall apply to all policies which are in force, issued or renewed on or after the operative date of this rule.

1. With respect to in force policies, the insurer shall calculate the reduce premium charge in (a) above, and shall issue a refund check in this amount to the insured or apply a credit in this amount to the insured's renewal policy.

- i. In the event a policy is nonrenewed or otherwise terminated prior to renewal, the insurer shall calculate a return premium in accordance with the operative date of this rule and the effective termination date of the policy. The insurer shall issue a refund check in this amount to the insured.

11:3-21.4 Filing and statistical requirements

(a) Each automobile filer shall, within 60 days of the effective date of this rule, submit to the Commissioner for approval filings of rates and manual rules for implementing the reduced PIP premium charges for additional automobiles required by this rule.



1. Each statistical organization shall, within 60 days of the effective date of this rule, submit to the Commissioner for approval amendments to its statistical plan designed to effectuate the purposes of N.J.S.A. 39:6A-4.1 and this subchapter.

(b) Every insurer, rating organization and statistical organization shall segregate and maintain the exposure, premium, loss and expense statistics with respect to the payment of PIP benefits that are attributable to additional automobiles in one-driver households.

1. Any loss or loss adjustment expense for a PIP claim shall be charged to the automobile for which the full premium was paid unless the injury was sustained while in the automobile with the reduced PIP premium.

(c) Every insurer, rating organization and statistical organization shall amend their statistical plans to segregate and maintain the exposure, premium, loss and expense statistics with respect to the payment of PIP benefits that are attributable to households in which the number of automobiles insured by the same insurer exceeds the number of licensed drivers customarily operating such automobiles.



(d) The statistics required in (b) and (c) above shall be subject to examination by the Commissioner or his or her designee and shall be reported annually to the Department.

(e) Three years after the operative date of this rule, each automobile filer shall submit to the Commissioner for approval filings of rates or manual rules reflecting the actual loss experience of the filer with respect to the payment of PIP benefits which are attributable to additional automobiles described in 11:3-21.3.

(f) All filings submitted pursuant to this subchapter, and all changes and amendments thereto, shall be prepared in accordance with insurance laws and regulations, including the applicable provisions of N.J.S.A. 17:29A-1 et seq. and N.J.A.C. 11:1-2 and the Department's filing procedures.

Amended by R.1996 d.58, effective February 5, 1996.
See: 27 N.J.R. 3682(a), 28 N.J.R. 855(a).

SUBCHAPTER 22. COVERAGE OPTION SURVEY PERSONAL INJURY PROTECTION AND TORT THRESHOLD OPTIONS

11:3-22.1 Purpose

This subchapter requires the submission of data concerning policyholder selection of the various options provided under the New Jersey Automobile Insurance Freedom of Choice and Cost Containment Act of 1984 (N.J.S.A. 17:28-1.1) in order to monitor the implementation and effectiveness of the Act.

Amended by R.1989 d.267, effective May 15, 1989.
See: 21 N.J.R. 619(a), 21 N.J.R. 1358(a).
Added cite to P.L. 1988, c.119.
Amended by R.1996 d.58, effective February 5, 1996.
See: 27 N.J.R. 3682(a), 28 N.J.R. 855(a).

11:3-22.2 Scope

(a) This subchapter applies to every insurer authorized to transact the business of automobile insurance in this State.

(b) For the purpose of the reporting requirements of this subchapter, "automobile" means a private passenger automobile of a private passenger or station wagon type that is owned or hired by an individual and is neither used as a public or livery conveyance for passengers nor rented to others with a driver; and a motor vehicle with a pickup body, a delivery sedan, a van, or a panel truck or a camper type vehicle used for recreational purposes owned by an individual or husband and wife who are residents of the same household, not customarily used in the occupation, profession or business of the insured other than farming or

ranching. An automobile owned by a farm family copartnership or corporation, which is principally garaged on a farm or ranch and otherwise meets the definitions contained in this section, shall be considered an individually owned private passenger automobile owned by two or more relatives resident in the same household.

11:3-22.3 Coverage option survey requirements

(a) Every automobile insurer, on a biannual basis, shall complete and file with the Commissioner the coverage option survey required by this subchapter. The insurer's biannual survey shall reflect the total number of automobiles with in force coverage as of December 31 and as of June 30 of each year, and shall indicate the personal injury protection and lawsuit threshold or no threshold options selected with respect to each such automobile. Insurers shall use forms A and B, appended to and incorporated by reference in this subchapter, to report the information required by this section.

(b) Survey forms reflecting coverage option selections as of December 31 of each year shall be filed with the Commissioner by January 21 of that year. Survey forms reflecting coverage option selections as of June 30 of each year shall be filed with the Commissioner by July 22 of that year.

(c) Completed coverage option survey forms shall be submitted to:

Director of Public Affairs
State of New Jersey, Department of Insurance
20 West State Street
CN 325
Trenton, New Jersey 08625

(d) Companies may submit the data required by this rule on a group basis, provided that each company included in the group is identified on the coverage option survey forms.

(e) Insurers which act as servicing carriers for a residual market mechanism created by statute shall report directly to the Department only the coverage options selected by their voluntary policyholders. The options selected by residual market mechanism insureds shall be reported directly to the residual market mechanism.

(f) Failure to provide the data required by this subchapter by the due dates in (b) above will result in Departmental sanctions as authorized by law.

Amended by R.1991 d.45, effective February 4, 1991.
See: 22 N.J.R. 1678(a), 23 N.J.R. 306(b).

In (c): revised address; in (e) deleted NJAFIUA reference and added residual market mechanism text to subsection.

Form A
STATE OF NEW JERSEY—DEPARTMENT OF INSURANCE
AUTOMOBILE INSURANCE COVERAGE OPTION SURVEY

Company/Group: _____

Total Number of Automobiles with Insurance Policy Coverage in Force as of December 31 or June 30, 19

Options	Number of Automobiles
PIP Coverages for Medical Expenses Only	_____
PIP Medical Expense Benefits Deductible:	_____
\$ 250	_____
500	_____
\$1,000	_____
\$2,500	_____
Excess of \$250,000	_____
Health Insurance Primary for PIP	_____
Auto Insurance Primary for PIP	_____
Tort Threshold	_____
Lawsuit Threshold	_____
No Threshold	_____

Form B
STATE OF NEW JERSEY—DEPARTMENT OF INSURANCE
AUTOMOBILE INSURANCE COVERAGE OPTION SURVEY

Company/Group: _____

Total Number of Automobiles with Insurance Policy Coverage in Force as of December 31 or June 30, 19

PIP Option	Auto Insurance Primary Full PIP with		Auto Insurance Primary Medical PIP Only With		Health Insurance Primary Full PIP with	
	Lawsuit Threshold	No Threshold	Lawsuit Threshold	No Threshold	Lawsuit Threshold	No Threshold
\$250 deductible						
\$500 deductible						
\$1,000 deductible						
\$2,500 deductible						
Excess \$250,000						

Amended by R.1988 d.65, effective February 1, 1988.
See: 19 N.J.R. 2237(a), 20 N.J.R. 295(a).
Change of reporting dates for coverage option selections.
Amended by R.1989 d.267, effective May 15, 1989.
See: 21 N.J.R. 619(a), 21 N.J.R. 1358(a).
Changed "tort threshold" to "lawsuit threshold", added \$250 PIP Deductible to both forms.
Amended by R.1991 d.45, effective February 4, 1991.
See: 22 N.J.R. 1678(a), 23 N.J.R. 306(b).

Source and Effective Date
R.1997 d.14, effective January 6, 1997.
See: 28 N.J.R. 3876(a), 29 N.J.R. 132(a).

11:3-25.1 Purpose and scope

(a) The purpose of this subchapter is to implement N.J.S.A. 39:6A-5, as amended by P.L. 1995, c.407, by establishing procedures to be followed by treating medical providers to give timely notification of the commencement of medical treatment for injuries sustained in automobile accidents. The subchapter sets forth:

1. Time limits for the filing of notification of the commencement of treatment for PIP claims;
2. The actions to be taken upon failure to comply with the notification time limits, including reduction or denial of claim payments;
3. The factors to be considered in evaluation of a late notification; and
4. The rights of providers when payment is reduced or denied for failure to comply with the notification requirements.

SUBCHAPTERS 23 THROUGH 24. (RESERVED)

SUBCHAPTER 25. PRIVATE PASSENGER
AUTOMOBILE INSURANCE:
NOTIFICATION BY TREATING MEDICAL
PROVIDERS

Authority

N.J.S.A. 17:1-15e, 17:1-8.1 and N.J.S.A. 39:6A-5.

New Rule, R.1997 d.85, effective February 18, 1997.
See: 28 N.J.R. 5030(a), 29 N.J.R. 551(a).

SUBCHAPTER 27. UNSATISFIED CLAIM AND JUDGMENT FUND BOARD

11:3-27.1 Uninsured's current financial status

(a) Upon review of a case by the Unsatisfied Claim and Judgment Fund Board, if the Board does not have sufficient current information to determine whether or not the uninsured's installment payment is reasonable, a request will be addressed to the uninsured asking for a statement of current financial status.

(b) If the uninsured fails to furnish a completed statement of current financial status within a time period to be established by the executive director, the Unsatisfied Claim and Judgment Fund Board will request the Director of Motor Vehicles to suspend the license and all registrations of the uninsured pursuant to N.J.S.A. 39:5-30 and 39:5-87, for failure to furnish this information.

SUBCHAPTER 28. UNSATISFIED CLAIM AND JUDGMENT FUND'S REIMBURSEMENT OF EXCESS MEDICAL EXPENSE BENEFITS PAID BY INSURERS

11:3-28.1 Purpose and scope

(a) The purpose of this subchapter is to establish procedures to ensure that only appropriate, reimburseable claims are submitted to the Fund by insurers by requiring investigation of the medical necessity for certain claims; requiring the audit of claims of \$10,000 or more submitted by licensed providers of health care services or claims of \$25,000 or more by health care facilities; and requiring prior approval of claims for alterations to vehicles and residences. This subchapter also requires insurers to pursue the proper, alternative sources for reimbursement where such other sources of funds are available.

(b) This subchapter applies to all insurers authorized in this State to write the kinds of insurance specified in paragraphs d and e of N.J.S.A. 17:17-1.

Repeal and New Rule, R.1993 d.583, effective November 15, 1993.
See: 25 N.J.R. 2636(b), 25 N.J.R. 5219(a).

Section was "Notification of potential for payment of excess medical expense benefits".

11:3-28.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Board" means the Unsatisfied Claim and Judgment Fund Board created in accordance with N.J.S.A. 39:6-64.

"Diagnosis related groups" or "DRG" means a patient classification scheme in which cases are grouped by shared characteristics of principal diagnosis, secondary diagnosis, age, surgical procedure, and other complications. Each DRG exhibits a consistent amount of resource consumption as measured by some unit (for example, length of stay or dollars).

"Excess medical expense benefits" means medical expense benefits paid in accordance with N.J.S.A. 39:6A-4a which are in excess of \$75,000 resulting from personal injury to any one person in any one accident.

"Fund" means the Unsatisfied Claim and Judgment Fund established pursuant to N.J.S.A. 39:6-61 et seq.

"Health care facility" means a facility or institution, whether public or private, engaged principally in providing services for diagnosis of treatment of pain, injury, deformity or physical condition, including, but not limited to, a general hospital, special hospital, public health center, diagnostic center, treatment center, rehabilitation center, extended care facility, skilled nursing home, nursing home, intermediate care facility, outpatient clinic, dispensary or residential health care facility.

"Health care service" means the preadmission, outpatient, inpatient and postdischarge care provided in or by a health care facility, and such other items or services as are necessary for such care, which are provided by or under the supervision of a physician for the purpose of diagnosis or treatment of pain, injury, disability, deformity or physical condition, including, but not limited to, nursing service, home care nursing and other paramedical service, ambulance service, service provided by an intern, resident in training or physician whose compensation is provided through agreement with a health care facility, laboratory service, medical social service, drugs, biologicals, supplies, appliances, equipment, bed and board.

"Insurer" means any person authorized or admitted in this State to write the kinds of insurance specified in paragraphs d and e of N.J.S.A. 17:17-1.

"Licensed nursing personnel" or "licensed nurse" means a nurse licensed by the New Jersey State Board of Nursing or the equivalent from another jurisdiction.

"Medical expense benefits" means medical expense benefits paid in accordance with N.J.S.A. 39:6A-4a.

"Medically necessary" means services or supplies including tests or examinations that are needed for the medical care of a diagnosed injury. To be considered "needed" a service or supply must be ordered by a licensed physician and be commonly and customarily recognized throughout

the medical profession as appropriate in the treatment of the particular injury for which it was ordered. Neither educational, experimental nor investigational procedures will be deemed "needed" or "medically necessary" for purposes of these rules.

"Per diem" means a daily fixed charge which includes room and board and other fees for services and supplies.

"PIP coverage" means personal injury protection coverage as described at N.J.S.A. 39:6A-4.

"Person" means any individual, association, company, corporation, insurer, joint stock company, organization, partnership, society, syndicate, trust, any combination of the foregoing acting in concert or any other entity.

"Pre-screen" means an off-site review of the billings from a health care facility to determine whether the care given and amounts charged are appropriate.

"Provider" means any person that furnishes services or equipment for medical expense benefits for which payment is required to be made under PIP coverage in automobile insurance policies, but does not include health care facilities.

"Reimbursement" refers to reimbursement to insurers by the Fund as provided at N.J.S.A. 39:6-73.1.

"Uninsured motorist claims" means claims submitted against operators of uninsured vehicles and hit and run claims submitted pursuant to N.J.S.A. 39:6-61.

New Rule, R.1993 d.583, effective November 15, 1993.
See: 25 N.J.R. 2636(b), 25 N.J.R. 5219(a).
Amended by R.1994 d.597, effective December 5, 1994.
See: 26 N.J.R. 2190(a), 26 N.J.R. 4772(a).

11:3-28.3 Report of claims when the carrier has paid at least \$50,000 for medical expense benefits

In cases where the potential exposure to the automobile liability insurer exceeds \$75,000, the insurer shall report on UCJF Form 1(321) (incorporated herein by reference as Form 1 in Appendix A) whenever medical expense benefits in a total amount of \$50,000 have been paid on account of personal injury to any one person in any one accident.

Recodified from 11:3-28.2 and amended by R.1993 d.583, effective November 15, 1993.
See: 25 N.J.R. 2636(b), 25 N.J.R. 5219(a).
Amended by R.1997 d.85, effective February 18, 1997.
See: 28 N.J.R. 5030(a), 29 N.J.R. 551(a).
Amended form references.

11:3-28.4 Notice of change in the amount of reserves

Whenever an automobile liability insurer has paid medical expense benefits on account of personal injury to any one person in any one accident in a total amount of \$50,000, said insurer shall notify the Fund of any changes in the amount of reserves established for payment of the claim or closing of the file.

Recodified from 11:3-28.3 and amended by R.1993 d.583, effective November 15, 1993.
See: 25 N.J.R. 2636(b), 25 N.J.R. 5219(a).

11:3-28.5 Supplemental forms to be submitted to the Fund

(a) UCJF Form 2(RR) (incorporated herein by reference as Form 2 in Appendix A), shall be filed with the Fund within 90 days after an automobile insurer has paid medical expense benefits on account of personal injury to any one person in any one accident in a total amount in excess of \$75,000. Such form together with UCJF Form 3(323) (incorporated herein by reference as Form 3 in Appendix A) shall be filed each quarter thereafter that the insurer seeks reimbursement.

(b) Any office of an insurer seeking reimbursement of funds from the UCJF for personal injury protection medical expense must also complete and file with the UCJF a New Jersey Information Questionnaire, UCJF Form 4(W-9) (incorporated herein by reference as Form 4 in Appendix A).

Recodified from 11:3-28.4 and amended by R.1993 d.583, effective November 15, 1993.
See: 25 N.J.R. 2636(b), 25 N.J.R. 5219(a).
Amended by R.1997 d.85, effective February 18, 1997.
See: 28 N.J.R. 5030(a), 29 N.J.R. 551(a).
In (a), amended form references; and added (b).

11:3-28.6 Insurer's continuing obligation to investigate claims

(a) An automobile liability insurer shall be required to discharge its duty of investigating claims where the potential exposure to the insurer exceeds \$75,000. Said insurer's duty and obligation with regard to claim handling shall exist and continue to exist notwithstanding this rule. The Executive Director may direct such investigations as often as he or she deems necessary. All expenses relating to the investigation of claims, including expenses for medical examinations, file maintenance and cost containment measures, are the responsibility of the automobile liability insurer.

(b) The failure to properly discharge the duty of investigating a claim may result in the imposition of a penalty, to be determined by the UCJF Board of Directors, against the insurer's request for reimbursement.

Amended by R.1991 d.45, effective February 4, 1991.
See: 22 N.J.R. 1678(a), 23 N.J.R. 306(b).

NEW JERSEY COUNTY/MUNICIPALITY CODES
Enter the Appropriate Four-Digit Number on Line 6, Vendor Data

ATLANTIC COUNTY

- 0101 - Absecon City
- 0102 - Atlantic City
- 0103 - Brigantine City
- 0104 - Buena Bor.
- 0105 - Buena Vista Twp.
- 0106 - Corbin City City
- 0107 - Egg Harbor City
- 0108 - Egg Harbor Twp.
- 0109 - Estell Manor City
- 0110 - Folsom Twp.
- 0111 - Galloway Twp.
- 0112 - Hamilton Twp.
- 0113 - Hammonton Town
- 0114 - Linwood City
- 0115 - Longport Bor.
- 0116 - Margate City
- 0117 - Mullica Twp.
- 0118 - Northfield City
- 0119 - Pleasantville City
- 0120 - Port Republic City
- 0121 - Somers Point City
- 0122 - Ventnor City
- 0123 - Weymouth Twp.

BERGEN COUNTY

- 0201 - Allendale Bor.
- 0202 - Alpine Bor.
- 0203 - Bergenfield Bor.
- 0204 - Bogota Bor.
- 0205 - Carlstadt Bor.
- 0206 - Cliffs Park Bor.
- 0207 - Closter Bor.
- 0208 - Cresskill Bor.
- 0209 - Demarest Bor.
- 0210 - Dumont Bor.
- 0211 - Elmwood Park Bor.
- 0212 - East Rutherford Bor.
- 0213 - Edgewater Bor.
- 0214 - Emerson Bor.
- 0215 - Englewood City
- 0216 - Englewood Cliffs Bor.
- 0217 - Fair Lawn Bor.
- 0218 - Fairview Bor.
- 0219 - Fort Lee Bor.
- 0220 - Franklin Lakes Bor.
- 0221 - Garfield City
- 0222 - Glen Rock Bor.
- 0223 - Hackensack City
- 0224 - Harrington Park Bor.
- 0225 - Hasbrouck Heights Bor.
- 0226 - Hawthorsh Bor.
- 0227 - Hillsdale Bor.
- 0228 - Hohokus Bor.
- 0229 - Laonia Bor.
- 0230 - Little Ferry Bor.
- 0231 - Lodi Bor.
- 0232 - Lyndhurst Twp.
- 0233 - Mahwah Twp.
- 0234 - Maywood Bor.
- 0235 - Midland Park Bor.
- 0236 - Montvale Bor.
- 0237 - Moonachie Bor.
- 0238 - New Milford Bor.
- 0239 - North Arlington Bor.
- 0240 - Northvale Bor.
- 0241 - Norwood Bor.
- 0242 - Oakland Bor.
- 0243 - Old Tappan Bor.
- 0244 - Oradell Bor.
- 0245 - Palisades Park Bor.
- 0246 - Paramus Bor.
- 0247 - Park Ridge Bor.
- 0248 - Ramsey Bor.
- 0249 - Ridgefield Bor.
- 0250 - Ridgefield Park Village
- 0251 - Ridgewood Village
- 0252 - Riveredge Bor.
- 0253 - Riverview Twp.
- 0254 - Rochelle Park Twp.
- 0255 - Rockleigh Bor.
- 0256 - Rutherford Bor.
- 0257 - Saddle Brook Twp.
- 0258 - Saddle River Bor.
- 0259 - South Hackensack Twp.
- 0260 - Teaneck Twp.
- 0261 - Tenafly Bor.
- 0262 - Teterboro Bor.
- 0263 - Upper Saddle River Bor.
- 0264 - Waldwick Bor.
- 0265 - Wallington Bor.
- 0266 - Washington Twp.
- 0267 - Westwood Bor.
- 0268 - Woodcliff Lake Bor.
- 0269 - Wood-Ridge Bor.
- 0270 - Wyckoff Twp.

CAMDEN COUNTY

- 0401 - Audubon Bor.
- 0402 - Audubon Park Bor.
- 0403 - Barrington Bor.
- 0404 - Bellmawr Bor.
- 0405 - Berlin Bor.
- 0406 - Berlin Twp.
- 0407 - Brooklawn Bor.
- 0408 - Camden City
- 0409 - Cherry Hill Twp.
- 0410 - Chesilhurst Bor.
- 0411 - Clementon Bor.
- 0412 - Collingswood Bor.
- 0413 - Gibbsboro Bor.
- 0414 - Gloucester City
- 0415 - Gloucester Twp.
- 0416 - Haddon Twp.
- 0417 - Haddonfield Bor.
- 0418 - Haddon Heights Bor.
- 0419 - Hi Nella Bor.
- 0420 - Laurel Springs Bor.
- 0421 - Lawnside Bor.
- 0422 - Lindenwold Bor.
- 0423 - Magnolia Bor.
- 0424 - Merchantville Bor.
- 0425 - Mt. Ephraim Bor.
- 0426 - Oaklyn Bor.
- 0427 - Pennsauken Twp.
- 0428 - Pine Hill Bor.
- 0430 - Runnemede Bor.
- 0431 - Somerdale Bor.
- 0432 - Stratford Bor.
- 0433 - Tavistock Bor.
- 0434 - Voorhees Twp.
- 0435 - Waterford Twp.
- 0436 - Winslow Twp.
- 0437 - Woodlyne Bor.

CAPE MAY COUNTY

- 0501 - Avalon Bor.
- 0502 - Cape May City
- 0503 - Cape May Point Bor.
- 0504 - Dennis Twp.
- 0505 - Lower Twp.
- 0506 - Middle Twp.
- 0507 - North Wildwood City
- 0508 - Ocean City City
- 0509 - Sea Isle City City
- 0510 - Stone Harbor Bor.
- 0511 - Upper Twp.
- 0512 - West Cape May Bor.
- 0513 - Wildwood City
- 0514 - Wildwood Twp.
- 0515 - Wildwood Crest Bor.
- 0516 - Woodbine Bor.

CUMBERLAND COUNTY

- 0601 - Bridgeton City
- 0602 - Commercial City
- 0603 - Deerfield Twp.
- 0604 - Downs Twp.
- 0605 - Fairfield Twp.

ESSEX COUNTY

- 0701 - Belleville Twp.
- 0702 - Bloomfield Twp.
- 0703 - Caldwell Borough Twp.
- 0704 - Cedar Grove Twp.
- 0705 - East Orange City
- 0706 - Essex Falls Twp.
- 0707 - Fairfield Twp.
- 0708 - Glen Ridge Twp.
- 0709 - Irvington Twp.
- 0710 - Livingston Twp.
- 0711 - Maplewood Twp.
- 0712 - Millburn Twp.
- 0713 - Montclair Twp.
- 0714 - Newark City
- 0715 - North Caldwell Twp.
- 0716 - Nutley Twp.
- 0717 - Orange City Twp.
- 0718 - Roseland Bor.
- 0719 - South Orange Village
- 0720 - Verona Twp.
- 0721 - West Caldwell Twp.
- 0722 - West Orange Twp.

GLOUCESTER COUNTY

- 0801 - Clayton Bor.
- 0802 - Deptford Twp.
- 0803 - East Greenwich Twp.
- 0804 - Elk Twp.
- 0805 - Franklin Twp.
- 0806 - Glassboro Bor.
- 0807 - Greenwich Twp.
- 0808 - Harrison Twp.
- 0809 - Logan Twp.
- 0810 - Mantua Twp.
- 0811 - Monroe Twp.
- 0812 - National Park Bor.
- 0813 - Newfield Bor.
- 0814 - Paulsboro Bor.
- 0815 - Pitman Bor.
- 0816 - South Harrison Twp.
- 0817 - Swedesboro Bor.
- 0818 - Washington Twp.
- 0819 - Wenonah Bor.
- 0820 - West Deptford Twp.
- 0821 - Westville Bor.
- 0822 - Woodbury City
- 0823 - Woodbury Heights Bor.
- 0824 - Woolwich Twp.

HUDSON COUNTY

- 0901 - Bayonne City
- 0902 - East Newark Bor.
- 0903 - Guttenburg Town
- 0904 - Harrison Town
- 0905 - Hooken City
- 0906 - Jersey City City
- 0907 - Kearny Town
- 0908 - North Bergen Twp.
- 0909 - Secaucus Town
- 0910 - Union City City
- 0911 - Weehawken Twp.
- 0912 - West New York

HUNTERDON COUNTY

- 1001 - Alexandria Twp.
- 1002 - Bethlehem Twp.
- 1003 - Bloomsbury Bor.
- 1004 - Calton Bor.
- 1005 - Clinton Town
- 1006 - Clinton Twp.
- 1007 - Delaware Twp.
- 1008 - East Amwell Twp.
- 1009 - Flemington Bor.
- 1010 - Franklin Twp.
- 1011 - Frenchtown Bor.
- 1012 - Glen Gardner Bor.
- 1013 - Hampton Bor.
- 1014 - High Bridge Bor.
- 1015 - Holland Twp.
- 1016 - Kingwood Twp.
- 1017 - Lambertville City
- 1018 - Lebanon Bor.
- 1019 - Lebanon Twp.
- 1020 - Milford Bor.
- 1021 - Raritan Twp.
- 1022 - Readington Twp.
- 1023 - Stockton Twp.
- 1024 - Tewksbury Twp.
- 1025 - Union Twp.
- 1026 - West Amwell Twp.

MIDDLESEX COUNTY

- 1201 - Carteret Bor.
- 1202 - Cranbury Twp.
- 1203 - Dunellen Bor.
- 1204 - East Brunswick
- 1205 - Edison Twp.
- 1206 - Helmetta Bor.
- 1207 - Highland Park Bor.
- 1208 - Jamesburg Bor.
- 1209 - Metuchen Bor.
- 1210 - Middlesex Bor.
- 1211 - Milltown Bor.
- 1212 - Monroe Twp.
- 1213 - New Brunswick City
- 1214 - North Brunswick Twp.
- 1215 - Old Bridge Twp.
- 1216 - Perth Amboy City
- 1217 - Piscataway Twp.
- 1218 - Plainsboro Twp.
- 1219 - Sayreville Bor.
- 1220 - South Amboy City
- 1221 - South Brunswick Twp.
- 1222 - South Plainfield Bor.
- 1223 - South River Bor.
- 1224 - Spotswood Bor.
- 1225 - Woodbridge Twp.

MONMOUTH COUNTY

- 1301 - Aberdeen Twp.
- 1302 - Allenhurst Bor.
- 1303 - Ailenton Bor.
- 1304 - Asbury Park City
- 1305 - Atlantic Highlands Bor.
- 1306 - Avon-by-the-Sea Bor.
- 1307 - Belmar Bor.
- 1308 - Bradley Beach Bor.
- 1309 - Brelle Bor.
- 1310 - Colts Neck Twp.
- 1311 - Deal Bor.
- 1312 - Eatontown Bor.
- 1313 - Englishtown Bor.
- 1314 - Fair Haven Bor.
- 1315 - Farmingdale
- 1316 - Freehold Bor.
- 1317 - Freehold Twp.
- 1318 - Hazlet Twp.
- 1319 - Highlands Bor.
- 1320 - Holmdel Twp.
- 1321 - Howell Twp.
- 1322 - Interlaken Bor.
- 1323 - Keansburg Bor.
- 1324 - Keyport Bor.
- 1325 - Little Silver Bor.
- 1326 - Loch Arbour Village
- 1327 - Long Branch City
- 1328 - Manalapan Twp.
- 1329 - Manasquan Bor.
- 1330 - Marlboro Twp.
- 1331 - Matawan Bor.
- 1332 - Middletown Twp.
- 1333 - Millstone Twp.
- 1334 - Monmouth Beach Bor.
- 1335 - Neptune Twp.
- 1336 - Neptune City Bor.
- 1337 - Ocean Twp.
- 1338 - Oceanport Bor.
- 1339 - Red Bank Bor.
- 1340 - Roosevelt Bor.
- 1341 - Rumson Bor.
- 1342 - Sea Bright Bor.
- 1343 - Sea Girt Bor.
- 1344 - Shrewsbury Bor.
- 1345 - Shrewsbury Twp.
- 1346 - South Belmar Bor.
- 1347 - Spring Lake Bor.
- 1348 - Spring Lake Heights Bor.
- 1349 - Tinton Falls Bor.
- 1350 - Union Beach Bor.
- 1351 - Upper Freehold Twp.
- 1352 - Wall Twp.
- 1353 - West Long Branch Bor.

MORRIS COUNTY

- 1401 - Boonton Town
- 1402 - Boonton Twp.
- 1403 - Butler Bor.

MERCER COUNTY

- 1101 - East Windsor Twp.
- 1102 - Ewing Twp.
- 1103 - Hamilton Twp.
- 1104 - Hightstown Bor.
- 1105 - Hopewell Bor.
- 1106 - Hopewell Twp.
- 1107 - Lawrence Twp.
- 1108 - Pennington Bor.
- 1109 - Princeton Bor.
- 1110 - Princeton Twp.
- 1111 - Trenton City
- 1112 - Washington Twp.
- 1113 - West Windsor Twp.

MIDDLESEX COUNTY

- 1201 - Carteret Bor.
- 1202 - Cranbury Twp.
- 1203 - Dunellen Bor.
- 1204 - East Brunswick
- 1205 - Edison Twp.
- 1206 - Helmetta Bor.
- 1207 - Highland Park Bor.
- 1208 - Jamesburg Bor.
- 1209 - Metuchen Bor.
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- 1217 - Piscataway Twp.
- 1218 - Plainsboro Twp.
- 1219 - Sayreville Bor.
- 1220 - South Amboy City
- 1221 - South Brunswick Twp.
- 1222 - South Plainfield Bor.
- 1223 - South River Bor.
- 1224 - Spotswood Bor.
- 1225 - Woodbridge Twp.

OCEAN COUNTY

- 1501 - Barnegat Twp.
- 1502 - Barnegat Light Bor.
- 1503 - Bay Head Bor.
- 1504 - Beach Haven Bor.
- 1505 - Beachwood Bor.
- 1506 - Berkeley Twp.
- 1507 - Brick Twp.
- 1508 - Dover Twp.
- 1509 - Eagleswood Twp.
- 1510 - Harvey Cedars Bor.
- 1511 - Island Heights Bor.
- 1512 - Jackson Twp.
- 1513 - Lacey Twp.
- 1514 - Lakehurst Bor.
- 1515 - Lakewood Twp.
- 1516 - Lavellette Bor.
- 1517 - Little Egg Harbor Twp.
- 1518 - Long Beach Twp.
- 1519 - Manchester Twp.
- 1520 - Mantoloking Bor.
- 1521 - Ocean Twp.
- 1522 - Ocean Gate Bor.
- 1523 - Pine Beach Bor.
- 1524 - Plumsted Twp.
- 1525 - Pt. Pleasant Bor.
- 1526 - Pt. Pleasant Beach Bor.
- 1527 - Seaside Heights Bor.
- 1528 - Seaside Park Bor.
- 1529 - Ship Bottom Bor.
- 1530 - South Toms River Bor.
- 1531 - Stafford Twp.
- 1532 - Surf City Bor.
- 1533 - Tuckerton Bor.

MONMOUTH COUNTY

- 1301 - Aberdeen Twp.
- 1302 - Allenhurst Bor.
- 1303 - Ailenton Bor.
- 1304 - Asbury Park City
- 1305 - Atlantic Highlands Bor.
- 1306 - Avon-by-the-Sea Bor.
- 1307 - Belmar Bor.
- 1308 - Bradley Beach Bor.
- 1309 - Brelle Bor.
- 1310 - Colts Neck Twp.
- 1311 - Deal Bor.
- 1312 - Eatontown Bor.
- 1313 - Englishtown Bor.
- 1314 - Fair Haven Bor.
- 1315 - Farmingdale
- 1316 - Freehold Bor.
- 1317 - Freehold Twp.
- 1318 - Hazlet Twp.
- 1319 - Highlands Bor.
- 1320 - Holmdel Twp.
- 1321 - Howell Twp.
- 1322 - Interlaken Bor.
- 1323 - Keansburg Bor.
- 1324 - Keyport Bor.
- 1325 - Little Silver Bor.
- 1326 - Loch Arbour Village
- 1327 - Long Branch City
- 1328 - Manalapan Twp.
- 1329 - Manasquan Bor.
- 1330 - Marlboro Twp.
- 1331 - Matawan Bor.
- 1332 - Middletown Twp.
- 1333 - Millstone Twp.
- 1334 - Monmouth Beach Bor.
- 1335 - Neptune Twp.
- 1336 - Neptune City Bor.
- 1337 - Ocean Twp.
- 1338 - Oceanport Bor.
- 1339 - Red Bank Bor.
- 1340 - Roosevelt Bor.
- 1341 - Rumson Bor.
- 1342 - Sea Bright Bor.
- 1343 - Sea Girt Bor.
- 1344 - Shrewsbury Bor.
- 1345 - Shrewsbury Twp.
- 1346 - South Belmar Bor.
- 1347 - Spring Lake Bor.
- 1348 - Spring Lake Heights Bor.
- 1349 - Tinton Falls Bor.
- 1350 - Union Beach Bor.
- 1351 - Upper Freehold Twp.
- 1352 - Wall Twp.
- 1353 - West Long Branch Bor.

PASSAIC COUNTY

- 1601 - Bloomingdale Bor.
- 1602 - Clifton City
- 1603 - Haledon Bor.
- 1604 - Hawthorne Bor.
- 1605 - Little Falls Twp.
- 1606 - North Haledon Bor.
- 1607 - Passaic City
- 1608 - Paterson City
- 1609 - Pompton Lakes Bor.
- 1610 - Prospect Park Bor.
- 1611 - Ringwood Bor.
- 1612 - Totowa Bor.
- 1613 - Wanakee Bor.
- 1614 - Wayne Twp.
- 1615 - West Milford Twp.
- 1616 - West Paterson Bor.

SALEM COUNTY

- 1701 - Alloway Twp.
- 1702 - Carneys Point Twp.
- 1703 - Elmer Bor.
- 1704 - Elsinboro Twp.
- 1705 - Lower Alloways Creek Twp.
- 1706 - Mannington Twp.
- 1707 - Oldmans Twp.
- 1708 - Penns Grove Bor.
- 1709 - Pennsville Twp.
- 1710 - Pittsgrove Twp.

MORRIS COUNTY

- 1401 - Boonton Town
- 1402 - Boonton Twp.
- 1403 - Butler Bor.

MERCER COUNTY

- 1404 - Chatham Bor.
- 1405 - Chatham Twp.
- 1406 - Chester Bor.
- 1407 - Chester Twp.
- 1408 - Denville Twp.
- 1409 - Dover Twp.
- 1410 - East Hanover Twp.
- 1411 - Florham Park Bor.
- 1412 - Hanover Twp.
- 1413 - Harding Twp.
- 1414 - Jefferson Twp.
- 1415 - Kinnelon Bor.
- 1416 - Lincoln Park Bor.
- 1417 - Madison Bor.
- 1418 - Mendham Bor.
- 1419 - Mendham Twp.
- 1420 - Mine Hill Twp.
- 1421 - Montville Twp.
- 1422 - Motts Twp.
- 1423 - Motts Plains Bor.
- 1424 - Morristown Town
- 1425 - Mountain Lakes Bor.
- 1426 - Mount Arlington Bor.
- 1427 - Mount Olive Twp.
- 1428 - Netcong Bor.
- 1429 - Par-Troy Hills Twp.
- 1430 - Passaic Twp.
- 1431 - Pequannock Twp.
- 1432 - Randolph Twp.
- 1433 - Riverdale Bor.
- 1434 - Rockaway Bor.
- 1435 - Rockway Twp.
- 1436 - Roxbury Twp.
- 1437 - Victory Gardens Bor.
- 1438 - Washington Twp.
- 1439 - Wharton Bor.

MIDDLESEX COUNTY

- 1201 - Carteret Bor.
- 1202 - Cranbury Twp.
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- 1225 - Woodbridge Twp.

OCEAN COUNTY

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- 1508 - Dover Twp.
- 1509 - Eagleswood Twp.
- 1510 - Harvey Cedars Bor.
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- 1512 - Jackson Twp.
- 1513 - Lacey Twp.
- 1514 - Lakehurst Bor.
- 1515 - Lakewood Twp.
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- 1518 - Long Beach Twp.
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- 1528 - Seaside Park Bor.
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- 1340 - Roosevelt Bor.
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- 1342 - Sea Bright Bor.
- 1343 - Sea Girt Bor.
- 1344 - Shrewsbury Bor.
- 1345 - Shrewsbury Twp.
- 1346 - South Belmar Bor.
- 1347 - Spring Lake Bor.
- 1348 - Spring Lake Heights Bor.
- 1349 - Tinton Falls Bor.
- 1350 - Union Beach Bor.
- 1351 - Upper Freehold Twp.
- 1352 - Wall Twp.
- 1353 - West Long Branch Bor.

PASSAIC COUNTY

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- 1614 - Wayne Twp.
- 1615 - West Milford Twp.
- 1616 - West Paterson Bor.

SALEM COUNTY

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- 1705 - Lower Alloways Creek Twp.
- 1706 - Mannington Twp.
- 1707 - Oldmans Twp.
- 1708 - Penns Grove Bor.
- 1709 - Pennsville Twp.
- 1710 - Pittsgrove Twp.

SOMERSET COUNTY

- 1711 - Pittsgrove Twp.
- 1712 - Quinton Twp.
- 1713 - Salem City
- 1714 - Upper Pittsgrove Twp.
- 1715 - Woodstown Bor.

SOMERSET COUNTY

- 1801 - Bedminster Twp.
- 1802 - Bernards Twp.
- 1803 - Bernardsville Bor.
- 1804 - Bound Brook Bor.
- 1805 - Branchburg Twp.
- 1806 - Bridgewater

Repeal and New Rule, R.1997 d.85, effective February 18, 1997.
 See: 28 N.J.R. 5030(a), 29 N.J.R. 551(a).

$$(a + (b \times c)) < (d \times c)$$

The Fund shall only approve modifications where the above formula applies.

APPENDIX B

AMORTIZATION FORMULA

The Fund shall evaluate the cost effectiveness of modifications to a residence and shall establish an amortization schedule based on information submitted to the Fund by the insurer. The insurer shall file with the Fund the information in categories (a) through (d) below. This information shall be accompanied by the documentation which supports the information in those categories. The factors which shall be considered by the Fund include:

- (a) Cost of modifications;
- (b) Annual cost of home care, including but not limited to, nursing care, therapy, transportation for medical treatment and medical supplies;
- (c) Life expectancy of the injured person;
- (d) Annual cost of other residential care alternatives;
- (e) Monthly amount amortized; and
- (f) Term of amortization in months.

1. The formula which the Fund shall evaluate to determine the cost effectiveness of requested home modifications is as follows:

2. The formula to determine the amount to be amortized monthly is as follows:

$$(d - b)/12 = e$$

3. The formula to determine the term of the amortization schedule is as follows:

$$a/e = f$$

The following examples demonstrate how the formulas shall be applied:

	Example One	Example Two	Example Three
Cost of Modifications	100,000	100,000	100,000
Annual Cost of Home Care	60,000	6,000	60,000
Life Expectancy of Injured Party	30	10	20
Annual Cost of Other Residential Care Alternatives	84,000	120,000	60,000
Cost Effective Formula			
Cost for Home Care	1,900,000	160,000	1,300,000
Cost for Alternative Care	2,520,000	1,200,000	1,200,000
Is Home Modification Cost Effective?	Yes	Yes	No
Amortization Schedule			
Amount Amortized Monthly	\$2,000	\$9,500	
Term of Amortization	50 months	11 months	

APPENDIX B

ITEM 1

UNSATISFIED CLAIM AND JUDGMENT FUND

INSTRUCTION SHEET

- UCJF FILE NUMBER: _____
- _____ Enter appearance for _____
- _____ OBTAIN PROOF OF SERVICE ON ALL NAMED DEFENDANTS.
- _____ Proceed with immediate discovery. Serve SPECIAL UCJF ELIGIBILITY INTERROGATORIES.
- _____ Schedule depositions and/or
IME if indicated.
- _____ Obtain conformed copy of
cancellation notice.
- _____ Move to dismiss improper defendants:
- _____ Commissioner of Insurance
- _____ Director of Motor Vehicles
- _____ UCJF
- _____ PIP not payable: _____ LATE NOTICE
- _____ OUT OF STATE VEHICLE
- _____ COMMERCIAL VEHICLE
- _____ OTHER
- _____ Claimant ineligible, not a resident of New Jersey.
- _____ Determine if carrier notified Taxi Commission of cancellation of policy
- _____ NOTICE OF INTENTION not sufficiently complete to qualify as a timely filing.
- _____ File CIB. _____ Obtain Police Report _____ Obtain Medical Reports
- _____ Obtain signed statement of uninsured.
- _____ Obtain settlement agreement. _____ Contract witness(es)
- _____ Contact claimant's employer for possible health insurance coverage and Temporary Disability Benefits.
- _____ Rule out vehicle ownership in household.
- _____ Obtain the names, dates of birth and driver's license numbers of all household residents.
- _____ Other: _____

APPENDIX B
ITEM 2

THIS FORM IS A FORMAT AND NOT TO BE USED
IN SUBMITTING REPORTS TO THE FUND

60 DAY REPORT

- UCJ # _____ DATE _____
- CLAIMANT: SS# _____ AGE _____
- CLAIMANT'S ATTORNEY: _____
- ELIGIBILITY OF CLAIMANT: _____
- UNINSURED: _____
- ASSIGNED ATTORNEY: _____
- ASSIGNED ATTORNEY'S ACTIVITY: _____
- DATE OF ACCIDENT: _____ PLACE OF ACCIDENT: _____
- ACCIDENT DESCRIPTION: _____

- LIABILITY: _____
- WITNESSES: _____
- POLICE INVOLVEMENT: _____
- INJURIES: _____
- EXPENSES: _____
- ADJUSTER'S RECOMMENDATION: _____
- WORK TO BE DONE: _____
- COMPANY/CARRIER _____
- ADJUSTER _____
- CLAIM # _____
- PHONE # _____

APPENDIX B
ITEM 3

THIS FORM IS A FORMAT AND NOT TO BE USED
IN SUBMITTING REPORTS TO THE FUND

6 MONTH SUMMARY REPORT

UCJ # _____ DATE _____

SS# _____ AGE _____

CLAIMANT(S):

CLAIMANT(S) ATTORNEY:

UNINSURED:

ATTORNEY ASSIGNED:

COMPANY ASSIGNED: _____ CLAIM # _____

D/A: _____ TIME: _____ PLACE OF ACCIDENT: _____

SUIT: _____ COURT: _____ COUNTY: _____

ELIGIBILITY OF CLAIMANT(S):

DESCRIPTION OF ACCIDENT:

LIABILITY:

WITNESSES DESCRIPTION:

POLICE DESCRIPTION:

DESCRIPTION OF INJURIES:

UP TO DATE LIST OF MEDICAL EXPENSES:

CARRIER'S RECOMMENDATION:

ASSIGNED ATTORNEY'S RECOMMENDATION:

WORK TO BE DONE:

ADJUSTER _____

PHONE # _____

New Rule, R.1994 d.597, effective December 5, 1994.
See: 26 N.J.R. 2190(a), 26 N.J.R. 4772(a).

SUBCHAPTER 29. MEDICAL FEE SCHEDULES:
AUTOMOBILE INSURANCE PERSONAL
INJURY PROTECTION AND MOTOR BUS
MEDICAL EXPENSE INSURANCE
COVERAGE

11:3-29.1 Purpose and Scope

(a) This subchapter implements the provisions of N.J.S.A. 39:6A-4.6 to establish medical fee schedules on a regional basis for the reimbursement of health care providers providing services or equipment for medical expenses benefits for which payment is required to be made by automobile insurers under PIP coverage and by motor bus insurers under medical expense benefits coverage.

(b) This subchapter applies to all insurers who issue policies of automobile insurance containing PIP coverage and policies of motor bus insurance containing medical expense benefits coverage.

(c) These fee schedules do not apply to the following:

1. Other coverages contained in an automobile or motor bus insurance policy such as coverage for bodily injury liability;
2. Any other kind of insurance including health insurance, even when the health insurer may be required pursuant to its health insurance contract to pay benefits to, or on behalf of, a person who sustained bodily injury as a result of an accident while occupying, entering into, alighting from or using an automobile or motor bus, or as a pedestrian, caused by an automobile or motor bus or an object propelled by or from an automobile or motor bus; and
3. Medical services or equipment provided outside of the geographic boundaries of New Jersey except as set forth in N.J.A.C. 11:3-29.4(d)2.

Amended by R.1993 d.25, effective January 4, 1993.

See: 24 N.J.R. 3605(a), 25 N.J.R. 140(a).

Added motor bus insurers under medical expense benefits coverage.

11:3-29.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Basic Life Support” (“BLS”) means volunteer ambulance services, whose personnel are not required to be Emergency Medical Technicians, and municipal and proprietary ambulance services whose personnel are required to be Emergency Medical Technicians.

"CPT-4" means Physicians Current Procedural Terminology, 4th Edition, coding system and the description of medical service provided.

"Eligible charge" means the provider's usual, customary and reasonable charge or the upper limit on the fee schedule, whichever is lower.

"Global charge" means the sum of the technical and professional components.

"HCPCS" means the Federal Health Care Financing Administration's (HCFA's) Common Procedure Code System.

"Health insurance" means a contract or agreement whereby an insurer is obligated to pay or allow a benefit of pecuniary value with respect to the bodily injury, disablement, sickness, death by accident or accidental means of a human being, or because of any expense relating thereto, or because of any expense incurred in prevention of sickness, and includes every risk pertaining to any of the enumerated risks. As used in this subchapter, health insurance includes workers' compensation coverage but does not include any PIP coverage.

"Health insurer" includes any insurer issuing a policy of health insurance as defined in this subchapter.

"Motor bus" means motor bus as defined in N.J.S.A. 17:28-1.5.

"Motor bus insurer" includes any insurer issuing a policy of insurance on a motor bus the owner, registered owner, or operator of which is required to maintain medical expense benefits coverage pursuant to N.J.S.A. 17:28-1.6.

"PIP coverage" means personal injury protection coverage described in N.J.S.A. 39:6A-4a and N.J.S.A. 39:6A-10 as amended.

"PIP insurer" includes any insurer issuing a policy of automobile insurance on any vehicle that contains PIP coverage.

"Provider" includes all persons who furnish services or equipment for medical expense benefits for which payment is required to be made under PIP coverage in automobile insurance policies or medical expense benefits coverage pursuant to N.J.S.A. 17:28-1.6 including, but not limited to, medical doctors, osteopathic physicians, medical laboratories, chiropractors, physical therapists, dentists, nurses, home health aides, home health agencies, live-in attendants, speech therapists, occupational therapists, ambulance service providers, medical equipment suppliers, acute care hospitals, trauma centers, rehabilitation facilities, other specialized hospitals, residential alcohol treatment facilities and nursing homes.

Amended by R.1992 d.170, effective April 6, 1992.

See: 23 N.J.R. 3203(a), 24 N.J.R. 1347(a).

Definition for eligible charge added.

Amended by R.1993 d.25, effective January 4, 1993.

See: 24 N.J.R. 3605(a), 25 N.J.R. 140(a).

Definitions for motor bus, motor bus insurer added.

Amended by R.1993 d.395, effective August 2, 1993.

See: 25 N.J.R. 229(b), 25 N.J.R. 3466(b).

Amended by R.1994 d.564, effective November 21, 1994 (operative January 1, 1995).

See: 25 N.J.R. 4706(a), 26 N.J.R. 4616(b).

11:3-29.3 Regions

(a) Region I, as used in this subchapter, consists of the following counties in New Jersey: Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and Salem.

(b) Region II, as used in this subchapter, consists of the following counties in New Jersey: Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Somerset, Sussex and Warren.

(c) Region III, as used in this subchapter, consists of the following counties in New Jersey: Bergen, Essex, Hudson, Morris, Passaic and Union.

11:3-29.4 Application of Medical Fee Schedules

(a) Every policy of automobile insurance and motor bus insurance issued in this State shall provide that the automobile insurer's limit of liability for medically necessary expenses payable under PIP coverage, and the motor bus insurer's limit of liability for medically necessary expenses payable under medical expense benefits coverage, is the fee set forth in this subchapter. Nothing in this subchapter shall, however, compel the PIP insurer or a motor bus insurer to pay more for any service or equipment than the provider's usual, customary and reasonable fee, even if such fee is well below the automobile insurer's or motor bus insurer's limit of liability as set forth in the fee schedules. N.J.A.C. 11:3-29.6 shall not apply to inpatient services provided by acute care hospitals, trauma centers, rehabilitation facilities, other specialized hospitals, residential alcohol treatment facilities and nursing homes, reimbursement of which shall be limited to the provider's usual, customary and reasonable fees. Insurers will not be required to pay for services or equipment which are not medically necessary.

(b) The region used to determine the proper fee set forth in the schedules shall be determined by the region in which the services were rendered or the equipment was provided or, in the case of elective services or equipment provided to New Jersey residents outside the State, by the region in which the insured resides.

(c) The fees set forth in the schedule for durable medical equipment are retail prices which may include purchase prices for both new and used equipment, and/or monthly rentals.

1. The insurer's limit of liability for monthly rental of durable medical equipment described in the schedule is 10 percent of the amount of the purchase price.

2. The insurer's total limit of liability for the rental of a single item of durable medical equipment set forth in the schedule is 15 times the monthly rental fee.

(d) The insurer's limit of liability for any medical expense benefit for service or equipment provided outside the State of New Jersey shall be as follows:

1. When the service or equipment is provided by reason of emergency or medical necessity, the reasonable and necessary costs shall not exceed fees that are usual, customary and reasonable for that provider in the geographic location where the service or equipment is provided.