

(b) Any insurer that does not write its apportionment share of any quota established by the Commissioner pursuant to N.J.S.A. 17:30E-14 and N.J.S.A. 17:33B-11 within the applicable time shall be precluded from nonrenewing automobile insurance policies pursuant to (a) above during the following year.

(c) Nothing in this rule shall be construed to authorize insurers to act in contravention of any applicable State or Federal law prohibiting discrimination on impermissible bases.

New Rule, R.1986 d.418, effective October 6, 1986.

See: 18 N.J.R. 1079(a), 18 N.J.R. 2039(a).

Emergency Adopted Repeal and New Rule, R.1990 d.626, effective November 26, 1990, operative April 1, 1991 (expired January 25, 1991).

See: 22 N.J.R. 3766(b).

Recodified from 11:3-8.4.

Adopted Concurrent Proposal, R.1991 d.89, effective January 25, 1991, operative April 1, 1991.

See: 22 N.J.R. 3766(a), 23 N.J.R. 507(a).

Provisions of emergency repeal and new rule, R.1990 d.626 readopted without change.

Public Notice: Receipt of petition for rulemaking and action on petition.

See: 28 N.J.R. 1565(b).

11:3-8.6 Suspension of nonrenewals

Notwithstanding the provisions of this subchapter, if the plan for automobile insurance established pursuant to N.J.S.A. 17:29D-1 is not accepting new applications for coverage pursuant to N.J.S.A. 17:29D-1(d), no insurer transacting automobile insurance in this State shall refuse to renew any private passenger automobile insurance policy in this State.

Emergency New Rule, R.1990 d.626, effective November 26, 1990, operative April 1, 1991 (expired January 25, 1991).

See: 22 N.J.R. 3766(b).

Adopted Concurrent Proposal, R.1991 d.89, effective January 25, 1991, operative April 1, 1991.

See: 22 N.J.R. 3766(a), 23 N.J.R. 507(a).

Provisions of emergency new rule readopted without change.

11:3-8.7 Reporting requirements

(a) Insurance companies shall maintain records of nonrenewals for not less than five years which shall include a copy of the notice of nonrenewal, data concerning the allowable number of nonrenewals in each territory computed in accordance with N.J.A.C. 11:3-8.5(a)1, and data concerning the actual number of newly insured automobiles and nonrenewals in each territory for each category, computed in accordance with N.J.A.C. 11:3-8.5(a)2. Such records and data shall be made available to the Department upon request. In addition, each insurer shall file summary reports of its nonrenewals as follows:

1. For insurers with approved standard/non-standard rating plans, in the form of report set forth as Exhibit A of the Appendix incorporated herein by reference; or

2. For all other insurers, in the form of report set forth as Exhibit B of the Appendix, incorporated herein by reference.

(b) An insurer shall submit summary reports of their nonrenewals for the year to date on or before February 15 and August 15 of each year to the following address:

New Jersey Department of Insurance

Division of Enforcement and Consumer Protection

20 West State Street

CN-329

Trenton, New Jersey 08625-0329

New Rule, R.1986 d.418, effective October 6, 1986.

See: 18 N.J.R. 1079(a), 18 N.J.R. 2039(a).

Emergency Repeal and New Rule, R.1990 d.626, effective November 26, 1990, operative April 1, 1991 (expired January 25, 1991).

See: 22 N.J.R. 3766(b).

Recodified from 11:3-8.5.

Adopted Concurrent Proposal, R.1991 d.89, effective January 25, 1991, operative April 1, 1991.

See: 22 N.J.R. 3766(a), 23 N.J.R. 507(a).

Provisions of emergency repeal and new rule, R.1990 d.626 readopted without change.

11:3-8.8 Separability

If any provision of this subchapter or its application to any person or circumstances is held invalid, the remainder of this subchapter and its application to other persons or circumstances shall not be affected.

New Rule, R.1986 d.418, effective October 6, 1986.

See: 18 N.J.R. 1079(a), 18 N.J.R. 2039(a).

Recodified from 11:3-8.6 as part of Emergency Amendments filed as R.1990 d.626, effective November 26, 1990, operative April 1, 1991.

See: 22 N.J.R. 3766(b).

Adopted Concurrent Proposal, R.1991 d.89, effective January 25, 1991, operative April 1, 1991.

See: 22 N.J.R. 3766(a), 23 N.J.R. 507(a).

11:3-8.9 Penalties

(a) Any person violating the provisions of this subchapter shall be subject to such penalties as may be authorized by law.

(b) In addition to any such penalties, the Commissioner may, after notice and hearing, suspend or revoke the rights of any insurer or group of insurers under N.J.A.C. 11:3-8.4.

New Rule, R.1986 d.418, effective October 6, 1986.

See: 18 N.J.R. 1079(a), 18 N.J.R. 2039(a).

Recodified from 11:3-8.7 as part of Emergency Amendments filed as R.1990 d.626, effective November 26, 1990, operative April 1, 1991.

See: 22 N.J.R. 3766(b).

Adopted Concurrent Proposal, R.1991 d.89, effective January 25, 1991, operative April 1, 1991.

See: 22 N.J.R. 3766(a), 23 N.J.R. 507(a).

APPENDIX

EXHIBIT A
NONRENEWAL REPORT—A
Standard, Nonstandard Rating System

Insurer Group Name: _____ NAIC Group No. _____
 Company Name: _____ NAIC Company No. _____
 (list all companies in _____
 standard, nonstandard plan) _____

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Territory	Vehicles Insured 12/31/—	Vehicles Cancelled	Vehicle N/R by Insured	Vehicles N/R for cause N.J.A.C. 11:3-8.4(a)1	Vehicles N/R Underwriting N.J.A.C. 11:3-8.4(b)	Vehicles N/R 2% Rule N.J.A.C. 11:3-8.5(a)1	Vehicles N/R 2:1 Rule N.J.A.C. 11:3-8.5(a)2	*Vehicles Newly Insured	*JUA Depopulation* *Voluntary Market* Quota	Vehicles Insured -/-
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
21										
22										
23										
24										
25										
26										
27										

Totals:

Notes: Column (1) shall be numbered in accordance with insurer's approved rating plan.
 Column (2) shall be dated as of previous year.
 Columns (3) through (11) shall contain information as of date in column (11).
 No cancellation or nonrenewal shall be double counted by including it in more than one column.
 Renewals within standard/nonstandard system are not to be reported as nonrenewals or cancellations.
 Nonrenewals for underwriting (column 6) do not qualify for highest rated tier of standard/nonstandard plan.
 Column (7) cannot be greater than .02 X column (2).
 Report total only for column (10).
 Column (11) equals column (2) plus column (9) minus columns (3), (4), (5), (6), (7) and (8).
 Columns (4), (5), (6), (7) and (8) may be reported together as a single number for each territory, but if the insurer is eligible to do 2% or 2:1 nonrenewals, then the single number reported cannot exceed the permissible total of 2% and 2:1 nonrenewals for that territory.

*Does not include a vehicle cancelled within the first 60 days.
 Date Submitted _____

Emergency Repeal and New Rule filed as R.1990 d.626, effective November 26, 1990, operative April 1, 1991 (expired January 25, 1991). See: 22 N.J.R. 3766(b).
 Adopted Concurrent Proposal, R.1991 d.89, effective January 25, 1991, operative April 1, 1991.

See: 22 N.J.R. 3766(b), 23 N.J.R. 507(a).
 Provisions of emergency repeal and new rule readopted without change.

**EXHIBIT B
NONRENEWAL REPORT—B
Individual Company**

Company Name: _____	NAIC Company No. _____								
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Territory	Vehicles Insured 12/31/—	Vehicles Cancelled	Vehicle N/R by Insured	Vehicles N/R for cause N.J.A.C. 11:3-8.4	Vehicles N/R 2% Rule N.J.A.C. 11:3-8.5(a)1	Vehicles N/R 2:1 Rule N.J.A.C. 11:3-8.5(a)2	*Vehicles Newly Insured	Depopulation)* *Voluntary Market*	*(JUA Vehicles Insured Quota
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									
23									
24									
25									
26									
27									

Totals: _____

Notes:

- Column (1) shall be numbered in accordance with insurer's approved rating plan.
- Column (2) shall be dated as of previous year.
- Columns (3) through (10) shall contain information as of date in column (10).
- No cancellation or nonrenewal shall be double counted by including it in more than one column.
- Column (6) cannot be greater than .02 X column (2).
- Report total only for column (9).
- Column (10) equals column (2) plus column (8) minus columns (3), (4), (5), (6) and (7).
- *Columns (4), (5), (6), (7) and (8) may be reported together as a single number for each territory, but if the insurer is eligible to do 2% nonrenewals of 2:1 nonrenewals, then the single number reported cannot exceed the permissible total of 2% and 2:1 nonrenewals for that territory.*

*Does not include a vehicle cancelled within the first 60 days.

Date Submitted _____

Emergency Repeal and New Rule filed as R.1990 d.626, effective November 26, 1990, operative April 1, 1991 (expired January 25, 1991). See: 22 N.J.R. 3766(b).
Adopted Concurrent Proposal, R.1991 d.89, effective January 25, 1991, operative April 1, 1991.

See: 22 N.J.R. 3766(b), 23 N.J.R. 507(a).
Provisions of emergency repeal and new rule readopted without change.

**SUBCHAPTER 9. RATING INFORMATION;
AUTOMOBILE INSURANCE ON PRIVATE
PASSENGER CARS**

**11:3-9.1 Rating information; private passenger cars;
automobile insurance**

(a) Every automobile insurance policy subject to New Jersey rates and providing coverage for an individually owned (or jointly owned by husband and wife; or two or more relatives resident of the household) private passenger automobile and/or any motor vehicle rates as a private passenger automobile shall be accompanied by rating information applicable to the premium determination. Such information must include the criteria pertaining to any individual driver classification plan used by the company and shall recite any rules that apply to the chargeability of accidents and convictions.

(b) If the declaration page or extension certificate or similar documents to the insured identifies the insured's car by a code, or other abbreviation, the rating information may be supplied by a rating information form that interprets the code number or abbreviation.

(c) Every company shall develop a rating information format adapted to the classification system approved for and used by the company in this State. Such format shall be submitted to the Commissioner of Insurance for approval initially within 30 days of the effective date of this regulation, and subsequently within 15 days of any revision of the classification system approved for the company. Filings of the rating information format by a rating organization shall be applicable to members and subscribers of such organization unless such companies deviate from the rating organization's classification system.

(d) This regulation shall be effective August 31, 1973. Use of approved forms will be required on all new and renewal business with effective dates January 1, 1974 and thereafter.

R.1973 d.206, effective August 31, 1973.

See: 5 N.J.R. 150(b), 5 N.J.R. 282(b).

Amended by R.1991 d.45, effective February 4, 1991.

See: 22 N.J.R. 1678(a), 23 N.J.R. 306(b).

Deleted subsection (b) regarding New Jersey Automobile Insurance Plan and recodified existing (c)-(e) as (b)-(d) with no change in text.

11:3-9.2 (Reserved)

R.1975 d.130, eff. July 1, 1975.

See: 7 N.J.R. 113(a), 7 N.J.R. 276(d).

Repealed by R.1996 d.246, effective June 3, 1996.

See: 27 N.J.R. 2048(a), 28 N.J.R. 3002(b).

Section was "Private passenger automobile rating class; revoked or suspended operator".

**SUBCHAPTER 10. AUTO PHYSICAL DAMAGE
CLAIMS**

11:3-10.1 Scope

This subchapter applies to claims arising under motor vehicle collision and comprehensive coverages.

Amended by R.1985 d.629, effective December 16, 1985.

See: 16 N.J.R. 3170(a), 17 N.J.R. 2988(a).

Section heading was Application.

Case Notes

Insurers' activities in estimating repair costs held not an Antitrust Act violation. *Chick's Auto Body v. State Farm Mutual Automobile Insurance Co.*, 168 N.J.Super 68, 401 A.2d 722 (Law Div.1979), affirmed per curiam 176 N.J.Super. 320, 423 A.2d 311 (App.Div.1980).

11:3-10.2 Definitions

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

"Actual cash value", unless otherwise specifically defined by law or policy, means the lesser of the amounts for which the insured or the designated representative can reasonably be expected to:

1. Repair the motor vehicle to its condition immediately prior to the loss; or
2. Replace the motor vehicle with a substantially similar vehicle. The amount shall include all moneys paid or payable as sales taxes on the motor vehicle repaired or replaced. This paragraph shall not be construed to prevent an insurer from issuing a policy where the amount of damages to be paid in the event of a total loss is a specified dollar amount.

"Agreed price" or "figure" means the amount agreed to by the insurer and the insured, or their representatives, as the reasonable cost to replace the motor vehicle or to repair damages to the motor vehicle resulting from the loss, without considering any deductible or deductions.

"Designated representative" means a person designated by the insured to represent the insured in negotiations with the insurer in an attempt to settle the claim. The designated representative may be any person authorized by the insured who may act legally in his or her behalf.

"Motor vehicle" shall have the meaning ascribed in N.J.S.A. 39:1-1.

Amended to delete references to the NJAFIUA and to substitute therefor a general reference to residual market mechanisms created by New Jersey statute consistent with "The Fair Automobile Insurance Reform Act of 1990", P.L. 1980 c.8.

11:3-15.2 Scope

This subchapter applies to every insurance company authorized to transact the business of private passenger automobile insurance in this State and to any residual market mechanism created by any New Jersey statute.

New Rule, R.1989 d.117, effective February 21, 1989.
See: 20 N.J.R. 2984(a), 21 N.J.R. 558(b).

Old text was repealed.

Amended by R.1990 d.580, effective November 19, 1990 (operative January 1, 1991).

See: 22 N.J.R. 1681(a), 22 N.J.R. 3488(b).

Amended to delete references to the NJAFIUA and to substitute therefor a general reference to residual market mechanisms created by New Jersey statute consistent with "The Fair Automobile Insurance Reform Act of 1990", P.L. 1980 c.8.

11:3-15.3 Definitions

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

"Department" means the Department of Insurance of the State of New Jersey.

"Insurance company" means any person, corporation, association, partnership, company and any other legal entity issuing a contract of private passenger automobile insurance, including any residual market mechanism established pursuant to any New Jersey statute. As appropriate, "insurance company" shall also mean a servicing carrier for a residual market mechanism.

New Rule, R.1989 d.117, effective February 21, 1989.
See: 20 N.J.R. 2984(a), 21 N.J.R. 558(b).

Repealed old rule, "effective date."

Amended by R.1989 d.624, effective December 18, 1989 (operative January 1, 1990).

See: 21 N.J.R. 3244(a), 21 N.J.R. 3922(a).

NJAFIUA added to definition of "insurance company".

Amended by R.1990 d.580, effective November 19, 1990 (operative January 1, 1991).

See: 22 N.J.R. 1681(a), 22 N.J.R. 3488(b).

Changed definition of "Insurance Company" for consistency with "The Fair Automobile Insurance Reform Act of 1990", P.L. 1990 c.8.

Case Notes

Insured was not entitled to underinsured motorist benefits; insurance carried by two vehicles which struck his was greater than the amount of uninsured coverage which he could have obtained. *Pinto v. Garretson*, 237 N.J.Super. 444, 568 A.2d 119 (A.D.1989).

Insurer and agent were not liable in allegedly failing to inform insured about higher levels of underinsured motorist coverage. *Pinto v. Garretson*, 237 N.J.Super. 444, 568 A.2d 119 (A.D.1989).

11:3-15.4 Compliance

Pursuant to N.J.S.A. 39:6A-23, no new private passenger automobile insurance policy or renewal shall be issued on or after January 1, 1989, unless the application for the policy or

renewal is accompanied by a written notice which meets the minimum standards prescribed in this subchapter.

New Rule, R.1989 d.117, effective February 21, 1989.
See: 20 N.J.R. 2984(a), 21 N.J.R. 558(b).

Repealed "General context of written notice".

Amended by R.1996 d.58, effective February 5, 1996.

See: 27 N.J.R. 3682(a), 28 N.J.R. 855(a).

Case Notes

Insurance agent had no obligation to contact insureds to provide explanation of notice provided by insurance carrier. *Bruce v. James P. MacLean Firm*, 238 N.J.Super. 501, 570 A.2d 49 (L.1989), affirmed 238 N.J.Super. 408, 570 A.2d 1.

"Notice of coverage" provisions imposed duty on carrier to prove only that it mass mailed requisite materials concerning optional coverage to its insureds. *Bruce v. James P. MacLean Firm*, 238 N.J.Super. 501, 570 A.2d 49 (L.1989), affirmed 238 N.J.Super. 408, 570 A.2d 1.

11:3-15.5 Content of written notice; receipt by public

(a) The written notice shall include the New Jersey Auto Insurance Buyer's Guide and the Coverage Selection Form as they appear in this subchapter.

(b) Each named insured of an automobile insurance policy shall receive a Buyer's Guide and a Coverage Selection Form:

1. When application is made for a new policy;
2. As part of a notice of renewal; and
3. When mid-term changes are requested which require the use of a Coverage Selection Form (see N.J.A.C. 11:3-15.9).

(c) The Coverage Selection Form shall be used in accordance with the requirements of N.J.A.C. 11:3-15.9.

New Rule, R.1989 d.117, effective February 21, 1989.
See: 20 N.J.R. 2984(a), 21 N.J.R. 558(b).

Repealed "General content of buyer's guide".

Amended by R.1989 d.624, effective December 18, 1989 (operative January 1, 1990).

See: 21 N.J.R. 3244(a), 21 N.J.R. 3922(a).

(c) deleted.

Amended by R.1990 d.580, effective November 19, 1990 (operative January 1, 1991).

See: 22 N.J.R. 1681(a), 22 N.J.R. 3488(b).

Amended to clarify when a Buyer's Guide and Coverage Selection Form are required to be received by the public, and, for convenience to the reader, to reference the rules concerning the use of the Coverage Selection Form (see section 13 of the "Fair Automobile Insurance Reform Act of 1990").

Case Notes

Insured could not have jury trial in reformation action for agent's failure to inform insured of available underinsured motorist coverage. *Weinisch v. Sawyer*, 123 N.J. 333, 587 A.2d 615 (1991).

Direct writing insurer was not responsible for insured's inadequate underinsured motorist (UIM) coverage. *Andriani v. New Jersey Mfrs. Ins. Co.*, 245 N.J.Super. 252, 584 A.2d 875 (A.D.1991), certification denied 126 N.J. 327, 598 A.2d 886.

Client-initiated contacts with insurance brokers can result in broker's duty to exercise skill and possess knowledge concerning coverages.

Avery v. Arthur E. Armitage Agency, 242 N.J.Super. 293, 576 A.2d 907 (A.D.1990).

Insurer's buyer's guide and coverage selection form complied with regulations. Avery v. Arthur E. Armitage Agency, 242 N.J.Super. 293, 576 A.2d 907 (A.D.1990).

Insurer that was already voluntarily offering underinsured motorist coverage prior to January 1, 1984 did not have adjustment period until July 1, 1984. Sikking v. Nelson, 242 N.J.Super. 185, 576 A.2d 311 (A.D.1990).

"Notice of coverage" provisions required carrier to prove only that it mass mailed requisite materials. Bruce v. James P. MacLean Firm, 238 N.J.Super. 501, 570 A.2d 49 (L.1989), affirmed 238 N.J.Super. 408, 570 A.2d 1.

Insured was not entitled to underinsured motorist benefits; insurance carried by two vehicles which struck his was greater than the amount of uninsured coverage which he could have obtained. Pinto v. Garretson, 237 N.J.Super. 444, 568 A.2d 119 (A.D.1989).

Insurer and agent were not liable in allegedly failing to inform insured about higher levels of underinsured motorist coverage. Pinto v. Garretson, 237 N.J.Super. 444, 568 A.2d 119 (A.D.1989).

Whether insured was contributorily negligent was for jury. Weinisch v. Sawyer, 237 N.J.Super. 195, 567 A.2d 259 (A.D.1989), certification granted 121 N.J. 658, 583 A.2d 345, reversed 123 N.J. 333, 587 A.2d 615.

11:3-15.6 Minimum Standards for New Jersey Auto Insurance Buyer's Guide

(a) Any insurance company may comply with this subchapter by using a camera-ready typeset Buyer's Guide produced by the Department. To obtain this camera-ready Buyer's Guide, an insurance company may contact the Division of Public Affairs, Department of Insurance, 20 West State Street, CN 325, Trenton, New Jersey 08625-0325.

(b) Insurance companies that wish to produce their own plates may do so according to the requirements prescribed in this subchapter.

(c) In preparing the Buyer's Guide, insurance companies shall use the text provided in this subchapter. Insurance companies which do not offer all the coverages described in the Buyer's Guide shall delete those sections and shall indicate clearly that they do not offer those coverages. Insurance companies may add information to the Buyer's Guide provided that the additional information is consistent with the purpose of the written notice.

(d) To assure conformity with this subchapter, each insurance company shall file its Buyer's Guide with the Division of Public Affairs. The filing shall include a sample copy of the insurance company's Buyer's Guide and a letter listing all alterations and additions, if any, made from the text appearing in this section. The filing shall be made once when the first Buyer's Guide is issued by the insurance company and again whenever changes are made.

(e) When changes are made in Buyer's Guide, the new Buyer's Guide shall be filed with the Division of Public Affairs within seven days of its use, and the bottom of the last page shall clearly state the month and year in which the changes were implemented. Insurers shall be permitted to use existing supplies of the current Buyer's Guide until June 30, 1996. After that date, only use of a Buyer's Guide conforming to these rules shall be permitted.

(f) The size of the pages of the Buyer's Guide shall not be smaller than three and a half inches by eight and one-half inches. The camera-ready Buyer's Guide produced by the Department shall use pages measuring five and one-half inches by eight and one-half inches.

(g) An insurance company which uses the Department's camera-ready Buyer's Guide shall not reduce the image or the size of its pages. The Buyer's Guide shall be bound. If an insurance company intends to fit this printed booklet in a common-size four-inch by nine-inch business envelope, the booklet may be folded once lengthwise.

(h) The Buyer's Guide shall be printed on paper of a quality sufficient to assure that printing does not bleed from one side to the other. The cover may be of the same or better paper quality as the pages.

(i) The type size used in the Buyer's Guide shall be at least 10-point. The camera-ready material provided by the Department shall be 12-point type.

(j) The type style used shall be within the discretion of the insurance company, but it shall be suitable for the use of boldface type for emphasis. In the text required by this subchapter, material which appears in boldface shall be printed in boldface type. The type style used in the camera-ready material provided by the Department shall be Times Roman.

(k) To provide adequate white space for an attractive format, the typeset shall be paragraphed consistent with the text of the Buyer's Guide in (m) below. Additionally, at least one line shall be skipped between each paragraph.

(l) The Buyer's Guide shall have a cover with the following title in large type: "New Jersey Auto Insurance Buyer's Guide." In regular type, the cover shall state, "This contains only general information and is not a legal document." An insurance company may include its name and/or company logo on the cover.

(m) An insurance company which writes at least two percent of the New Jersey private passenger automobile market, and each NJAFIUA servicing carrier, shall print its name and toll-free telephone number on the last page of the Buyer's Guide.

(n) An insurance company which does not offer additional medical expense benefits above limits of \$250,000 per person, per accident, shall not include any reference to this optional coverage in its Buyer's Guide, nor shall any reference be made to such coverage in its Coverage Selection Form.

(o) The text of the New Jersey Auto Insurance Buyers' Guide follows:

New Jersey
Auto Insurance
Buyers' Guide

This contains only general information and is not a legal document.

Summary

New Jersey consumers have specific rights regarding the purchase of auto insurance coverage.

For instance, if the insurance company you choose will not sell you auto insurance, the company must tell you why and, upon your request, the company must respond in writing. If you are not satisfied with the company's response, you can ask the New Jersey Department of Insurance for help. Under certain circumstances, you may also ask for a hearing. Any consumer who believes that his or her insurance company has improperly charged him or her for an at-fault accident can contact the Department, which will investigate the allegations.

The insurance agent or the insurance company also must tell you whether you qualify for auto insurance coverage with one of its other companies or affiliates. Auto insurance applicants with eight or fewer eligibility points can obtain coverage from the company to which they apply, if they fulfill all other eligibility requirements.

You also have the right to receive from your agent auto insurance premium quotes from all the insurance companies he or she represents for which you qualify.

The law requires that you maintain auto liability coverage which, subject to the terms and limits of the policy, protects you in case you are sued, and pays for damages that you cause to someone else's property. Please see page XX.

You are also required to purchase personal injury protection, which pays the auto accident-related medical bills of you and your family. Please see page XX.

You can choose whether your health insurance will pay first for injuries stemming from auto accidents (if you have health insurance which pays for such injuries), or whether you want your auto insurer to pay medical expenses first. You may save on your auto premiums by choosing the health option. To find out more about your medical bene-

fits and options, please see the section beginning on page XX.

Your medical benefits are now capped at \$250,000. That means your auto insurer can only pay up to \$250,000 per person, per accident. But, for an additional premium, you may be able to purchase more coverage for yourself or your family.

You must also carry uninsured motorist coverage, which pays for damages caused by a driver who has no insurance. Please see page XX.

If you want additional coverage, you can buy collision or comprehensive, which pays for damages to your own car or for auto theft. These will add to your total insurance cost. In many cases, State law requires a special insurance inspection of a vehicle before this coverage takes effect. You can save on your collision or comprehensive coverage by choosing higher deductibles. Please see page XX.

The law also allows you to choose whether you want an unlimited right to sue for auto-related damages—the "no threshold" option—or to save money by limiting your right to sue for serious injuries only—the "lawsuit threshold" option (also known as the "verbal threshold"). Please see page XX.

The buyer's guide will explain each of these terms. It will also help you fill out the Coverage Selection Form. You can also learn how to get a comparison of premiums for all auto insurers (page XX).

Explanation of Coverages

Your auto insurance policy is actually several kinds of policies, or coverages, rolled into one.

For each coverage, you are charged a separate price, which is known as the premium.

You pay only one price for auto insurance, but that price is determined by adding the premiums for all the coverages you buy.

Use your coverage selection form to indicate what coverages you will buy in accordance with New Jersey law.

The coverages are:

LIABILITY
PERSONAL INJURY PROTECTION
UNINSURED/UNDERINSURED MOTORIST
COLLISION
COMPREHENSIVE

Use these explanations to help you complete the coverage selection form.

Liability Coverage

(Required by Law)

Item 1 on the Coverage Selection Form

Liability coverage pays for injuries to other people or damages to their property if you are legally responsible for their losses. The company will pay damages only up to the amount of coverage you have chosen.

There are two kinds of liability coverage:

Bodily injury coverage involves cases in which other people are hurt or die as a result of an auto accident. If you are legally responsible, it will compensate these people for pain, suffering or other personal hardships, and will also pay for some economic damages, such as lost wages.

Property damage coverage will reimburse other people if you are legally liable for damage to their belongings as a result of an auto accident.

If a liability claim is filed against you, your insurance company will investigate the claim and will decide whether it should be paid, negotiated, or defended in court. Your insurance company will pay the legal bills.

Under State law, you must buy coverage which will pay, for each accident, at least in the following amounts:

- \$15,000 for any one person's injuries;
- \$30,000 when more than one person is injured;
- \$5,000 for property damage.

Some companies sell a combined single limit policy, which must provide at least \$35,000 of coverage per accident.

Higher limits of liability coverage are available at relatively low cost.

If you cause an accident and do not have enough insurance to cover your legal responsibilities, you then are personally responsible and could lose some of your assets or spend years paying this debt.

PREMIUM COST SAVER: Lawsuit Threshold (Verbal Threshold)

Item 2 on the Coverage Selection Form

In order to hold down insurance premiums, New Jersey motorists may choose to limit when they may sue for noneconomic loss which means pain, suffering and inconvenience resulting from an auto accident.

The lawsuit threshold option, also known as the verbal threshold, uses words, rather than a dollar amount of medical bills, to describe when a suit may be filed. If you select this limitation, then you, your spouse and children living with you who are not covered by name by another auto insurance policy will not be able to sue unless the injury sustained appears on this list:

- death;
- dismemberment;
- significant disfigurement;
- a fracture;
- loss of a fetus;
- permanent loss of use of a body organ, member, function or system;
- permanent consequential limitation of use of a body organ or member;
- significant limitation of use of a body function or system; or
- a medically determined injury or impairment of a nonpermanent nature which prevents the injured person from performing substantially all of the material acts which constitute the person's usual and customary daily activities for not less than 90 days during the 180 days immediately following the occurrence of the injury or impairment. (N.J.S.A. 39:6A-8, effective January 1, 1989)

You can reject this threshold and retain the right to sue for any auto-related injury. This option, called "no threshold", will increase the price of your insurance policy.

Under state law, you must choose either the lawsuit threshold or the no threshold option. The same choice should be made under all policies that you have. If you do not choose one of these options, you are considered by law to have selected the lawsuit threshold option.

Personal Injury Protection (PIP)

(Required by Law)

Item 3 on the Coverage Selection Form

New Jersey law requires Personal Injury Protection, sometimes called PIP or no-fault coverage, which pays all reasonable medical bills up to a maximum of \$250,000 per person, per accident regardless of who caused the auto accident.

However, you may also have the option to select your health insurer or health maintenance organization to pay your auto accident no-fault claims.

Basic PIP Coverage

● **Medical Expenses:** Payment of reasonable and necessary medical expenses within certain limits set by State law—\$250 deductible for each accident, only 80 percent reimbursement for the expenses from \$251 through \$5,000 for each accident, and a maximum benefit of \$250,000 per person per accident.

● **Income Continuation:** If you cannot work because of an auto accident injury, you can collect up to \$100 a week up to a total limit of \$5,200 for lost wages.

● **Essential Services:** You can collect as much as \$12 a day, up to a total limit of \$4,380 to pay someone to do necessary services that you normally do yourself, such as cleaning your house, mowing your lawn, shoveling snow or doing laundry.

● **Death Benefit:** If you die from auto accident injuries, your family or estate will receive any benefits you have not already collected under the income continuation and essential services coverages.

● **Funeral Expense Benefit:** In addition to the death benefit, reasonable funeral expenses are covered up to \$1,000.

PREMIUM COST SAVER: PIP Medical Expenses Only Coverage

If you wish, you can buy PIP medical coverage without any income continuation, essential services, death benefits and funeral expense benefits. This is called PIP medical expenses only.

You might want this premium cost-saving option if you and relatives who live with you would not lose income if any of you were disabled by an auto accident. For example, this option should be considered if your sources of income are pensions, Social Security or investments which would continue regardless of an auto accident, and if someone is always available to care for your personal needs, and if your funeral expenses are covered in some other way.

But the option is a package deal. Either you keep all four of these non-medical expense PIP benefits, or you drop them all. You cannot pick and choose.

Additional PIP Coverage

On the other hand, you and relatives who live with you and who do not have their own auto insurance policies might want higher benefits. You can purchase higher benefits for income protection and essential services, and higher death benefits, than the amounts provided in the basic PIP plan.

Additional Medical Expense Coverage

Your auto insurance company may also offer additional medical expense benefits above limits of \$250,000 per person, per accident.

If you buy additional benefits, the price of your insurance will be higher.

(NOTE: Reference to Additional Medical Expense Coverage shall be deleted by those companies which do not offer the coverage.)

Personal Injury Protection (PIP)

Health Insurance Option (Premium Cost Saving Option) Item 4 on Coverage Selection Form

Most New Jersey residents have the option of selecting their health coverage provider, rather than their auto insurance company, to pay for their no-fault medical expense claims. A health coverage provider may be an insurance company, an HMO or some other type of benefit plan provided by your employer.

Medicare and Medicaid will NOT provide primary coverage. If your health benefits are provided by either Medicare or Medicaid, you cannot choose this option.

If you select your health coverage provider to be the primary payer of auto no-fault claims, you may save on your auto premium. Before selecting this option, however, check to make sure that your health coverage provider will pay for auto accident injury treatment expenses. If your employer supplies your health coverage, your employer should be able to give you this information; otherwise, check with your health coverage provider directly.

Deductibles and co-payments of your health policy or plan will still apply. The coverage limits of your health policy or plan will also be in effect.

Most HMOs offer unlimited coverage. Most other health coverage providers offer lifetime benefit limits of \$1 million.

That means the health coverage provider will pay all eligible health claims, as long as they do not total more than \$1 million during your lifetime. Be sure to ask your health coverage provider what limits apply under your policy or plan.

Your health policy or plan may not cover all procedures or treatments. Exclusions listed in your policy or plan will apply. But your auto insurer should pay for necessary expenses not covered by your health policy or plan.

If you choose your health coverage provider to be responsible for paying auto accident-related medical bills, you must provide the name of your health coverage provider and the policy, plan, membership or certificate number on the Coverage Selection Form. You must also maintain your health coverage.

If you are in an accident and your coverage is no longer in effect, your auto insurer must pay PIP medical benefits. However, you will be required to pay a \$750 additional deductible.

PIP Medical Expenses Deductible

Auto Insurer Option

Item 5 on Coverage Selection Form

This option involves only the medical bills paid by PIP, not the income continuation, essential services, death benefits or funeral expense benefits, which will be paid under basic PIP coverage regardless of whether you select your health insurer or auto insurer to be the primary payer of your auto accident-related medical bills.

Under New Jersey law, unless you choose your health insurer to pay your auto accident-related medical bills, your auto insurance policy will cover your medical bills up to a maximum of \$250,000 per person, per accident, if you are injured in an auto accident.

However, for the first \$5,000 of medical bills per accident, your auto policy will pay only part of the cost of your treatment or the treatment of others covered by your policy. There is a \$250 deductible, meaning the first \$250 will not be covered. The deductible applies only once per accident regardless of the number of people injured.

There is also a 20 percent co-payment, which means that for the bills from \$251 to \$5,000, the policy will pay only 80 percent. No co-payment applies to medical expenses between \$5,001 and \$250,000 per person, per accident.

(NOTE: Companies offering higher PIP limits may state that benefits above \$5,000 are paid up to the limit selected.)

You can choose PIP deductibles of \$250, \$500, \$1,000 or \$2,500. A larger PIP deductible will reduce the price of your auto insurance. The 20 percent co-payment still applies to expenses between the deductible chosen and \$5,000.

You should consider the \$2,500 PIP deductible if you are already covered by a health insurance policy or a health maintenance organization (HMO). In most cases, those plans will pay part of the medical bills which auto insurance will not pay.

Before taking this option, ask your health insurance company or HMO two things:

Will your health policy or HMO cover auto accident-related medical bills not paid by auto insurance? The Department of Insurance requires that health insurance sold in New Jersey cover treatment for auto accident-related injuries the same as other injuries. But your policy may not follow this rule because you may be covered by a health insurance group sold out of state or by an employer's self-insurance plan. Find out.

What are your health policy's or HMO's own deductible, co-payments and exclusions? Find out what your health plan covers. For instance, it may cover only hospitalization but not doctor visits. Also, your health insurance or HMO has its own rules regarding what you pay out of your pocket for medical treatment. Those rules will apply if you use your health plan to cover the \$2,500 PIP deductible.

Uninsured/Underinsured Motorist Coverage

(Required by Law)

Item 6 on the Coverage Selection Form

Despite New Jersey law, which requires auto insurance, many cars are not covered by insurance. Some motorists break the law. Many other motorists are residents of other states which do not require auto insurance by law.

Because these motorists can cause accidents, you are required to buy uninsured motorist coverage. This coverage does not benefit the uninsured driver. It will provide benefits to you, your passengers or relatives living with you if a motorist without insurance is legally liable for injuries to these persons or for damage to your car or its contents.

There are other motorists who have auto insurance coverage but with very low limits. When you buy uninsured motorist coverage above the minimum limits required by law, you are also provided coverage to protect you from those motorists who are underinsured. If you are in an accident caused by such a motorist, underinsured motorist coverage will pay damages up to the difference between your underinsured motorist coverage limit and the other driver's liability coverage limit.

You must purchase uninsured motorist coverage which will pay, for each accident, at least the following amounts:

- \$15,000 for any one person's injuries;
- \$30,000 when more than one person is injured;
- \$5,000 for property damage.

Many companies sell a combined single limit policy, which must provide at least \$35,000 of coverage per accident. The property damage coverage has a basic \$500 deductible, which means that you pay the first \$500 of a claim under that coverage.

You can buy higher uninsured/underinsured motorist coverage limits, but only as high as the liability coverages you have purchased. Most companies sell up to \$250,000/\$500,000/\$100,000 of coverage or a combined single limit of \$500,000.

Collision and Comprehensive Coverages

(Optional)

Items 7 and 8 on Coverage Selection Form

Collision coverage and comprehensive (also known as "other than collision") coverage pay for damage to your car. These coverages will pay to repair your car or pay for its value at the time of the loss if it is stolen or declared a total loss.

These coverages are not required by law. However, if you borrowed money to buy your car or if you are leasing the car, the lender or lessor may require you to buy these coverages. Note that some companies will provide collision coverage only if you buy comprehensive coverage too. Contact your company for details.

Collision coverage pays for damage to your car caused by your car hitting things like other cars, trees or telephone poles, or for the car overturning, or for other moving objects hitting your car.

Comprehensive insurance pays for nearly every other kind of damage to your car, such as fire, theft, flood, vandalism, or contact with a bird or animal.

In order to obtain collision or comprehensive coverage for a newly insured vehicle, you must notify your auto insurance company immediately. Under state law, in most cases, collision or comprehensive coverage cannot be provided on a newly acquired vehicle until the auto insurance company is notified. Also, many such vehicles must be inspected for insurance purposes before coverage can be provided. See the section entitled "Mandatory Insurance Inspection" for more details.

PREMIUM COST SAVER:**No Collision or No Comprehensive**

If your car is older and is paid for, consider eliminating collision or comprehensive coverage, or both. This decision will reduce your premium.

To make the decision, consider what you will pay for these coverages versus the possible benefit if you file a claim.

Collision and comprehensive coverages will reimburse you only up to the actual cash value of your car. The insurance payment probably will be less than the actual cash value because of your policy's deductibles.

PREMIUM COST SAVER:**Collision and Comprehensive Deductibles**

If you decide that you need collision or comprehensive coverage or both, a significant way to hold down the price of your insurance policy is to select higher deductibles.

If you file a claim, a deductible is the amount of money you will pay before the insurance company starts paying. Deductibles are a way of reducing insurance company costs, and thereby decreasing the price of your insurance policy.

The standard deductible for collision and comprehensive coverages in New Jersey is \$500. You still have the right to buy collision or comprehensive coverage with higher or lower deductibles; lower deductibles will increase the price of your insurance policy.

MANDATORY INSURANCE INSPECTION**For Newly Insured Vehicles**

Under state law, many vehicles to be insured for collision or comprehensive (also known as "other than collision") coverage must first be inspected for insurance purposes. The law is intended to reduce insurance fraud by documenting the condition of newly insured private passenger automobiles.

Whenever you acquire a vehicle and desire collision or comprehensive coverage on it, you should notify your auto insurer immediately. The company will tell you everything necessary to comply with the law and obtain the coverage you desire.

Until you notify your auto insurance company, the vehicle may not be covered for collision or comprehensive.

It is important to understand that the mandatory insurance inspection is in addition to the Motor Vehicle Inspection program conducted by the State of New Jersey. The two inspections are separate and unrelated requirements.

In many cases, an insurance inspection may not be necessary. The law says that insurance inspections may be waived for vehicles which are older than seven model years. The law also says that an insurance inspection may not be necessary for a new automobile purchased from a franchised dealer if you submit an invoice documenting your purchase. And if your auto insurance policy has been in effect for four years or longer, an inspection may not be required by law. Your auto insurance company will explain when you call.

Otherwise, an inspection is required for newly insured vehicles. If your vehicle must be inspected, your auto insurer can provide temporary coverage for only seven days after the day you notify the company about the vehicle.

The only way to make sure that you meet the state requirements and receive the coverage you want is to call your auto insurance company before or as soon as any change of a vehicle occurs.

ANTI-THEFT AND SAFETY DISCOUNTS

State law requires all auto insurers to provide comprehensive and collision premium discounts for certain anti-theft

devices and safety features. Most insurers use make and model year rating. Their rates already include the discounts.

Anti-Theft Device Discount—Your auto insurance company encourages the use of anti-theft and vehicle recovery devices as another means to reduce losses. The following types of devices are among those which may qualify for a reduction in the comprehensive premium:

1. Alarm system;
2. Fuel cut-off;
3. Hydraulic brake lock;
4. Ignition or starter cut-off;
5. Steering wheel collar;
6. Transmitter which enables the location of the vehicle to be traced; or
7. Window etching vehicle identification system.

Other types may also qualify.

If your auto is equipped with an anti-theft or vehicle recovery device, contact your auto insurance company for an anti-theft questionnaire.

Safety Feature Discount—Your auto insurance company encourages the use of safety features as another means to reduce losses. The following types of safety features are among those which may qualify for a reduction in the collision premium:

1. Anti-lock braking system;
2. Traction control systems;
3. Five-mile-per-hour bumpers;

Other types may also qualify.

Price Comparison

If you would like a copy of the annual auto insurance premium comparison published by the New Jersey Department of Insurance, please send a stamped, self-addressed envelope to:

Auto Comparison
Division of Public Affairs
NJ Department of Insurance
CN 325
Trenton, NJ 08625-0325

(p) As appropriate, an insurance company may substitute its name in the Buyer's Guide.

(q) As appropriate, an insurance company which offers only split limits may delete language in the Buyer's Guide explaining combined limits, and an insurance company which offers only combined limits may delete language regarding split limits. If an insurance company does not offer limits as low as the minimums required by law, that information may be inserted in this paragraph.

(r) An insurance company which offers higher benefits than described in the text of the Buyer's Guide may modify the relevant paragraph to explain those higher benefits.

(s) An insurance company which uses only one term, "Comprehensive" or "Other Than Collision," to describe this coverage, may delete reference to the inappropriate term.

As amended, R.1984 d.479, eff. November 5, 1984.

See: 16 N.J.R. 1693(a), 16 N.J.R. 3038(a).

(a)3: added "as amended by P.L. 1984 c.40".

New Rule, R.1989 d.117, effective February 21, 1989.

See: 20 N.J.R. 2984(a), 21 N.J.R. 558(b).

Repealed "Specific coverages and options to be included in written notice and buyer's guide".

Amended by R.1990 d.580, effective November 19, 1990 (operative January 1, 1990).

See: 22 N.J.R. 1681(a), 22 N.J.R. 3488(b).

Subsection (n) of this section is amended to delete in its entirety the text of the Buyer's Guide and to substitute new text therefor. The new text is written in plain language pursuant to the requirement of section 13 of the "Fair Automobile Insurance Reform Act of 1990" and incorporated several changes required to be made in the Coverage Selection Form by the Act; also amended to delete the provision that the Department, upon request from an insurer, will prepare a coverage-ready final page of the Buyer's Guide.

R.1992 d.218, effective May 18, 1992.

See: 24 N.J.R. 523(a), 24 N.J.R. 1898(b).

In (c), "Insurance companies . . . shall delete those sections" was "may delete . . .". Added new (n), regarding additional medical benefits, and redesignated existing (n) as (o), with extensive revisions to Buyer's Guide. Redesignated existing (o) through (r) as (p) through (s).

Amended by R.1996, d.58, effective February 5, 1996.

See: 27 N.J.R. 3682(a), 28 N.J.R. 855(a).

In (e) provided for supplies of the current Buyer's Guide, in (g) deleted "by glue or staples" following "bound", and in (o) rewrote the Buyer's Guide.

Case Notes

Driver who owned no automobile and was injured in cohabitant's car was entitled to underinsured motorist benefits. *Market Transition Facility of New Jersey By and Through Amgro Ins. Co. v. Parisi-Lusardi*, 293 N.J.Super.471, 681 A.2d 660 (A.D.1996).

Motorcyclist's tort claim for personal injuries sustained when his motorcycle collided with automobile subject to verbal threshold; he chose that option for liability policy covering only his personally owned automobile and not his motorcycle, even though he was not eligible for personal injury protection benefits under that policy. *Koff v. Carrubba*, 290 N.J.Super. 544, 676 A.2d 184 (A.D.1996).

Insured who was injured by uninsured motorist and underinsured motorist was entitled to recover no more than \$75,000 as maximum limit of liability per accident; not entitled to recover maximum uninsured benefits and maximum underinsured benefits; overruling *Conigliario v. Hanover Ins. Co.*, 233 N.J.Super. 627, 559 A.2d 875. *Hesser v. Harleysville-Garden State Ins. Co.*, 287 N.J.Super. 47, 670 A.2d 123 (A.D.1996).

The Automobile Repair Reform Act limits on recovery from tort-feasor. *Roig v. Kelsey*, 135 N.J. 500, 641 A.2d 248 (1994).

Motorist could reasonably and objectively expect to be buying protection up to declared legal limits. *Clegg v. New Jersey Auto. Full Underwriting Ass'n By and Through Cigna Ins. Co.*, 254 N.J.Super. 634, 604 A.2d 179 (A.D.1992).

There was common-law duty on part of insurance carriers or their agents to advise insureds concerning possible need for higher policy limits upon policy renewal. *Wang v. Allstate Ins. Co.*, 125 N.J. 2, 592 A.2d 527 (1991).

Insured could not have jury trial in reformation action for agent's failure to inform insured of available underinsured motorist coverage. *Weinisch v. Sawyer*, 123 N.J. 333, 587 A.2d 615 (1991).

Direct writing insurer was not responsible for insured's inadequate underinsured motorist (UIM) coverage. *Andriani v. New Jersey Mfrs. Ins. Co.*, 245 N.J.Super. 252, 584 A.2d 875 (A.D.1991), certification denied 126 N.J. 327, 598 A.2d 886.

Client-initiated contacts with insurance brokers can result in broker's duty to exercise skill and possess knowledge concerning coverages. *Avery v. Arthur E. Armitage Agency*, 242 N.J.Super. 293, 576 A.2d 907 (A.D.1990).

Insurer's buyer's guide and coverage selection form complied with regulations. *Avery v. Arthur E. Armitage Agency*, 242 N.J.Super. 293, 576 A.2d 907 (A.D.1990).

Automobile insurer that was already voluntarily offering underinsured motorist coverage prior to January 1, 1984 did not have adjustment period until July 1, 1984. *Sikking v. Nelson*, 242 N.J.Super. 185, 576 A.2d 311 (A.D.1990).

"Notice of coverage" provisions required carrier to prove only that it mass mailed requisite materials. *Bruce v. James P. MacLean Firm*, 238 N.J.Super. 501, 570 A.2d 49 (L.1989), affirmed 238 N.J.Super. 408, 570 A.2d 1.

Whether insured was contributorily negligent was question for jury. *Weinisch v. Sawyer*, 237 N.J.Super. 195, 567 A.2d 259 (A.D.1989), certification granted 121 N.J. 658, 583 A.2d 345, reversed 123 N.J. 333, 587 A.2d 615.

Buyer's guide and coverage selection form did not contain inherent bias or confusion on basis that Commissioner made reference to "basic limit" as opposed to "basic tort option." *Emmer v. Merin*, 233 N.J.Super. 568, 559 A.2d 845 (A.D.1989), certification denied 118 N.J. 181, 570 A.2d 950.

Buyer's guide and coverage selection form which gave basic tort option, as opposed to no-threshold option, a favorite status, was justifiable. *Emmer v. Merin*, 233 N.J.Super. 568, 559 A.2d 845 (A.D.1989), certification denied 118 N.J. 181, 570 A.2d 950.

Commissioner's regulations did not have to require that coverage selection form inform consumers of exact dollar amount of premium savings arising from election. *Emmer v. Merin*, 233 N.J.Super. 568, 559 A.2d 845 (A.D.1989), certification denied 118 N.J. 181, 570 A.2d 950.

Commissioner's use of term "lawsuit threshold" in buyer's guide and coverage selection form, as opposed to "verbal threshold" did not lead to confusion. *Emmer v. Merin*, 233 N.J.Super. 568, 559 A.2d 845 (A.D.1989), certification denied 118 N.J. 181, 570 A.2d 950.

Insurance Commissioner acted properly when he required that coverage selection form contain provision referring consumers to their automobile insurance companies in event of questions on coverage. *Emmer v. Merin*, 233 N.J.Super. 568, 559 A.2d 845 (A.D.1989), certification denied 118 N.J. 181, 570 A.2d 950.

Model coverage selection form, was not arbitrary, unreasonable or capricious, and was substantially consistent with statutory language. *Emmer v. Merin*, 233 N.J.Super. 568, 559 A.2d 845 (A.D.1989), certification denied 118 N.J. 181, 570 A.2d 950.

Two statutes, one requiring that coverage selection form state the percentage difference in premium rates or dollar savings between the

two tort options for suing for noneconomic loss and the other requiring that coverage selection form identify range of premium rate credit or dollar savings or both; were not inconsistent. *Emmer v. Merin*, 233 N.J.Super. 568, 559 A.2d 845 (A.D.1989), certification denied 118 N.J. 181, 570 A.2d 950.

11:3-15.7 Minimum standards for coverage selection form

(a) The Coverage Selection Form shall be printed on at least two pages of paper, size eight and one-half inches by 11 inches. A space shall be provided at the top of the front page for the consumer's name to be handprinted, and a space shall be provided at the bottom of the last page for the consumer's signature and date.

(b) The insurance company may include additional lines for application number, policy number or other necessary information.

(c) An insurance company may expand the form to solicit additional information, including, but not limited to, the names of resident relatives eligible for PIP benefits, or different collision and comprehension deductibles applying to different vehicles covered by the same policy.

(d) The type size shall be at least 12-point.

(e) The Department will not provide camera-ready typeset for the Coverage Selection Form.

(f) The Coverage Selection Form shall include the range of premium rate differences as indicated by this subchapter. Each insurance company shall determine the numbers for use in these sections. When the numbers on the Coverage Selection Form change for any reason, including, but not limited to, rate changes, a new Coverage Selection Form with the current numbers shall be printed.

(g) The Coverage Selection Form shall include the language in (h) below, except that language marked "(NOTE)", which describes language which the insurance company shall insert.

(h) The text of the Coverage Selection Form follows:

(NOTE: Company's name may be included here.)

(NOTE: If a company has more than two percent of the New Jersey private passenger automobile market, it shall include its name and toll-free number here.)

COVERAGE SELECTION FORM

Name: _____

For new policies, you must choose one option for each item below. For changes upon renewal and mid-term policy changes, you must use this Form when you:

(a) elect the "No Threshold" option;

(b) change from the "No Threshold" option to the "Lawsuit Threshold" option;

(c) desire collision or comprehensive deductibles other than \$500;

(d) desire to change to the \$500 deductible for collision or comprehensive coverage;

(e) desire your health insurer to be the primary insurer to pay for your auto accident-related medical bills; or

(f) desire your auto insurance carrier to be the primary insurer for your auto accident-related medical bills.

The following item numbers match the explanations in the New Jersey Auto Insurance Buyer's Guide. Read the Buyer's Guide for information and help in completing this form.

1. Liability Coverage

How much coverage do you choose for damage you may do to others?

- _____
- _____
- _____
- _____

(NOTE: At least four of the most popular coverage limits shall be listed, including the lowest limit offered)

(NOTE: If a complete list is not provided, state that other coverage limits are available.)

2. Lawsuit Threshold (Otherwise known as the "Verbal Threshold")

Do you accept the basic limit on the right to sue if injured in an auto accident?

Yes. I want the Lawsuit Threshold.

No. I want No Threshold. My bodily injury liability premium will be ___% to ___% higher if I select the No Threshold option instead of the Lawsuit Threshold, depending upon where my car is garaged, my bodily injury liability coverage limit, and other factors. Per vehicle, my bodily injury liability premium at current rates will be \$___ to \$___ higher on each _____ renewal of my policy if I select the No Threshold option instead of the Lawsuit Threshold. I understand that I can contact my insurance company or my insurance producer i.e., agent or broker) for specific details.

(NOTE: Insurance companies writing six month policies should insert the word "semi-annual" in the blank space above. Companies writing 12 month policies should insert the word "annual.")

(NOTE: Insurance companies writing single limit liability coverage may add a footnote to inform insureds that the policy declaration page will not include a specific premium for "bodily injury liability" coverage.)

NOTE: Insurance companies or their producers or representatives shall not be held liable in an action for damages either on account of the choice of a tort option (lawsuit threshold/verbal threshold or no threshold) made by an insured or on account of the tort option imposed by law if no choice is made, except for damages caused as the result of a willful, wanton or grossly negligent act of commission or omission.

3. Personal Injury Protection (PIP). Choose the kind of coverage you want.

Basic PIP Coverage which includes income continuation, essential services, death benefits and funeral expense benefits as well as medical expense benefits, or

PIP Medical Expenses Only Coverage, for a ___% to ___% savings in the _____ premium. (NOTE: Include the range of percentage savings and the base, i.e., basic PIP premium.);

Additional PIP Coverage at an extra cost. NOTE: This option is not available if you have selected PIP Medical Expenses Only Coverage. Contact your insurance company or insurance producer (i.e., agent or broker) for details. (NOTE: Company's name may be used here or a chart listing options may be enclosed.)

Additional Medical Expense Coverage.

(NOTE: Reference to Additional Medical Expense Coverage shall be deleted by those companies which do not offer the coverage.)

4. PIP Health Insurance Option. Choose if you want your health insurer, other than Medicare or Medicaid, to be your primary carrier to pay your auto accident-related medical benefits. Check with your employer or health insurer to see if you are eligible and request an answer in writing. To choose this option, health coverage must cover the named insured and members of his family residing in the household.

Yes, I choose the PIP health insurer option.

(NOTE: Your auto insurance company may invalidate this option selection and request payment of the discounted premium amount if it checks but cannot verify that (1) your health coverage is in effect, and (2) your health insurer will provide primary coverage for your auto accident-related medical expenses.

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 Bor.
- 0111 - Galloway Twp.
- 0112 - Hamilton Twp.
- 0113 - Hammonton Town
- 0114 - Linwood City
- 0115 - Longport Bor.
- 0116 - Margate City
- 0117 - Mullica Twp.
- 0118 - Norfield City
- 0119 - Pleasantville City
- 0120 - Port Republic City
- 0121 - Somers Point City
- 0122 - Vantnor City
- 0123 - Weymouth Twp.

BERGEN COUNTY

- 0201 - Allendale Bor.
- 0202 - Alpine Bor.
- 0203 - Bergenfield Bor.
- 0204 - Bogota Bor.
- 0205 - Carlstadt Bor.
- 0206 - Cliffside 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 - Hammington Park Bor.
- 0225 - Hasbrouck Heights Bor.
- 0226 - Hawthorth Bor.
- 0227 - Hillsdale Bor.
- 0228 - Hokokus Bor.
- 0229 - Laona 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 - Riverege Bor.
- 0253 - Rivervale 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.

BURLINGTON COUNTY

- 0301 - Bass River Twp.
- 0302 - Beverly City
- 0303 - Bordentown City

- 0304 - Bordentown Twp.
- 0305 - Burlington City
- 0306 - Burlington Twp.
- 0307 - Chesterfield Twp.
- 0308 - Cinnaminson Twp.
- 0309 - Delance Twp.
- 0310 - Delran Twp.
- 0311 - Eastampton Twp.
- 0312 - Edgewater Park Twp.
- 0313 - Fieldsboro Bor.
- 0315 - Florence Twp.
- 0316 - Hainesport Twp.
- 0317 - Lumberton Twp.
- 0318 - Mansfield Twp.
- 0319 - Maple Shade Twp.
- 0320 - Medford Twp.
- 0321 - Medford Lakes Bor.
- 0322 - Moorestown Twp.
- 0323 - Mount Holly Twp.
- 0324 - Mount Laurel Twp.
- 0325 - New Hanover Twp.
- 0326 - No. Hanover Twp.
- 0327 - Palmyra Bor.
- 0328 - Pemberton Bor.
- 0329 - Pemberton Twp.
- 0330 - Riverside Twp.
- 0331 - Riverton Bor.
- 0332 - Shamong Twp.
- 0333 - Southampton Twp.
- 0334 - Springfield Twp.
- 0335 - Tabernacle Twp.
- 0336 - Washington Twp.
- 0337 - Westampton Twp.
- 0338 - Willingboro Twp.
- 0339 - Woodland Twp.
- 0340 - Wrightstown Bor.

CAMDEN COUNTY

- 0401 - Audubon Bor.
- 0402 - Audubon Park Bor.
- 0403 - Barnington 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 - Lindenwood Bor.
- 0423 - Magnolia Bor.
- 0424 - Merchantville Bor.
- 0425 - Mt. Ephraim Bor.
- 0426 - Oaklyn Bor.
- 0427 - Pennsauken Twp.
- 0428 - Pine Hill Bor.
- 0429 - Pine Valley Bor.
- 0430 - Runnemede Bor.
- 0431 - Somerdale Bor.
- 0432 - Stratford Bor.
- 0433 - Tavistock Bor.
- 0434 - Voorhees Twp.
- 0435 - Waterford Twp.
- 0436 - Winslow Twp.
- 0437 - Woodlynne 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 - West Wildwood Bor.
- 0514 - Wildwood City
- 0515 - Wildwood Crest Bor.
- 0516 - Woodbine Bor.

CUMBERLAND COUNTY

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

- 0606 - Greenwich Twp.
- 0607 - Hopewell Twp.
- 0608 - Lawrence Twp.
- 0609 - Maurice River Twp.
- 0610 - Millville City
- 0611 - Shiloh City
- 0612 - Stow Creek Twp.
- 0613 - Upper Deerfield Twp.
- 0614 - Vineland City

ESSEX COUNTY

- 0701 - Bellevue 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 - Milburn Twp.
- 0713 - Montclair Twp.
- 0714 - Newark City
- 0715 - North Caldwell Twp.
- 0716 - Nutley Twp.
- 0717 - Orange City Twp.
- 0718 - Roseland Twp.
- 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 Twp.
- 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 Bor.
- 0902 - East Newark Bor.
- 0903 - Guttenburg Town
- 0904 - Harrison Town
- 0905 - Hoboken Bor.
- 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 Bor.
- 1024 - Tewksbury Twp.
- 1025 - Union Twp.
- 1026 - West Amwell Twp.

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.
- 1210 - Middlesex Bor.
- 1211 - Milltown Twp.
- 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 Twp.
- 1225 - Woodbridge Twp.

MONMOUTH COUNTY

- 1301 - Aberdeen Twp.
- 1302 - Allenhurst Bor.
- 1303 - Allentown Bor.
- 1304 - Asbury Park City
- 1305 - Atlantic Highlands Bor.
- 1306 - Avon-by-the-sea Bor.
- 1307 - Belmar Bor.
- 1308 - Bradley Beach Bor.
- 1309 - Brielle Bor.
- 1310 - Colts Neck Twp.
- 1311 - Deal Bor.
- 1312 - Eatontown Twp.
- 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 - Keypport 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 Girt Bor.
- 1343 - Sea Bright Bor.
- 1344 - Shrewsbury Bor.
- 1345 - Shrewsbury Twp.
- 1346 - Spring Lake 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.

- 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 - Kinneton Bor.
- 1416 - Lincoln Park Bor.
- 1417 - Madison Bor.
- 1418 - Mendham Bor.
- 1419 - Mendham Twp.
- 1420 - Mine Hill Twp.
- 1421 - Muntville Twp.
- 1422 - Morris Twp.
- 1423 - Morris 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 - Rockaway Twp.
- 1436 - Roxbury Twp.
- 1437 - Victory Gardens Bor.
- 1438 - Washington Twp.
- 1439 - Wharton Bor.

OCEAN COUNTY

- 1501 - Barnegat Twp.
- 1502 - Barnegat Light Bor.
- 1503 - Bay Head Bor.
- 1504 - Beach Haven Bor.
- 1505 - Beachwood Bor.
- 1506 - Berkeley Twp.
- 1507 - Brck Twp.
- 1508 - Dover Twp.
- 1509 - Eagleswood Bor.
- 1510 - Harvic 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.

PASSAIC COUNTY

- 1601 - Passaicdale 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 - Wanauque Bor.
- 1614 - Wayne Twp.
- 1615 - West Milford Twp.
- 1616 - West Paterson Bor.

SALEM COUNTY

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

- 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 Twp.
- 1807 - Far Hills Twp.
- 1808 - Franklin Twp.
- 1809 - Green Brook Twp.
- 1810 - Hillsborough Twp.
- 1811 - Manville Twp.
- 1812 - Millstone Bor.
- 1813 - Montgomery Twp.
- 1814 - North Plainfield Bor.
- 1815 - Peapack Gladstone Bor.
- 1816 - Raritan Bor.
- 1817 - Rocky Hill Bor.
- 1818 - Somerville Bor.
- 1819 - South Bound Brook Bor.
- 1820 - Warren Twp.
- 1821 - Watchung Bor.

SUSSEX COUNTY

- 1901 - Andover Bor.
- 1902 - Andover Twp.
- 1903 - Branchville Bor.
- 1904 - Byram Twp.
- 1905 - Frankford Twp.
- 1906 - Franklin Bor.
- 1907 - Fredon Twp.
- 1908 - Green Twp.
- 1909 - Hamburg Bor.
- 1910 - Hampton Twp.
- 1911 - Hardsdyston Twp.
- 1912 - Hopatcong Bor.
- 1913 - Lafayette Twp.
- 1914 - Montague Twp.
- 1915 - Newton Town
- 1916 - Sandyston Bor.
- 1917 - Sandyston Twp.
- 1918 - Sparta Twp.
- 1919 - Stanhope Bor.
- 1920 - Stillwater Twp.
- 1921 - Sussex Bor.
- 1922 - Vernon Twp.
- 1923 - Walpack Twp.
- 1924 - Wantage Twp.

UNION COUNTY

- 2001 - Berkeley Heights Twp.
- 2002 - Clark Twp.
- 2003 - Cranford Twp.
- 2004 - Elizabeth City
- 2005 - Fanwood Bor.
- 2006 - Garwood Bor.
- 2007 - Hillside Twp.
- 2008 - Kenilworth Bor.
- 2009 - Linden City
- 2010 - Mountainside Bor.
- 2011 - New Providence Bor.
- 2012 - Plainfield City
- 2013 - Rahway City
- 2014 - Roselle Bor.
- 2015 - Roselle Park Bor.
- 2016 - Scotch Plains
- 2017 - Springfield Twp.
- 2018 - Summit City
- 2019 - Union Twp.
- 2020 - Westfield Twp.
- 2021 - Winfield Twp.

WARREN COUNTY

- 2101 - Allamuchy Twp.
- 2102 - Alpha Bor.
- 2103 - Belvidere Town
- 2104 - Blairstown Twp.
- 2105 - Franklin Twp.
- 2106 - Frelinghuysen Twp.
- 2107 - Greenwich Twp.
- 2108 - Hackettstown Town
- 2109 - Hardwick Twp.
- 2110 - Harmony Twp.
- 2111 - Hope Twp.
- 2112 - Independence Twp.
- 2113 - Knowlton Twp.
- 2114 - Liberty Twp.
- 2115 - Lopatcong Twp.
- 2116 - Mansfield Twp.
- 2117 - Oxford Twp.
- 2118 - Pahaquarry Twp.
- 2119 - Phillipsburg Town
- 2120 - Pohatcong Twp.
- 2121 - Washington Bor.
- 2122 - Washington Twp.
- 2123 - White Twp.

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).

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:

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

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

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 Tax: 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.

APPENDIX C

PRODUCER ASSIGNMENT PROGRAM—REFUSAL OF PRODUCER APPOINTMENT
(Please print or type)

----- Company Information -----

Name of Company or Group NAIC #

Address: _____

Company Contact Person Title

Phone No.: (____) _____ FAX No.: (____) _____

----- Producer Information -----

Name of JEA/MIF Contractholder DOI Producer Reference No.

Contact Person: _____
Individual Licensee if above is Partnership or Corporation

Main Business Address—No. and Street (P.O. Box not permitted)

City NJ _____ Zip (____) _____ Phone

----- Refusal Information -----

Date of Refusal of Appointment: Mo. _____ Day _____ Yr. _____

Comment: _____

CERTIFICATION

I certify that the above information is correct to the best of my knowledge information and belief. I understand that if I have knowingly made any false statements I will be subject to penalties.

Signature of Company Representative Print Name

Title Date

SUBCHAPTER 43. (RESERVED)

SUBCHAPTER 44. SPECIAL RULES FOR
EFFECTING COVERAGE FOR PRIVATE
PASSENGER AUTOMOBILE INSURANCE**11:3-44.1 Purpose and scope**

(a) This subchapter implements the provisions of N.J.S.A. 17:33B-15 and 18 which prohibit insurers, both individually and through their agents, from attempting to channel away eligible persons, with the effect of avoiding an insurer's obligation to provide private passenger automobile insurance coverage to eligible persons.

(b) This subchapter applies to all persons that are licensed and authorized to transact the business of personal private passenger automobile insurance in this State and all producers.

11:3-44.2 Definitions

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

"Affiliate" means an insurer that directly, or indirectly through one or more intermediaries, controls or is controlled by, or is under common ownership and management with, another insurer.

"Business days" means all days other than weekends and official New Jersey State and Federal holidays.

"Commissioner" means the Commissioner of the Department of Insurance.

"Completed written application" means a signed application that contains the minimum information necessary as set forth at N.J.A.C. 11:3-44.3(a) to determine whether the applicant is an eligible person, to rate and underwrite the policy, is accompanied by a completed coverage selection form as provided at N.J.A.C. 11:3-15.6 and, if requested, a copy of the applicant's driver's license, a copy of the motor vehicle registration of the principal vehicle to be insured, one additional proof of New Jersey residency and an acknowledgment of requirement for insurance inspection form where physical damage is requested.

"Days" means calendar days.

"Eligible person" means a person as defined at N.J.S.A. 17:33B-13 and N.J.A.C. 11:3-34.4.

"Insurer" means a person authorized to transact the business of personal private passenger automobile insurance in this State including insurers organized pursuant to N.J.S.A. 17:50-1 et seq.

"Market Transition Facility" or "MTF" means the New Jersey Market Transition Facility established pursuant to N.J.S.A. 17:33B-11.

"Personal private passenger automobile insurance" means a policy of automobile insurance principally used to provide primary insurance on private passenger automobiles which are owned individually, or jointly by individuals who are residents of the same household, and used for personal, family, or household needs.

"Transmit" means to mail or deliver by any means including, but not limited to, third class mail, certified mail, overnight delivery or express delivery, hand delivery and any transmission by wire, including, but not limited to, facsimile transmission or computer modem.

11:3-44.3 Duty to provide coverage upon receipt of a completed written application

(a) The minimum information necessary to determine whether an applicant is an eligible person and to rate and underwrite the policy is as follows:

1. The desired effective date of policy;
2. Personal information, including the name, address, home telephone number, date of birth, sex and marital status of the applicant and principal driver of each automobile to be insured under the policy;
3. The number of vehicles to be insured and a description of each such vehicle including:
 - i. The model year;
 - ii. The cost of the vehicle, if new;
 - iii. The trade name;
 - iv. The model;
 - v. The body type;
 - vi. The vehicle identification number;
 - vii. An approximate odometer reading if the insurer rates by mileage;
 - viii. The estimated annual mileage if the insurer rates by mileage;
 - ix. The intended use of vehicle (for pleasure, for or to work, to school or to public transportation);
4. Where the vehicle is garaged, if different from residence;
5. The month and year licensed for all drivers licensed less than three years;