

Email Comment:

From: Christopher Ortega <christopher.ortega.y3po@statefarm.com>
Date: Mon, Jul 21, 2025 at 3:25 PM
Subject: Public Comment Re: WV 8382 2025
To: adam.holley@wv.gov <adam.holley@wv.gov>
Cc: Christopher Ortega <christopher.ortega.y3po@statefarm.com>, Laura Baker <laura.baker.ukjk@statefarm.com>

Dear Mr. Holley,

Thank you for the opportunity to provide public comment on the proposed rule concerning Compulsory Motor Vehicle Liability Insurance (WV 8382 2025). Following review of the proposed rule, we share the following two items for your consideration:

1. Specification 9.) indicates that the NAIC number needs to appear in the upper right corner. The current certificate has the NAIC number at the bottom of the card. Moving the number does not appear to provide any benefit and would require a redesign of the card for the insurance carrier. The requirement should be that the NAIC number is on the certificate, but specific location left to the individual carrier.
2. There is an inconsistency between the sample certificate and the rules. On the sample card, there is a space for "Signature of owner" but Specification 5.) references signature of an authorized representative of the carrier. First, what is the purpose of a signature? The current certificate does not contain a signature. It is unclear how this requirement provides any benefit and adding it the certificate necessitates a redesign for the insurance carrier. If a signature is going to be required, then the sample and the rules should be consistent as to whose signature is required.

Thank you for the opportunity to share the above for your consideration. Should you have any questions or need anything else, please do not hesitate to reach out to me directly. **Kindly confirm receipt at your earliest convenience.**

Sincerely,
Chris Ortega

Christopher M. Ortega, Esq. |
Counsel, Legislative/Regulatory
Bloomington, IL 61710
(309-766-8989

*christopher.ortega.y3po@statefarm.com

¡Siempre adelante, nunca atrás!

– St. Junipero Serra, O.F.M.

ATTORNEY CLIENT COMMUNICATION/ ATTORNEY WORK PRODUCT

The information contained in this electronic message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. It is intended only for the use of the owner of the e-mail address listed as the recipient of this message. If you are neither the intended recipient nor the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

Response to Comment:

From: Holley, Adam <adam.holley@wv.gov>

Date: Tue, Jul 22, 2025 at 3:47 PM

Subject: Re: Public Comment Re: WV 8382 2025

To: Christopher Ortega <christopher.ortega.y3po@statefarm.com>

Cc: Christopher Ortega <christopher.ortega.y3po@statefarm.com>, Laura Baker <laura.baker.ukjk@statefarm.com>

Dear Mr. Ortega,

Thank you for your comments concerning proposed amendments to 91CSR13. I recognize that your comments are related to Appendix A which provides a sample Certificate of Insurance and a list of "Specifications." The sample Certificate of Insurance and Specifications were historically part of the administrative rule but was omitted from the 2012 version of the administrative rule. The DMV was, nonetheless, authorized to issue forms and the form and specifications were published on the DMV website for the benefit of insurance companies. The submission of the proposed amendments includes the previously omitted form and specifications to the rule.

Your specific comments are reiterated below with a specific response from the agency.

1. Specification 9.) indicates that the NAIC number needs to appear in the upper right corner. The current certificate has the NAIC number at the bottom of the card. Moving the number does not appear to provide any benefit and would require a redesign of the card for the insurance carrier. The requirement should be that the NAIC number is on the certificate, but specific location left to the individual carrier.

Agency response: Uniformity in the form is a benefit to the agency from an administrative standpoint and has been adopted by most insurance carriers that have used the form and specifications from the website or previously published rules. However, the agency has always permitted variance from the form and specifications with prior approval of the Commissioner. The agency will continue to do so as proposed in the rule. Your company's form has never been rejected although the NAIC number is not in the specified location.

2. There is an inconsistency between the sample certificate and the rules. On the sample card, there is a space for "Signature of owner" but Specification 5.) references signature of an

authorized representative of the carrier. First, what is the purpose of a signature? The current certificate does not contain a signature. It is unclear how this requirement provides any benefit and adding it to the certificate necessitates a redesign for the insurance carrier. If a signature is going to be required, then the sample and the rules should be consistent as to whose signature is required.

Agency response: The agency agrees with the comment and intends to modify the rule on Specification 5. to generally require contact information for the insurance carrier or agent that can verify the policy.

Thank you again for your comments.