

LINE OF BUSINESS : Motor Service Club

LINE(S) OF INSURANCE CODES

33.0000

Code: 33.0000

IF CHECKLIST IS NOT APPLICABLE, PLEASE EXPLAIN:

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REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
GENERAL REQUIREMENTS FOR ALL FILINGS			
COPIES, RETURN ENVELOPES ETC.	<a href="#">36 O.S. 3104(B)</a>	Every service contract executed, issued or delivered in this state shall be made in duplicate, with one copy being kept by the issuing company and the other copy delivered to the purchasing party.	
COVER LETTER AND EXPLANATORY MEMORANDUM		Required.	
DELIVERY OF CONTRACT	<a href="#">36 O.S. 3104(C)(1)</a>	The exact corporate or other name of the company.	
EFFECTIVE DATE	<a href="#">36 O.S. 3104(C)(4)(d)</a>	The date when such service will commence.	
FILING SUBMISSION		We accept all lines of business and all filing types through SERFF. As such, we expect SERFF insurers to submit all filings through the SERFF system. We cannot maintain both a SERFF filing system and a paper filing system for an insurer. As such, paper filings will be rejected and the forms, rates, loss costs or rules attached to the paper filing will not be available for use in Oklahoma until resubmitted, reviewed and finalized through the SERFF system.	

REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
LIMITATIONS/RESTRICTIONS ON TRANSACTING BUSINESS			
LINE OF AUTHORITY			
NAIC #			
NO FILE OR FILING EXEMPTIONS			
SIDE BY SIDE COMPARISON	<a href="#">O.R. 365:15-1-3(b)(9)(D)</a>	A complete description and full explanation of the changes made by the filing including, reasoning therefore, illustrative examples, including "John Doe" specimen form, and a comparison of currently approved and proposed materials.	
THIRD PARTY FILERS AUTHORITY		Must include letter of authorization.	
TRANSACTING OTHER BUSINESS			
ACCESS TO COURTS			
AGGREGATE LIMITS			
AMBIGUOUS & MISLEADING			
APPLICATIONS			
APPRAISALS			
ARBITRATION			
ASSESSIBLE POLICIES			
BANKRUPTCY PROVISIONS			
BLANK ENDORSEMENTS			
CANCELLATION & NON-RENEWAL	<a href="#">36 O.S. 3104(C)(3)</a>	A provision that the contract may be canceled at any time by the club or canceled at any time by the holder. If the contract is canceled and has actually paid the consideration, thereupon be entitled to the unused portion of the consideration paid for such contract, calculated on a pro rata basis over the period of the contract, without any deductions.	
DISCLOSURES	<a href="#">36 O.S. 3104(C)(5)</a>	A statement in not less than 14-point modern type at the head of said contract stating, "This is not an insurance contract."	

REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
DEFINITIONS			
DISCRIMINATION			
DUTY TO DEFEND			
INSURER'S NAME AND ADDRESS REQUIRED	<a href="#">36 O.S. 3104(C)(2)</a>	The exact location of its home office and of its usual place of business in Oklahoma, giving street number and city.	
MINIMUM STANDARDS FOR CONTENT (POLICIES AND STANDARD FORMS)	<a href="#">36 O.S. 3104(4)(a)(b)(c)</a>	<p>a. The services promised.</p> <p>b. That the holder will not be required to pay any sum, in addition to the amount specified in the contract, for any services thus specified.</p> <p>c. The territory wherein such services are to be rendered.</p>	
Filing Fees Fee Requirements	<a href="#">36 O.S. 348.1</a>	Form filings - \$50.00 for each individual insurer.	
Withdrawal of Pending Filings	<a href="#">O.R. 365: 15-1-3(b)(10)</a>	Pending filings may be withdrawn by the filing entity upon notice to the Insurance Department prior to the approval or disapproval thereof. The notice shall include reasons for the withdrawal.	
Postage Requirements	<a href="#">.R. 365: 15-1-3(b)(8)</a>	No submissions shall be accepted which arrive at the offices with postage due. No submissions will be returned unless the necessary postage accompanies the same.	
Unfair Discrimination	<a href="#">O.R. 365: 15-1-9</a>	Prohibits unfair discrimination.	
Forms Filed Separately	<a href="#">O.R. 365: 15-1-21</a>	Policy forms, endorsements, and other forms used shall be filed in compliance with the applicable provisions of Article 36 of the Insurance Code. Said forms shall be filed separately from rates and manual rules.	

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Withdrawal or Discontinue writing	<a href="#">O.R. 365: 15-1-18</a>	<p>Any insurer desiring to withdraw from the state or discontinue the writing of certain classes of insurance or programs in this state or transferring policyholders between admitted companies within the same insurance holding company system shall give ninety (90) days notice in writing to the Rate and Form Compliance Division of the Insurance Department and shall state in writing its reasons for such action. The ninety (90) days notice is inclusive of, and not in addition to, any other notice requirement per line of business.</p> <p>The insurer shall also provide the following information:</p> <ul style="list-style-type: none"> <li>(1) The number of policyholders affected;</li> <li>(2) The number of insurance agents affected;</li> <li>(3) The date the insurer will cease writing new business;</li> <li>(4) The date the insurer will start non-renewing insurance policies;</li> <li>(5) The date the insurer will transfer policyholders;</li> <li>(6) Whether the insurer has made arrangements with another insurer to pick up the renewals; if applicable;</li> <li>(7) The lines of insurance on which the insurer plans to concentrate; and</li> <li>(8) Whether the insurer anticipates re-entering the market.</li> </ul>	
Policy Fees	<a href="#">36 O.S. 3623.1</a>	<p>Nothing in this code shall be construed to prevent an insurer from charging and collecting separate initial membership fees and policy fees in addition to premiums for insurance, and such fees shall not be considered premium within the definition of this Code, but shall be subject to premium tax.</p> <p>Fees are defined as a flat amount added to the basic premium rate to reflect the cost of establishing the required records, sending premium notices and other related expenses and include, but are not limited to, the following: Installment fees, service charges, financing fees, membership fees, return check fees, policy fees, motor vehicle record fees, inspection fees, late fees, electronic transfer fees, credit score fees and expense load fees.</p> <p>The fee passed on to the consumer must be the actual expense incurred by the insurance company, insurance agency or insurance producer.</p>	

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Re-submittal of Disapproved or Rejected Filings	<a href="#">O.R. 365:15-1-3 (b) (17)</a>	All resubmitted filings shall be presented to the Insurance Commissioner in the same manner required by this subchapter for an original filing. In addition the cover letter or filing memorandum addressed to the Insurance Commissioner shall state the full and complete history of the filing, the reason for disapproval, and the factors, that distinguish the resubmittal to warrant reconsideration.	