



**OKLAHOMA  
INSURANCE**  
DEPARTMENT

A GUIDE TO DEALING WITH  
**AUTO INSURANCE  
& ACCIDENTS**



# VEHICLE LIABILITY COVERAGE REQUIRED BY LAW

**BODILY INJURY LIABILITY** protects you against a claim which is made by someone who has been injured in an auto accident for which you are found liable.

**PROPERTY DAMAGE LIABILITY** protects you against claims for damages to another vehicle or property in an accident for which you are found liable.

**MINIMUM LIABILITY LIMITS FOR OKLAHOMA** are 25/50/25. The first 25 means the policy will pay up to \$25,000 in bodily injury for any one person per accident. The 50 means that the policy will pay up to \$50,000 for all persons injured per accident. The third number in the 25/50/25 means that the policy will pay up to \$25,000 per accident for property damage.

Consult your insurance agent to discuss your liability coverage limits, and whether or not it would be beneficial for you and your family to increase your limits in order to protect your assets in the event of a loss that would exceed the 25/50/25 liability limit

## REMEMBER

25/50/25 is the minimum coverage that Oklahoma Law allows you to carry on your car in order to legally drive in Oklahoma. However, if the cost of any bodily injury or damage exceeds the 25/50/25 liability limits, the amount over these limits would be your responsibility to pay.

# OPTIONAL COVERAGE

## UNINSURED MOTORIST (UM)

UM pays you, resident members of your family, and occupants of your auto for personal injuries caused by an uninsured or underinsured motorist, or a hit and run driver.

Uninsured Motorist coverage is not required by law; however, the law does require you to reject this coverage in writing if you do not want it.

**UM COVERAGE DOES NOT COVER YOUR PROPERTY**

## MED PAY

This coverage provides medical assistance and funeral expenses to you and your resident relatives for any injuries sustained from, in, on or around a motor vehicle. It will also provide medical assistance and funeral expenses for any person occupying your vehicle.

**THIS COVERAGE IS APPLICABLE REGARDLESS OF FAULT OR LIABILITY.**

# THE LAW

**Oklahoma law requires that any person who licenses and/or operates a motor vehicle show proof of financial responsibility in one of these ways:**

- Vehicle Liability Insurance - Most Oklahomans will show financial responsibility with car insurance (Vehicle Liability Insurance)
- A certificate issued by the Oklahoma Department of Public Safety, showing that the certificate holder has deposited at least \$75,000.00 in cash or in a CD, with DPS.
- For owners of 25 or more automobiles, a certificate of self insurance issued by the Department of Public Safety.

## PHYSICAL DAMAGES

**COLLISION** Coverage pays for damage to your vehicle for a collision accident no matter who is at fault.

**COMPREHENSIVE** Coverage pays for damage to your vehicle caused by something other than collision.

### **OTHER OPTIONS**

- Towing and Labor Cost
- Rental Reimbursement
- Accidental Death Indemnity
- Special Disability Benefits

# WHAT TO DO IF YOU ARE IN AN AUTO ACCIDENT

**STOP** Try not to block traffic.

**CALL 911** If anyone is injured and call the police to report the accident.

**DO NOT** admit liability to anyone or accept claim settlement.

**REPORT** any loss to your insurance agent or insurance company and file a Motor Vehicle Accident Report as required by state law Send a copy to your insurance agent or insurance company.

**GET INFO** by recording the facts, taking pictures of the accident and surrounding area, as well as independent witness contact information if possible.

Contact your insurance agent for more information on additional coverages provided by your auto insurance company, which may be beneficial to you and your family.

FAQ's

# AUTO INSURANCE CLAIMS

A **First Party Claim** is when you are filing a claim against your insurance company. A **Third Party Claim** is when you are filing a claim on another person's policy.

If another person was at fault in the auto accident, you can still go through your insurer if you have collision coverage. Doing this will not affect your rates because Section 941 of the Oklahoma Insurance Code says that a company cannot assign driving record points, cancel, refuse to renew or increase the premium rate for any motor vehicle liability or collision insurance policy for the reason that the insured has been involved in a motor vehicle collision and was not at fault

## **Repairing your vehicle with 'like kind and quality parts':**

When your vehicle is being repaired following an accident, an insurance company's limit of liability is the actual cash value of the property or damaged part of the property at the time of the loss. Putting brand new parts on an older vehicle would result in betterment, which is not the intention of the policy. If you still insist on new factory parts, the company will likely require that you pay the difference between the new parts and the "like kind and quality parts".

## **The insurance company's estimate for the repair of your vehicle is too low.**

The company would owe the least amount necessary to return your vehicle to pre-loss condition. The correct procedure is to take your vehicle to the repair shop of your choice and provide the adjuster's estimate. If additional damages related to the accident are found, you should contact the adjuster regarding a supplemental payment.

# FAQ's AUTO INSURANCE CLAIMS

*...continued*

The insurance company for the at fault party should provide you with a replacement vehicle while your car is being repaired. If your car is a total loss, the company will generally provide the replacement vehicle until a settlement offer has been made on your car. However, the insurance company is not required by law to provide a replacement vehicle to you. On the other hand, if the accident was your fault & you will be filing a claim under your auto policy, a replacement car will not be provided unless you purchased rental reimbursement coverage.

## **YOU HAVE THE RIGHT TO REPAIR YOUR VEHICLE AT THE REPAIR SHOP OF YOUR CHOICE**

### **If The Vehicle Is A Total Loss:**

Auto insurance provides coverage on an actual cash value (ACV) basis, which means that the company owes the ACV at the time of the loss. According to state law, such cost may be determined by: the cost of a comparable motor vehicle in the local market area when a comparable motor vehicle is available in the local market area, one or two or more quotations obtained by an insurer from two or more qualified dealers located within the local market area when a comparable motor vehicle is not available in the local market area, or the cost of a comparable motor vehicle as quoted in the latest edition of the National Automobile Dealers Association Official Used Car Guide or monthly edition of any other nationally recognized published guidebook.

If you have a third party injury claim, please note that concerning the payment of incurred medical expenses, there are no statutes requiring payment as the bills are incurred. Therefore, the insurance company may elect to wait until the injured party is ready to settle and include reimbursement for these bills in the final settlement check.

# WHEN YOU ARE FILING A CLAIM

## THINGS TO REMEMBER

- ✓ Contact your insurance agent or insurance company to file the claim.
- ✓ Keep a log of claim activity (for example, for a telephone call, write down the name of the person you speak with, the date and time of the call, as well as what the call was concerning.)
- ✓ Remember that the Consumer Assistance Division of the Oklahoma Insurance Department is here to answer any questions you have concerning the handling of your claim.





The Oklahoma Insurance Department is responsible for enforcing the insurance-related laws of the state. We protect consumers by providing accurate, timely and informative insurance information. We promote a competitive marketplace and ensure solvency of the entities we regulate including insurance producers and adjusters, funeral directors, bail bondsmen & real estate appraisers.

More than \$13 billion in premiums are written in Oklahoma annually. OID collects more than \$150 million in premium taxes, which provides funding to the Firefighters Retirement System, the Police Retirement System, the Law Enforcement Retirement Fund as well as the State's General Revenue Fund



[www.oid.ok.gov](http://www.oid.ok.gov) | 1.800.522.0071  
400 NE 50<sup>th</sup> Street, Oklahoma City, OK. 73105