

Consumer's Guide to Auto Insurance

**State of Wisconsin
Office of the Commissioner of Insurance
P.O. Box 7873
Madison, WI 53707-7873
oci.wi.gov**

**The mission of the Office of
the Commissioner of Insurance . . .
Leading the way in informing and protecting
the public and responding to their insurance needs.**

If you have a specific complaint about your insurance, refer it first to the insurance company or agent involved. If you do not receive satisfactory answers, contact the Office of the Commissioner of Insurance (OCI).

To file a complaint online or to print a complaint form:

OCI's Web Site

oci.wi.gov

Phone

(608) 266-0103 (In Madison)

or

1-800-236-8517 (Statewide)

Mailing Address

Office of the Commissioner of Insurance

P.O. Box 7873

Madison, WI 53707-7873

Electronic Mail

ocicomplaints@wisconsin.gov

Please indicate your name, phone number, and e-mail address.

**Deaf, hearing, or speech impaired callers may
reach OCI through WI TRS**

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Why Should You Buy Auto Insurance?

Insurance is based on the theory that most drivers will not be involved in accidents. Premiums paid by all drivers during the year are used to pay for losses of the few drivers who have accidents. When you buy insurance, you receive financial protection in case you become involved in an accident. You also make sure a person injured through your fault will recover for losses you cause.

For example, if you are in an auto accident, you may be found responsible for losses of other people involved. A claim may be made or a lawsuit filed against you, and you may not only have to pay for property damage but also for medical expenses, lost wages, and pain and suffering of any injured person. The amount of money you may have to pay could be substantial.

If you do not have insurance, anything of value you own, including your home, savings, future wages, and other assets, may be taken to pay for those losses. Auto liability insurance can help protect you so this does not happen. Liability insurance also pays for an attorney to defend you against any claim or lawsuit that may be payable under the policy.

You can also buy insurance to cover damages to your auto. This optional coverage will help pay for your losses whether or not you were at fault.

Components of Auto Insurance

There are many components of auto insurance including mandatory and optional coverage. Your policy must contain three major parts—liability insurance for bodily injury, liability insurance for property damage, and uninsured motorist coverage. Optional coverage includes underinsured motorist, medical expense coverage, collision and comprehensive coverage

Mandatory Auto Insurance Requirements

While many components of auto insurance have changed over the years the requirement that *all drivers have motor vehicle liability insurance remains mandatory*. This requirement falls under the purview of the Department of Transportation, Division of Motor Vehicles (DMV).

Wisconsin drivers are required to have an automobile insurance policy in force or, in limited situations, other security which could be a surety bond, personal funds, or certificate of self-insurance. Details are available from the Department of Transportation (wisconsindot.gov/Pages/dmv/license-drvs/susp-or-rvkd/proof-of-insurance.aspx).

Your policy must provide at least the following minimum liability coverage:

- \$25,000 for injury or death of one person;
- \$50,000 for injury or death of two or more people; and
- \$10,000 for property damage.

Uninsured motorist coverage of at least \$25,000/\$50,000 each for bodily injury only is also mandatory.

Liability Insurance

When referring to liability limits, the insurance industry uses an abbreviation. The designation of \$50,000/\$100,000/\$15,000 (or 50/100/15) or similar designations refer to the maximum amounts that an insurer will pay for three basic liability coverages. The first number (\$50,000) refers to the limit on bodily injury payments coverage per person. The second number (\$100,000) refers to the limit on bodily injury coverage per accident where two or more people have been injured. The third number (\$15,000) refers to the limit on property damage coverage per accident.

Bodily Injury Liability Coverage does not protect you or your car directly. If you cause an accident injuring other people, it protects you against their claims up to the stated amounts for medical expenses, lost wages, pain and suffering, and other losses. It will also usually pay if the accident was caused by a member of your family living with you or a person using your auto with your consent.

Property Damage Liability Coverage pays for damage you cause to the property of others such as a crushed fender, broken glass, or a damaged wall or fence. Your insurance will pay for this damage if you were driving your auto or if it was being driven by another person with your consent. Property damage liability also pays if you damage government property like a light pole or signpost, up to the limit you choose.

Uninsured Motorist Coverage (UM)

Uninsured motorist coverage applies to bodily injury you, your family, and other occupants of your vehicle incur when hit by an uninsured motorist or a hit-and-run driver. It also covers you and your family if injured as a pedestrian when struck by an uninsured motorist or a hit-and-run driver. It protects you by making sure money is available to pay for your injuries caused by someone else. The minimum amount of coverage required by law is \$25,000/\$50,000 for bodily injury only. These coverages are the *minimum* required by law; you may want to purchase more than minimum coverage required by law if you feel the need for more protection. Uninsured motorist coverage does not cover your property damage and does not protect the other driver. Your insurer may sue the other driver for any money your insurer pays you because of the other driver's negligence.

Underinsured Motorist Coverage (UIM)

Underinsured motorists (UIM) coverage increases the bodily injury protection to you and the people in your car up to the amount of coverage you purchase if the at-fault party's bodily injury liability insurance limits are lower than your UIM coverage limits.

Underinsured motorist coverage is not mandatory. The insurer must notify you with the delivery of your policy that UIM coverage is available. You may reject buying UIM coverage. However, if purchased, coverage limits of at least \$50,000 per person and \$100,000 per accident are required.

You should carefully review your policy to determine exactly what coverage is provided by UIM.

Medical Payments Coverage

This coverage pays medical or funeral expenses for you or others injured or killed in an accident while riding or driving in your auto. This includes all reasonable hospital, surgical, chiropractic, x-ray, dental, professional nursing, prosthetic, and rehabilitation expenses up to the limits of coverage.

Medical payments coverage usually covers only those expenses not covered by health insurance, such as copayments, deductibles, etc. It will also cover you or members of your family if you are struck by an auto while walking or while riding in another auto. This coverage will pay for your medical and funeral expenses even if you cause the accident. Usually, only expenses incurred within one year after the accident are included. As an example, this coverage will provide benefits for a friend or a neighbor's child injured in your car. Medical expense coverage is an optional coverage. **Note: Insurance companies must offer this coverage to you, but you do not have to buy it.** The minimum limit that can be purchased is \$1,000.

Physical Damage Coverage

If you borrow money from a bank or some other financial institution to buy your car, the lender will probably require you to purchase physical damage coverage to protect both of your interests in the car.

"Collision" and "Comprehensive" coverages, which are also known as physical damage coverages, pay for repair or the actual cash value of your auto regardless of who is at fault.

Comprehensive and collision premiums are based on the make, model, and year of your car. You should evaluate the current market value of your car and your ability to afford a similar car should it be destroyed before you purchase this coverage. You may not need this coverage if your car has decreased in value or if you can afford to replace it.

Collision coverage pays if your auto collides with an object, including another car or hit-and-run car, or if it overturns. Your own insurer will pay for such damage even if the collision is your fault.

Comprehensive coverage pays for damage to your auto from almost all other causes such as fire, vandalism, water, hail, glass breakage, wind, falling objects, civil commotion, or hitting an animal. Damage from striking a deer is a relatively frequent accident in Wisconsin. It is important to know that most policies cover hitting an animal under comprehensive, not collision, insurance.

Comprehensive coverage also pays if your auto or parts of it, such as a battery or tires, are stolen. Flood damage to your car is also covered if your auto insurance policy includes comprehensive coverage. If you carry collision without comprehensive coverage, you are **not** covered for flood damage.

Underwriting and Rating

Comparison shopping for car insurance is often beneficial. Premiums are based on a number of factors and may vary a great deal from one insurer to another for the same policy. The most important items in establishing your rate are:

Your age, sex, and marital status. For example, young, single male drivers generally pay more than any other group.

Where you live. Most insurance companies divide the state into territories for rating purposes. Generally, people in metropolitan areas pay more than those in less congested places.

Your car. The year, make, and model of your car influence your premium. The less it costs to repair or replace your vehicle, the lower the cost of your premium. Sports cars and cars with high powered engines cost more to insure than cars with smaller engines.

How you use your car. Generally the more you drive, the more you pay.

Prior insurance coverage. Insurers may ask you if you had insurance coverage previously. If you have previously been canceled for nonpayment of premiums, insurers may want to know. If you have had insurance, the prior company can tell the new insurer a little about your claims history.

When an insurance company considers your application for auto coverage, it will take into account a number of different factors about you and your driving record. Just because you apply with a certain company does not mean you will be provided coverage by the company.

After completion of underwriting, the insurance company will place you in one of the three basic categories of drivers listed below. Each company adopts its own rating system for deciding whether to insure a person. Those with the lowest risk factors (least likely to have a claim) will receive the lowest rates.

Preferred. This category is intended for drivers that insurance companies consider being the best risks, which usually means the safest drivers. These insureds are usually ones with clean driving records over the past three to five years. These are given the lowest rates.

Standard. This category is intended for moderate risk drivers. The rates are higher than the preferred rates. These drivers are usually driving family-type cars and have a reasonably clean driving record.

Nonstandard. This category is intended for drivers insurance companies consider being high risk. Usually drivers in this category have the highest rates. These drivers may include drivers under age 25 with less driving experience, drivers with tickets or accidents, drivers with a poor premium payment history, and drivers with a reckless or drunk-driving history.

Your agent should be able to tell what classification you fit into. The dividing lines are not always consistent across insurers, but in general an applicant with chargeable accidents will be denied coverage by the lowest cost insurers in the above examples. These insurers are relatively low cost because their customers are better than average drivers. Since you generally cannot tell from the name or promotional ads of an insurer what its underwriting criteria are, seek help from a qualified agent to find which insurer might insure you.

Credit Information

Consumer credit information may be requested by an insurer when writing new or renewal policies for both commercial and personal risks. Some insurance companies believe certain credit information may be an indicator of frequency and severity of future claims.

Insurance companies must use credit information in a way that is not unfairly discriminatory. If an insurer rejects your insurance application based on information contained in your credit report, you have the right to review the report information for accuracy, at *no charge*. You must request a copy of the report directly from the credit agency. Your insurance company will provide you with the credit agency's name, address, and telephone number.

Insurers may use credit information as one of the criteria they consider when underwriting personal lines insurance. However, it is the position of OCI that insurers should not use credit information, whether they use credit reports or credit scoring mechanisms, as the sole reason to refuse an application, cancel a new insurance policy in its first 60 days of coverage, or nonrenew an existing policy.

For more information on the Fair Credit Reporting Act (www.ftc.gov/os/statutes/fcrajump.shtm) contact the Federal Trade Commission at:

Federal Trade Commission (FTC)
600 Pennsylvania Avenue, NW
Washington, DC 20580
1-877-FTC-HELP (382-4357)
www.ftc.gov

OCI publishes a fact sheet that answers questions about how insurance companies use credit history in their underwriting process. The publication *Understanding How Insurance Companies Use Credit Information* is available at oci.wi.gov/Documents/Consumers/PI-204.pdf or by calling 1-800-236-8517.

Ways to Lower Your Premium

There are many actions you can take to lower the cost of your automobile insurance.

Safe Driving

Your driving record is very important in determining your premiums. Most insurers charge more—often substantially more—for people who have a recent history of accidents and/or moving violations than for people with relatively clean records. Therefore, it is important to ask your agent to go over all facts concerning your driving record and check all other information for accuracy on your application for a policy. A mistake on your application could cost you money or result in cancellation of your insurance policy.

Note: Wisconsin law allows insurers to rate based on all the members in a household including husband, wife, children, or nonrelative, and the law does not allow insurers to exclude drivers by endorsement.

Your present insurer may charge a higher rate, a surcharge, if you are involved in a chargeable accident or were ticketed for a serious traffic violation. Surcharges must be applied in a uniform manner and are required to be filed with OCI. The insurer may also elect to nonrenew your policy as it expires if your accident record or moving violations exceed the insurer's standards.

Take Advantage of Discounts

Every auto insurance company has its own package of "special" discounts to attract particular types of customers. Below is a sample of discounts to ask your agent about.

- Package discount—up to 15% is offered to customers who insure both their home and automobile with the same insurer.
- Multiple automobile discount—insuring more than one automobile almost always qualifies an insured for a discount.
- Good student discount—typically a 10 to 20% discount is offered if a youthful driver maintains a "B" or better grade average in high school or college.
- Nonsmokers discount—a few insurers offer discounts of 5 to 10% for insureds who do not smoke.
- Passive restraints discount—several companies offer discounts of up to 40% on medical payments coverage for driver and/or passenger air bags, automatic seat belts, or anti-lock brakes.
- Accident/claim free discount—insurers commonly reduce premiums for each year you have been continuously insured by them without being involved in an accident or filing a claim.
- Pay in full discount—some companies offer a discount for paying your premium in one lump sum or by automatic electronic payments. You can also save service charges by paying your premiums in a lump sum rather than in installments.

In addition, you may avoid late fees by paying your bill on time. Also, many insurance companies use consumer credit information as a rating factor. Maintaining a good credit history may lower your rate.

A good agent will be sure to inquire about your particular circumstances to acquaint you with all applicable discount packages offered by the insurer he or she represents.

Increase Deductibles

Many factors that go into determining your auto premium are relatively fixed by your household make-up and lifestyle. However, one thing you can easily change is your deductible amount (usually only applies to comprehensive or collision coverage).

A deductible is the dollar amount you must pay out-of-pocket for each covered claim. Deductibles on collision coverage can range from \$100 to \$1,000. On comprehensive coverage they can range from \$100 to \$500 or higher.

Before deciding the deductible level, you must consider your ability to absorb unexpected financial demands. For example, if a loss of \$500 occurs and you have a deductible of \$250, you pay \$250 (your deductible) and you collect \$250 from your insurer. If a loss of less than \$250 occurs, you pay for all of it yourself.

If you increase your deductible and pay for small losses yourself, your insurer can charge you less. This way you can cut your insurance premium costs and still be protected against large losses.

Youthful Drivers

The cost of automobile insurance varies from one group (classification) of drivers to another. On average, some groups have worse driving records, higher accident rates, and more costly accidents than others. Usually, the highest premiums are paid by a male driver under age 25, with his rate depending on his marital status and whether he owns, or is the principal driver, of the car being insured. Under the most widely used rating system, the cost of auto insurance for youthful drivers is scaled downward periodically. Rates for unmarried males who are owners of their cars are reduced periodically from age 17-29.

In most states, rates for unmarried males who are not owners of their cars, for married males, and for females are reduced each year from age 17-21. For these groups, "young driver" surcharges are eliminated at age 25.

Underage Drinking and Driving

Auto insurance premiums may be tripled or the policy nonrenewed for parents whose underage children receive operating while intoxicated (OWI) citations.

OCI surveyed the 20 top writers of auto insurance in the state. Of the 20 insurance companies surveyed, 6 said parents' insurance rates would be affected if a minor received a citation for underage drinking when the minor has NOT been driving. The policy could be nonrenewed, canceled, be renewed with nonstandard rates, or be surcharged. The rate increases range from 90% to 260%.

Of the 20 insurance companies surveyed, 19 reported a rate increase or policy cancellation if a minor receives an OWI citation. The rate increases range from 47% to 300%.

If your child is cited for underage drinking where the violation involved operation or use of a motor vehicle, the insurer might nonrenew the parents' insurance policy or increase the premium, which would remain at the higher level for a number of years or until the child leaves the household. If a child is cited for underage drinking involving a motor vehicle, the parents' insurance rate may be affected for a minimum of three years, or until the minor is no longer a member of the household, or no longer on the policy. OCI recommends the insurance company investigate whether the violation is driving-related before using an underage drinking violation to underwrite or rate a policy. (Section Ins 6.54 (3) (a) 1., Wis. Adm. Code, prohibits using an insured's or applicant's criminal records.)

If a young driver in your household has received citations for driving-related violations, including an OWI, those violations can also affect other policies held by the parents. One of the companies reported a possible effect for umbrella policies, and for two other companies, a citation would affect insurance rates on other non-auto motor vehicles, such as boats, or snowmobiles.

The Department of Motor Vehicles will release any records related to drinking and driving, even for a minor, to insurance companies when requested. Wisconsin driver records that are not confidential can be accessed by anyone under open records law. Records that are not confidential include OWI and UAO (Underage Alcohol Operation).

If you add another vehicle to your policy or change your insurance coverage, ask your agent to issue a binder confirming the coverage. A binder is a temporary written agreement, issued in the name of the insurance company, that takes the place of the policy or endorsement until the policy or endorsement is issued. Only a binder is evidence of immediate coverage.

What if You Have Trouble Finding Insurance?

If you try several insurers and cannot find coverage, you most likely can be insured through the Wisconsin Automobile Insurance Plan (WAIP). This is a plan created by Wisconsin law to provide automobile insurance to those who cannot secure coverage from usual market sources.

When you apply, you will be assigned to a licensed insurer who will issue you a policy. Since it is a last resort plan, rates charged will usually be somewhat higher than rates charged in the voluntary market. While you are in the plan, you should continue to shop for less expensive coverage. After four years, the company insuring you must accept you for regular coverage if you have had a clean driving record.

You may apply through any licensed property and casualty insurance agent. For general information on WAIP, you may call or visit www.wcrb.org/WAIP/WAIP_home.aspx.

Wisconsin Auto Insurance Plan (WAIP)
20700 Swenson Drive, Suite 100
Waukesha, WI 53186
(262) 796-4540

Safety Responsibility Law

Wisconsin has a Safety Responsibility Law to protect persons who suffer damages in accidents caused by uninsured motorists who do not pay for damages or injuries they cause.

The law requires any time a person is hurt or killed or property damage exceeds \$1,000, the accident must be reported as soon as possible. You must file a Driver's Report of Accident within 10 days with the Division of Motor Vehicles (DMV). If a police agency investigates the accident, the police will file this report for you.

DMV checks accident reports to see if drivers have insurance coverage. If all drivers are insured, no action is taken. If DMV determines a driver is uninsured and appears to be at fault, the law allows DMV to suspend their driver license and vehicle registration if he/she does not pay for damages or injuries they caused.

For more information, contact the Wisconsin Division of Motor Vehicles, Traffic Accident Section, Room 804, P.O. Box 7919, Madison, Wisconsin 53707-7919, or at (608) 266-1249. Information about the Safety Responsibility Law is also available on the Wisconsin Department of Transportation's Web site at wisconsindot.gov/Pages/dmv/license-drvs/rcd-crsh-rpt/srlaw.aspx.

Comparative Negligence Law

Wisconsin has a comparative negligence law, which means responsibility is frequently shared. The comparative negligence law is based on a percentage of negligence. This means you may recover damages from another party only if your negligence **is not greater than** the other party. Recovery for your damages will be reduced by the percent of negligence attributed to you. You are barred from recovery if your negligence is greater than another party's negligence.

If You Are in an Accident

Call the police. A police report can help if you have an accident or if your car is stolen or damaged by vandals. What looks like a minor dent could be several hundred dollars' worth of damage.

Obtain information. The insurance company will need complete information. Exchange insurance information with the other driver. Write down names, addresses, telephone numbers, and license number of persons involved and of witnesses. Note the time, date, location, road conditions, year and make of vehicles involved, apparent damage and injuries, and your version of what happened. Make a diagram of the accident. Take pictures of the scene and damage with a cell phone or camera.

Filing an Insurance Claim

Call your agent or insurer. Phone your agent or the insurer promptly, even if you are far from home. Ask what forms or documents will be needed to support your claim. The insurer may require a "proof of loss" form, as well as documents relating to your claim, such as medical and repair bills and a copy of the police report. If you have any questions, your agent should be able to assist you in filling out the forms.

Cooperate and answer all questions fully. The insurer may call you for more information or ask to examine your damaged vehicle. Supply the information the insurer needs. In order to determine the extent of damage, they must have access to the vehicle. Cooperate with the investigation and settlement of the claim. Cooperate with the defense of any claim and provide your insurer with copies of any legal papers you receive in connection with your accident. Your insurer will represent you if a claim is brought against you and defend you if you are sued for a claim covered by the policy.

Keep receipts and records. Keep receipts and records of expenses you incur as a result of the accident. Save copies of all documents you send or receive. You may need them later.

Take notes. Whenever you talk with insurance company employees, your agent, lawyers, police, or others, write down the date, times, names, and subjects you talked about. Include all decisions or promises made.

Report worker's compensation claim. If you are injured in a motor vehicle accident while conducting work-related activities for your employer, also file a worker's compensation claim with your employer. Your employer's worker's compensation policy will cover your medical expenses and loss of income.

If you travel frequently, you may want to check with your insurer or agent to find out how to file a claim when you are out of the area.

Repairing Your Car

Coverage for your vehicle in a personal auto insurance policy is not based on replacement cost. The policy is based on "actual cash value" of the automobile. The actual cash value (ACV) of the automobile is based on the value of the vehicle at the time of loss, taking into account its current market value. Therefore, the insurer's obligation is to repair the car based upon its ACV not its replacement cost.

If your car is damaged in an accident, your insurer will request you to submit one or more written estimates for the cost of repairs. This permits you and your insurer to compare estimates and have your vehicle repaired at the lowest possible cost. Competitive body shop estimates reduce insurance claim costs, which help in maintaining or reducing auto insurance rates.

Your insurer may suggest, but cannot require, you to have your car repaired at a specific auto repair shop. If you choose to have repairs done at a facility not approved by your insurer, you are responsible for any repair costs that exceed the final claim settlement.

Auto repair shops may use aftermarket or used parts when repairing or replacing a damaged part (i.e., bumpers, bumper covers, and associated bumper parts). Aftermarket parts are produced by companies other than the original equipment manufacturers (known as OEM parts).

Auto insurance contracts do not generally specify what parts will be used. You may request aftermarket parts not be used to repair your vehicle, but you are responsible for any repair costs that exceed the final claim settlement negotiated with the insurer.

If Your Vehicle is a Total Loss

An insurance company will consider your vehicle a total loss if repairs would cost more than it is worth. An insurance company will use various sources to value your car including, *but not limited to*, the National Automobile Dealers Association Used Car Guide ("Blue Book") or the CCC Information Services, Inc., guide. The company's offer, therefore, might not recognize your car's condition, special features, or value on the local market. Companies must use a fair and reasonable method to determine the value of your car. You have the right to know how the value was determined and you should be sure to give the insurance company all information that may affect the value of your car.

It may come down to negotiation between you and the insurance company to reach an agreement on the value of your car. A company is more likely to raise its offer if you can show your car would sell for a higher price in your area. Get several used car dealers' written price quotes for a similar automobile. Newspaper used-car ads can also help support your position.

Remember, an insurance company will not compensate you for the sentimental value of your car.

Lender Insurance Requirements

If you finance your car, the lender will require you to have car insurance. The terms of your loan will most likely require you to provide comprehensive and collision insurance. If your insurance policy lapses, the bank will force coverage (obtain a policy) and charge you for it. Forced coverage provides protection to the bank, not you, for their interest in the car and nothing else and can be costly.

If a bank has forced insurance coverage on your car, it is in your best interest to obtain regular insurance immediately. The forced coverage provides no liability insurance. These policies can be as much as three times more expensive, compared to a regular policy, and the charges for these policies will be added on to your loan amount.

Note: If your car is in an accident, your insurance company will pay for repairs or replacement only up to the car's ACV—the amount it would have sold for before the accident. The ACV is unrelated to the amount of your car loan and may be less than what you owe on your loan. Your insurance company is obligated to return your vehicle to the condition it was prior to the accident and you are responsible for what you owe on your car loan.

Vehicles in Storage

If you plan to not use your car for an extended period of time and decide to place it in a garage, you may want to ask your agent to suspend some coverages so you will not have to pay the premium associated with these charges. However, your car might still be susceptible to physical damage so consider maintaining comprehensive and possibly collision coverage while your vehicle is in storage.

Extended Warranties

Some extended warranty plans (sometimes called service contracts) providing repair and replacement services beyond what the product manufacturer offers are regulated by OCI. If you want to know if a warranty plan is licensed in Wisconsin, see OCI's Web site at oci.wi.gov or call (608) 266-0103 or toll-free 1-800-236-8517.

If you have a problem with a vehicle manufacturer warranty plan, contact:

Department of Transportation
Dealer Regulation Unit, Room 806
P.O. Box 7909
Madison, WI 53707-7909
(608) 266-1425
wisconsindot.gov

Collision Damage Waiver Coverage

Rental car companies often sell collision damage waiver (CDW) coverage. A CDW is a contract offered by rental car companies. A contract shifts liability for collision damage from the person renting the car to the car rental company. Collision damage to the rental car is any damage resulting from an accident. Most personal auto policies include coverage for damage to a rental car. Before renting a car, check with your agent to see if you have coverage under your personal auto policy. It is also important to note if there is a difference in value between your car and the rental car.

Note: If you rent a car in an area where your regular insurance does not provide coverage (i.e., anywhere outside the United States and Canada), purchasing a CDW is probably worthwhile.

If you are having problems with a car rental company, you should contact the agency that handles consumer protection issues in the state in which you rented the car.

In Wisconsin, contact:

Department of Agriculture, Trade & Consumer Protection
2811 Agriculture Drive
P.O. Box 8911
Madison, WI 53708-8911
800-422-7128
datcp.wi.gov

Insurance Marketing

When you begin to contact insurers, there are a few items you should know about how insurance companies operate.

Generally, insurance is sold directly through an insurance company or indirectly through an agent or broker. An independent agent may represent more than one, and sometimes several, insurance companies. An exclusive agent sells solely for one insurance company or group of related companies if the insurance company or group writes that type of insurance. Independent agents, as well as exclusive agents, may place business with another company if the company(s) he or she represents does not write the type of insurance needed. A broker represents you in dealings with an insurance company.

When you first talk to an agent, be sure he or she is willing and able to explain various policies and other insurance-related matters. An agent should look for ways to get you the most protection at an affordable cost. Make sure your agent agrees to review your coverage from time to time, advises you about other financial services, and assists you when problems develop.

Some agents are interested in selling package products or services to as many people as possible. While there is nothing wrong with low-cost, standardized products, they should fit your needs. If you are not convinced a particular agent understands your needs and will give you the service you want, seek another agent.

Agents and insurers differ. Consider recommendations from friends. All companies and agents doing business in Wisconsin are licensed by OCI. Licensing information may be found on OCI's Web site at oci.wi.gov or by calling 1-800-236-8517.

For Your Protection

Information is available to consumers from a number of sources. These sources include Internet, public libraries, state insurance departments, consumer groups, and consumer publications. Financial strength and being able to meet financial obligations to policyholders is very important.

Independent organizations such as A.M. Best, Standard & Poor's, Moody's Investors Service, and others publish financial ratings. These rating organizations do not rate the quality of insurer's policies, practices, agents, or service. You should consider checking with at least two organizations to evaluate an insurance company's strength. If you want to check on an insurer's financial stability, you can check the reference section of your public library for published ratings, call OCI, or check with your insurance agent.

Every state has a safety net to protect insurance consumers from financial loss in the rare instance an insurer becomes insolvent. This safety net is called a "guaranty fund." Guaranty funds are established by state law and are composed of licensed insurers in the state. They pay the claims of policyholders and other claimants of an insolvent company. The money to pay claims against the insurance company comes from assessments made against all insurance companies that are members of the guaranty fund.

In Wisconsin, this fund is called the Wisconsin Insurance Security Fund (Fund). The Fund is created by state law and is funded by assessments of insurers licensed to do business in Wisconsin. In general, the Fund protects residents for most claims of licensed insurers in liquidation. The Fund should not be relied upon to eliminate all risks of loss to insureds due to insurer insolvency. Some types of policies may not be fully covered and significant delays could occur in settling obligations in cases of liquidation.

Questions about coverage and limitations of the Wisconsin Insurance Security Fund may be addressed to:

Wisconsin Insurance Security Fund
2820 Walton Commons Lane, Suite 135
Madison, WI 53718-6797
(608) 242-9473
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Consumer Tips

- **Read your policy.** An auto insurance policy is a legal contract. It is written so your rights and responsibilities, as well as those of the insurer, are clearly stated.
- **Know what your needs are and find an insurer that meets your needs.** Some insurers insure not only your car, but your home, life and health. Buy adequate coverage, but do not buy more than you need.
- **Comparison shop.** It pays to shop around. Prices for the same coverage can vary greatly. A couple of hours of research can save you hundreds of dollars a year.

- **Check insurance costs before you buy a new or used car.** Insurance costs are higher for makes and models that are expensive to repair or are frequently stolen. Your agent can assist you in getting the best value for your insurance dollar.
- **Take advantage of low mileage discounts.** Some insurance companies offer significant discounts to drivers who keep their annual mileage at or below certain levels. In general, the less you drive, the more you can save.
- **Do not pay cash.** Always pay the agent or insurer with a check, money order, debit card, or credit card. This will be proof of your payment.
- **Some insurers will allow for electronic funds transfer arrangements (EFT).** EFTs allow your insurer to automatically deduct your premiums from your checking account during certain time periods; be aware of your scheduled withdrawals if you choose to take advantage of this option.
- **In the long run, being a safe driver is the best advice on how to keep your premiums low.** Lower rates are generally paid by those who maintain a good driving record.
- **While the price you pay is important, buying the least expensive policy may not necessarily be a good idea.** Insurance sounding too good to be true probably is too good to be true. However, looking only at benefits could result in paying a higher than necessary premium. You should consider the following when choosing a company and a policy:

- Premium
- Benefits, including any coverage exclusions or limits
- Service (what's involved in making a claim?)
- Renewability (how easily can you be canceled?)
- Financial strength and reliability of the company
- Company management philosophy

Termination, Denials, and Cancellations

New Policies

When a policy first becomes effective, the insurer may cancel the policy any time within the first 59 days. Cancellation is not effective until at least 10 days after the insurance company mails or delivers to you a written notice of cancellation.

Renewal on Altered Terms

Sometimes an insurer will renew a policy but will raise rates or make terms less favorable to the insured. An insurer may not alter terms of coverage until 60 days after a notice is mailed to you. To be effective, the notice must be mailed or delivered prior to the renewal date. If the notice is given less than 60 days before the renewal date, the new terms or premium increase will not become effective until 60 days have elapsed from the date the notice is given. These conditions do not apply if the only change is a rate increase of less than 25%. If the insurer fails to notify you of the new premiums or terms prior to your renewal date, the insurance company must continue your policy for an additional period of time equivalent to your expiring term and at the same premiums and terms of your expiring policy. [s. 631.36 (5), Wis. Stat.]

Midterm Cancellation

A midterm cancellation is a cancellation that occurs during the policy term and prior to the policy's expiration or renewal date. An insurance company can only cancel coverage during this period if the premium is not paid or if there is a substantial change in the risk assumed by the insurance company. The insurer must either mail or deliver to you a written cancellation notice. No cancellation is effective until at least 10 days after mailing or delivery of the

notice, and it must state with reasonable precision the facts on which the insurer's cancellation decision is based. [s. 631.36 (2) (b) and (6), Wis. Stat.]

Nonrenewals

Nonrenewal of a policy refers to the termination of a policy at the expiration date. If an insurer decides it does not want to renew your policy, *it must mail or deliver to you a nonrenewal notice at least 60 days before the policy's expiration date.* The nonrenewal notice must provide the reason for nonrenewal. The insurer must also provide information in the notice on how to apply to the Wisconsin Automobile Insurance Plan for coverage. Under certain conditions, these plans offer auto insurance to people who are unable to obtain it in the voluntary market. [s. 631.36 (4), (6), and (7), Wis. Stat.]

If an insurer fails to provide notice prior to the expiration date, it must continue your coverage under the terms and premium of your prior policy for the term of the policy or one year, whichever is less. [s. 631.36 (4) (a), Wis. Stat.]

Anniversary Cancellations

This refers to a policy written for an indefinite term or for more than one year. These policies may be canceled on any anniversary date if the policies contain cancellation provisions. If your insurer decides to cancel your policy on an anniversary date, it must mail or deliver to you a written notice at least 60 days prior to the anniversary date; this notice must state with reasonable precision the facts on which the insurer's cancellation decision is based. [s. 631.36 (3) and (6), Wis. Stat.]

General Anti-Discrimination Laws

There are statutes and rules protecting consumers from unfair discrimination in insurance policies.

- Insurers may not refuse to insure you or refuse to renew your policy on the basis of sex. [s. Ins 6.55, Wis. Adm. Code]
- Insurers may not refuse coverage to a class of risks solely on the basis of past criminal record, physical disability, past mental disability, age, marital status, sexual preference, "moral" character, or risk location. Insurers may not use these classifications to charge different rates without credible supporting information that must be filed with OCI.
- No insurer may cancel or refuse to issue or renew an automobile insurance policy wholly or partially because of one or more of the following characteristics of any person: age, sex, residence, race, color, creed, religion, national origin, ancestry, marital status, or occupation.

Some of these classifications may be used by an insurance company if its experience supports differences in losses from these classifications. [s. 632.35, Wis. Stat., and s. Ins 6.54, Wis. Adm. Code]

An insurer may not refuse, cancel, or deny coverage solely because of a past criminal record, physical or developmental disability, past mental disability, age, marital status, sexual preference, or "moral" character.

Problems With Your Insurance Company

If you are having a problem with your insurer, you may want to first check with your agent or with the company. If you do not get satisfactory answers from the agent or company, contact OCI. An online complaint form is available at ociaccess.oci.wi.gov/complaints/public/.

The more complete and accurate information you provide, the more likely it is your problem can be resolved. Be sure you have included the correct name of the insurance company your complaint is about. Many companies have very similar names. Listing the wrong name may delay investigation of your complaint.

Before signing an application for any insurance coverage, verify the company and agent you are dealing with are licensed in Wisconsin. Licensing information about agents and companies can be found on OCI's Web site at oci.wi.gov or by calling 1-800-236-8517.

It is illegal for unlicensed insurers to sell insurance. Business cards are not proof of a licensed insurance agent or company. If you do business with an unlicensed agent or company, you have no guarantee the coverage you pay for will ever be honored. If you purchase insurance from companies not legally doing business in the state, you will not be protected by the Wisconsin Insurance Security Fund should the company fail.

If an unlicensed agent or company contacts you, call OCI immediately so regulatory action can be taken. By doing so, you may protect someone less knowledgeable than you from being victimized.

OCI investigates complaints to determine if any insurance laws or rules have been violated. If any laws or rules have been violated, OCI will proceed with disciplinary action. Penalties include suspension or revocation of licenses or fines. OCI usually cannot settle a factual dispute; disputes based on a question of fact may have to be pursued through small claims court or with an attorney.

If you are not satisfied with the service you receive, contact your insurer or agent. The following industry associations may also help:

Independent Insurance Agents of Wisconsin
725 John Nolen Drive
Madison, WI 53713
(608) 256-4429
www.iiaw.com

Professional Insurance Agents of Wisconsin
6401 Odana Road
Madison, WI 53719
(608) 274-8188
www.piaaw.org

Community Insurance Information Center
600 West Virginia Street, Suite 101
Milwaukee, WI 53204
(414) 291-5360
insuranceinfo-ciic.org

**Automobile Insurance
Quotation Worksheet**

Rating Information

	Age	Sex	Marital Status	% Use of Car	Annual Mileage: _____
Principal Operator	_____	_____	_____	_____ %	Number of Miles One Way if Driving to and from Work Every Day: _____
Other Driver(s)	_____	_____	_____	_____ %	

Number of Accidents or Moving Violations in the Last 3 Years: _____
List on separate sheet. Use date of conviction for violations.

Type of Auto(s)	Make	Model & Year
Auto 1	_____	_____
Auto 2	_____	_____

Insurance Quotes - Semiannual Premiums

Liability Limits:		Company 1	Company 2	Company 3
Bodily Injury:	_____ per person			
Bodily Injury:	_____ per accident			
Property Damage:	_____ per accident			

Uninsured Motorist

Bodily Injury:	_____ per person
Bodily Injury:	_____ per accident

Underinsured Motorist

Bodily Injury:	_____ per person
Bodily Injury:	_____ per accident

Physical Damage to Insured Vehicle

Comprehensive:	_____ deductible
Collision:	_____ deductible

Other Coverages:

TOTAL SEMIANNUAL PREMIUM:
