

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

**15**

**OFFERED BY MR. TAKANO OF CALIFORNIA**

At the end of the Committee Print, add the following new section:

**1 SEC. 10. FAIR AUTO INSURANCE RATEMAKING REPORTING.**

**2 (a) DATA CALL.—**

**3 (1) IN GENERAL.—**Pursuant to the authority  
**4** under section 313(e) of title 31, United States Code,  
**5** the Director of the Federal Insurance Office shall  
**6** collect from covered automobile insurers, aggregated  
**7** on a census tract level basis based on the place of  
**8** garaging of the insured vehicle, information for each  
**9** of the three accident or calendar years, as applica-  
**10** ble, most recently completed as of the date of the  
**11** enactment of this Act, regarding private passenger  
**12** automobile insurance as the Director considers nec-  
**13** essary to prepare the report required under sub-  
**14** section (b), which shall include the following infor-  
**15** mation for each such year:

**16 (A) COMPANY NAME.—**The name of the in-  
**17** surance coverage for the vehicle.

1 (B) EXPERIENCE YEAR.—The experience  
2 year for premiums and exposures.

3 (C) CENSUS TRACT.—The census tract of  
4 the place of garaging of the insured vehicle.

5 (D) PAID LOSS ADJUSTMENT EXPENSES.—  
6 Total paid loss adjustment expenses, reported  
7 by accident year.

8 (E) INCURRED LOSS ADJUSTMENT EX-  
9 PENSES.—Total incurred loss adjustment ex-  
10 penses plus case reserves, reported by accident  
11 year.

12 (F) COUNT OF CLAIMS RECORDED.—The  
13 number of claims reported for each coverage or  
14 type of loss, including claims that included pay-  
15 ment and claims that did not include payment.

16 (G) COUNT OF CLAIMS CLOSED.—The  
17 number of claims closed for each coverage or  
18 type of loss, including claims that were closed  
19 that included payment and claims that were  
20 closed that did not include payment.

21 (H) COVERAGE TYPE.—The type of cov-  
22 erage provided, including liability, personal in-  
23 jury protection, collision, comprehensive, and  
24 uninsured motorist bodily injury.

1 (I) PREMIUM WRITTEN.—Total premium  
2 written, reported by coverage type.

3 (J) PREMIUM EARNED.—Total premium  
4 earned, reported by coverage type.

5 (K) EXPOSURE WRITTEN.—Total expo-  
6 sures written, reported by coverage type.

7 (L) EXPOSURE EARNED.—Total exposures  
8 earned, reported by coverage type.

9 (2) METHOD AND TIMING OF COLLECTION.—

10 (A) FROM FEDERAL OR STATE AGENCY.—

11 Not later than the expiration of the 6-month  
12 period beginning on the date of the enactment  
13 of this Act, the Director shall determine wheth-  
14 er all of the information required to be collected  
15 under paragraph (1) can be obtained in the  
16 manner provided under the first sentence of  
17 section 313(e)(4) of title 31, United States  
18 Code, in a timely manner. If the Director deter-  
19 mines that all such information is available, and  
20 may be obtained by such manner in a timely  
21 manner, the Director shall so obtain all such in-  
22 formation.

23 (B) FROM INTERMEDIARY.—If the Direc-  
24 tor determines under subparagraph (A) that all  
25 of the information required to be collected

1 under paragraph (1) cannot be obtained in the  
2 manner provided under the first sentence of  
3 section 313(e)(4) of title 31, United States  
4 Code, and in a timely manner, the Director  
5 shall provide that covered automobile insurers  
6 shall submit any such information that is not so  
7 obtainable through—

8 (i) an appropriate intermediary, in-  
9 cluding the National Association of Insur-  
10 ance Commissioners; or

11 (ii) other appropriate intermediaries,  
12 including advisory organizations and statis-  
13 tical agents licensed by State insurance  
14 regulatory authorities.

15 (C) FROM COVERED AUTOMOBILE INSUR-  
16 ERS.—If the Director has not received all of the  
17 information required to be collected under para-  
18 graph (1) before the expiration of the 12-month  
19 period beginning on the date of the enactment  
20 of this Act, before the expiration of the 18-  
21 month period beginning upon such date of en-  
22 actment, the Director shall collect from covered  
23 automobile insurers, in accordance with the pe-  
24 nultimate sentence of section 313(e)(4) of title

1           31, United States Code, any such information  
2           not so received.

3           (b) STUDY.—

4           (1) IN GENERAL.—The Director shall conduct a  
5           study, using the information collected pursuant to  
6           subsection (a) and any other appropriate informa-  
7           tion available, to compare private passenger auto-  
8           mobile insurance premium costs and claims payment  
9           amounts to identify any disparities in such premium  
10          costs and claims payment amounts between coverage  
11          for automobiles garaged in census tracts and areas  
12          having a majority of residents who are racial minori-  
13          ties and coverage for automobiles garaged in census  
14          tracts and areas having a majority of residents who  
15          are not racial minorities. Not later than the expira-  
16          tion of the 24-month period beginning on the date  
17          of the enactment of this Act, the Director shall sub-  
18          mit to the Congress a report containing the analysis,  
19          findings, and conclusions of the study under this  
20          subsection.

21          (2) AVAILABILITY OF INFORMATION.—Upon  
22          submitting the report to the Congress pursuant to  
23          paragraph (1), the Director shall make publicly  
24          available all information collected pursuant to sub-  
25          section (a) and all other information used in the

1 conducting the study under this subsection, except  
2 that any information made publicly available may  
3 not contain any personally identifiable information  
4 regarding insureds under private passenger auto-  
5 mobile insurance for which such information is col-  
6 lected.

7 (c) DEFINITIONS.—For purposes of this section, the  
8 following definitions shall apply:

9 (1) COVERED AUTOMOBILE INSURER.—The  
10 term “covered automobile insurer” means an insurer  
11 that—

12 (A) has a statutory surplus attributable to  
13 private passenger automobile insurance cov-  
14 erage, as of December 31, 2017, in an amount  
15 that exceeds \$500,000,000; and

16 (B) annually collects more than  
17 \$500,000,000 in premiums for private pas-  
18 senger automobile insurance coverage.

19 (2) DIRECTOR.—The term “Director” means  
20 the Director of the Federal Insurance Office of the  
21 Department of the Treasury.

