
SUBSTITUTE SENATE BILL 5730

State of Washington

62nd Legislature

2011 Regular Session

By Senate Financial Institutions, Housing & Insurance (originally sponsored by Senator Rockefeller)

READ FIRST TIME 02/17/11.

1 AN ACT Relating to exempting certain usage or mileage-based
2 insurance information from public inspection; and amending RCW
3 48.19.040.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 48.19.040 and 1994 c 131 s 8 are each amended to read
6 as follows:

7 (1) Every insurer or rating organization shall, before using, file
8 with the commissioner every classifications manual, manual of rules and
9 rates, rating plan, rating schedule, minimum rate, class rate, and
10 rating rule, and every modification of any of the foregoing which it
11 proposes. The insurer need not so file any rate on individually rated
12 risks as described in subdivision (1) of RCW 48.19.030; except that any
13 such specific rate made by a rating organization shall be filed.

14 (2) Every such filing shall indicate the type and extent of the
15 coverage contemplated and must be accompanied by sufficient information
16 to permit the commissioner to determine whether it meets the
17 requirements of this chapter. An insurer or rating organization shall
18 offer in support of any filing:

1 (a) The experience or judgment of the insurer or rating
2 organization making the filing;

3 (b) An exhibit detailing the major elements of operating expense
4 for the types of insurance affected by the filing;

5 (c) An explanation of how investment income has been taken into
6 account in the proposed rates; and

7 (d) Any other information which the insurer or rating organization
8 deems relevant.

9 (3) If an insurer has insufficient loss experience to support its
10 proposed rates, it may submit loss experience for similar exposures of
11 other insurers or of a rating organization.

12 (4) Every such filing shall state its proposed effective date.

13 (5)(a) A filing made pursuant to this chapter shall be exempt from
14 the provisions of RCW 48.02.120(3). However, the filing and all
15 supporting information accompanying it shall be open to public
16 inspection only after the filing becomes effective unless such
17 information is specifically exempt from public inspection.

18 (b) Information associated with a filing for a usage or mileage-
19 based insurance product that constitutes a trade secret as defined in
20 RCW 19.108.010 is exempt from public inspection.

21 (6) Where a filing is required no insurer shall make or issue an
22 insurance contract or policy except in accordance with its filing then
23 in effect, except as is provided by RCW 48.19.090.

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