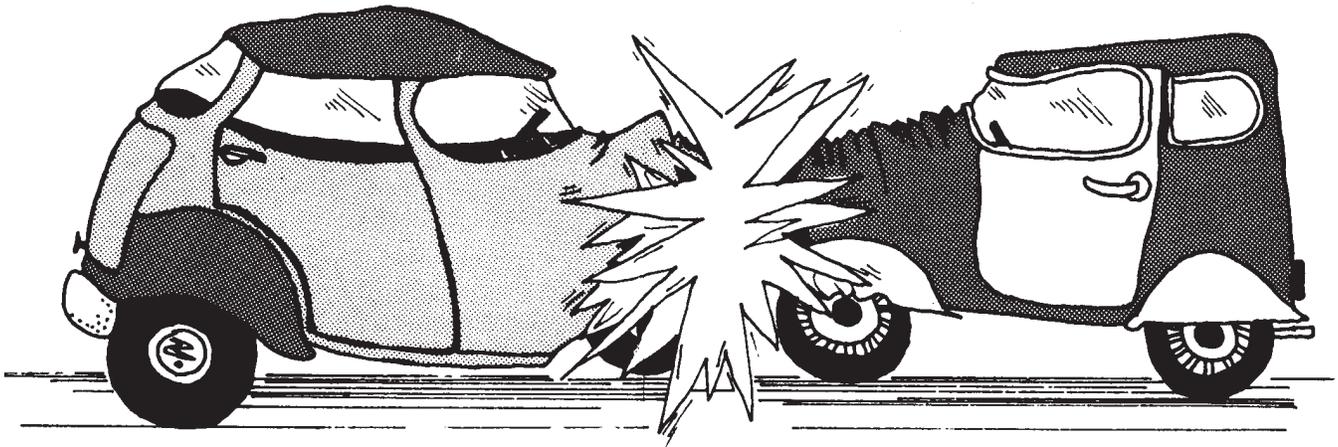


Consumer's Guide to

Auto

Insurance



State of Wisconsin
Office of the Commissioner of Insurance
P.O. Box 7873
Madison, WI 53707-7873
OCI's World Wide Web Home Page:
oci.wi.gov

Bodily Injury Liability
Property Damage Liability

Uninsured Motorist
Underinsured Motorist

Collision
Comprehensive

Medical Expense

**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).

For information on how to file an insurance complaint call:

(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.

OCI's World Wide Web Home Page

oci.wi.gov

For your convenience, a copy of OCI's [complaint form](#) is available at the back of this booklet. A copy of OCI's complaint form is also available on OCI's Web site. You can print it, complete it, and return it to the above mailing address.

A list of OCI's [publications](#) is included at the back of this booklet. Copies of OCI publications are also available online on OCI's Web site.

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

This guide is not a legal analysis of your rights under any insurance policy or government program. Your insurance policy, program rules, Wisconsin law, federal law, and court decisions establish your rights. You may want to consult an attorney for legal guidance about your specific rights.

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Printed copies of publications are updated annually unless otherwise stated. In an effort to provide more current information, publications available on OCI's Web site are updated more frequently than the hard copy versions to reflect any necessary changes. Visit OCI's Web site at oci.wi.gov.

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Table of Contents

	Page
Why Should You Buy Auto Insurance?	4
Physical Damage Coverage	5
Underwriting and Rating	6
Ways to Lower Your Premium	7
Youthful Drivers	8
What if You Have Trouble Finding Insurance?	8
Safety Responsibility Law	9
Comparative Negligence Law	9
If You Are in an Accident	9
Filing a Motor Vehicle Claim	9
Repairing Your Car	9
If Your Vehicle is Totaled	10
Lender Insurance Requirements	10
Vehicles in Storage	10
Extended Warranties	10
Collision Damage Waiver Coverage	11
Credit Information	11
Insurance Marketing	11
For Your Protection	12
Tips for a Wise Consumer	12
Terminations, Denials, and Cancellations	13
Problems With Your Insurance Company	14
Automobile Insurance Quotation Worksheet	15
Consumer Publications	
Complaint Form	

Why Should You Buy Auto Insurance?



If you cause an auto accident, you may be responsible for the losses of the other people involved. A claim may be made or a lawsuit filed against you for those losses. You may have to pay not only for the property damage you cause, but also for the 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 don't have insurance, anything of value that 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 that this doesn't 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.

Insurance is based on the theory that only a small portion of all drivers will be involved in accidents. The premiums paid by all drivers during the year are used to pay for the losses of those drivers who have accidents. When you buy insurance, you receive financial protection in case you become involved in an accident. You also make sure that a person injured through your fault will recover for losses you cause.

Components of Auto Insurance

There are many components of auto insurance and there has been recent changes to our state law as it relates to those components. In April of 2010, the 2009-2010 legislature made changes to our auto insurance laws that:

- Required motor vehicle liability insurance to be mandatory
- Increased the minimum liability coverages you needed to carry when purchasing insurance
- Increased the minimum uninsured and underinsured coverages you needed to carry when purchasing insurance.
- Increased the minimum Medical Payments Coverage you needed to carry when purchasing insurance.

Subsequently, on April 5, 2011, the 2011-2012 legislature reversed some of the changes made by the previous legislature. So as to help clear up any confusion, the following is a synopsis of the changes that took place and what current law now will require.

Mandatory Auto Insurance Requirements

While many components of auto insurance have recently changed the requirement that all drivers have motor vehicle liability insurance remains mandatory.

After June 1, 2010, Wisconsin drivers were 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 at the Department of Transportation, Division of Motor Vehicles (DMV), Hill Farms State Office Building, 4802 Sheboygan Ave., Madison, WI 53702.

For policies issued or renewed prior to November 1, 2011, your policy must provide the following minimum liability coverage:

- \$50,000 for injury or death of one person;
- \$100,000 for injury or death of two or more people; and
- \$15,000 for property damage.

The law also requires uninsured motorist and underinsured motorist coverages of \$100,000/\$300,000 each for bodily injury only.

Under 2011 Wisconsin Act 14, for policies issued or renewed on or after November 1, 2011, your policy must provide 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.

The law also requires uninsured motorist coverage of \$25,000/\$50,000 each for bodily injury only.

Your policy must contain three major parts—liability insurance for bodily injury, liability insurance for property damage and uninsured motorist coverage.

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 the 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

This 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

Property damage liability coverage pays for any damage up to the stated amount 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 hit-and-run driver. It also covers you and your family if injured as a pedestrian when struck by an uninsured motorist or hit-and-run driver. It protects you by making sure that money is available to pay for your losses that were caused by someone else. For policies issued or renewed prior to November 1, 2011, the minimum amount of coverage required by law is \$100,000/\$300,000 for bodily injury only. For policies issued or renewed on or after November 1, 2011, the minimum amount of coverage required by law is \$25,000/\$50,000 for bodily injury only. You may want to purchase more than the 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 the 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.

Under 2011 Wisconsin Act 14, for policies newly issued or renewed on or after November 1, 2011, underinsured motorist coverage is no longer mandatory. Notice of coverage availability is required with the delivery of the policy. Coverage may be rejected. However, if requested, minimum coverage limits of \$50,000 per person and \$100,000 per accident are required.

For policies newly issued or renewed prior to November 1, 2011, UIM coverage is mandatory with minimum limits of \$100,000 per person and \$300,000 per accident.

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

Medical Payments Coverage

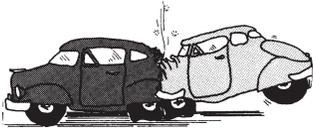
This coverage pays medical or funeral expenses for you or others injured or killed in an accident while riding or driving in your auto. This includes all reasonable hospital, surgical, chiropractic, x-ray, dental, professional nursing, prosthetic, and rehabilitation expenses up to the limits of the coverage.

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: Companies must offer this coverage to you, but you do not have to buy it.** For policies issued or renewed prior to November 1, 2011, the minimum limit that can be purchased is \$10,000. For policies issued or renewed after November 1, 2011, 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



“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.

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.

In addition, collision premiums are based on the make and model 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.

Comprehensive coverage pays for damage to your auto from almost all other causes such as fire, vandalism, water, hail, glass breakage, wind, falling objects, civic 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 worth it. 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. The state is divided 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. 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 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 that company.

After completing the 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 companies consider to be 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 that companies consider to be high risk. Usually drivers in this category have the highest rates. These drivers may include under age 25 drivers 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 the help of a qualified agent to find which insurer might insure you.

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 that have a recent history of accidents and/or moving violations than for people with relatively clean records. Therefore, it is important that you ask your agent to go over all facts concerning your driving record with you 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 the 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, but the law does not allow insurers to exclude drivers by endorsement.

Your present insurer may charge an extra fee, 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 the 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 insurer 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 discounts—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—several companies offer discounts of up to 40% on medical payment coverages for driver and/or passenger air bags, automatic seat belts, or anti-lock brakes;



Accident free records—insurers commonly reduce premiums for most coverages by about 5% for any person that has been continuously insured by them without an accident for three years.

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 of the factors that go into setting your auto premium are relatively fixed by your household make-up and lifestyle. One thing you can easily change, however, is the amount of your deductible (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 they can range from \$100 to \$500 or higher.

Before deciding the level of deductible 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 take a deductible and pay for small losses yourself, your insurer can give you a discount. 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. The reason for this is that, on the average, some groups have worse driving records, higher accident rates, and more costly accidents than others. Usually, the highest premiums are paid by the 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 the owners of their cars are reduced periodically from age 17-29.

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

Underage Drinking and Driving

Auto insurance premiums may be tripled or nonrenewed for parents whose underage children receive operating while intoxicated (OWI) citations. The OCI surveyed the twenty top writers of auto insurance in the state.

Six of the nineteen companies surveyed said that 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%.

Nineteen companies reported a rate increase or cancellation of the policy if a minor receives a citation for OWI. The rate increases range from 47% to 300%.

If your child is cited for underage drinking where the violation involved the 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 that, before using an underage drinking violation to underwrite or rate a policy, the company investigates whether the violation is driving related. (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 reports a possible effect for umbrella policies, and for two other companies, a citation would affect insurance rates on other nonauto 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 the open records law. Records that are not confidential include OWI and UAO (Underage Alcohol Operation).

Remember: 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 can be insured through the Wisconsin Automobile Insurance Plan (WAIP). This is a facility 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 facility, the 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 the plan, you may call or write to:

Wisconsin Auto Insurance Plan (WAIP)
20700 Swenson Drive
Waukesha, WI 53186
(262) 796-4599
www.waip.org

Safety Responsibility Law

Wisconsin has a Safety Responsibility Law. The law requires that anytime a person is hurt or killed or someone's property is damaged over \$1,000, it must be reported as soon as possible. You must also file a Driver's Report of Accident within 10 days with the Division of Motor Vehicles. If a police agency investigates the accident, you do not have to fill out the accident report, the police will.

If you are in an accident in Wisconsin, you should exchange insurance information with the other driver.

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 www.dot.state.wi.us/drivers/drivers/traffic/sr-law.htm.

Comparative Negligence Law

Wisconsin has a comparative negligence law that 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 providing your negligence **is not greater than** the other party, but your damages shall 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. Write down the 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, insurance information, 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 a Motor Vehicle 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.

Repairing Your Car

Coverage for your vehicle in the 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 actual cash value not its replacement cost.

If your car is damaged in an accident, your insurer will request that you 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 helps 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 the 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 that 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 Totaled

An insurance company will “total” your car 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 the information that may affect the value of your car.

It may come down to negotiations 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 that 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 also can build your case.

Remember, an insurance company won’t compensate you for the sentimental value of your car.

Lender Insurance Requirements

If you finance your car, the lender will require that you 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.

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 are often two to 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 actual cash value—the amount it would have sold for before the accident. The actual cash value of the car 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 of the coverages, so that you will not have to pay the premium associated with these charges. Your car might still be susceptible to physical damage, however, so you might consider maintaining comprehensive and possibly collision coverage while your vehicle is in storage.

Extended Warranties

Some extended warranty plans (sometimes called service contracts) that provide repair and replacement services beyond what the product manufacturer offers are regulated by the OCI. If you want to know if a warranty plan is licensed in this state, 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
www.dot.state.wi.us

Collision Damage Waiver Coverage

Rental car companies often sell collision damage waiver (CDW) coverage. A CDW is a contract offered by rental car companies. The 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.

NOTE: If you rent a car in an area where your regular insurance does not provide coverage, generally anywhere except 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 Consumer Protection Unit of the Attorney General's Office in the state in which you rented the car.

In Wisconsin, contact:

Department of Agriculture, Trade
& Consumer Protection
2811 Agriculture Drive
Madison, WI 53702-0001
800-422-7128
datcp.wi.gov

Credit Information

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

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 the 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)
CRC-240
Washington, DC 20580
1-877-FTC-HELP (382-4357)
www.ftc.gov

The OCI publishes a fact sheet that answers questions about how insurance companies use credit history in their underwriting process. For more information contact the OCI at 1-800-236-8517 and ask for a copy of *Understanding How Insurance Companies Use Credit Information*. A copy is also available on OCI's Web site at oci.wi.gov/pub_list/pi-204.htm.

Insurance Marketing

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

For the most part 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 that 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 certain that your agent agrees to review your coverage from time to time, advises you about other financial services, and assists you when problems develop.

Many people 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 that a particular agent understands your needs and will give you the service you want, seek another agent.

Agents and insurers differ. Friends may have some recommendations. If not, try the yellow pages. Agents and insurers are listed alphabetically and by location. 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.

All companies and agents doing business in Wisconsin are licensed by the OCI. To find out if an agent or company is licensed call 1-800-236-8517. Licensing information about agents and companies can also be found on OCI's home page under "Search for an Agent/Agency (<https://ociaccess.oci.wi.gov/ProducerInfo/PrdInfo.oci>) or a Company (<https://ociaccess.oci.wi.gov/CmplInfo/CmplInfo.oci>)."

For Your Protection

Information is available to consumers from a number of sources. These sources include 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 the company's policies, practices, agents, or service. You should consider checking with at least two organizations to evaluate a company's strength. If you want to check on an insurance company's financial stability, you can check the reference section of your public library for published ratings, call the OCI, or check with your insurance agent.

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

In Wisconsin, this fund is called the 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 the coverage and limitations of the Insurance Security Fund can be addressed to:

Wisconsin Insurance Security Fund
2820 Walton Commons West, Suite 135
Madison, WI 53718-6797
(608) 242-9473
www.wilifega.org/

Tips for a Wise Consumer

- ✓ Read your policy. An auto insurance policy is a legal contract. It is written so that 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 don't 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.
- ✓ Choose an insurer that has a good claims record. If in doubt, contact the OCI and ask about the insurer's complaint ratio.
- ✓ Buy a "low profile" car. 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 that are frequently stolen. Your agent can assist you in getting the best value for your insurance dollar.
- ✓ Take advantage of low mileage discounts. Some 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.
- ✓ Don't pay cash. Always give an agent or insurer a check or money order. This will be proof of your payment.

- √ Pay your premium in one lump sum. You can sometimes save service charges by paying your premiums in a lump sum rather than by monthly or quarterly payments.
- √ 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 is not necessarily a good idea. Insurance that sounds too good to be true probably is too good to be true. Then again, looking only at benefits could result in paying a higher than necessary premium. You should consider all of 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 without providing you with a reason for the cancellation. The 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 the rates or make the terms less favorable to the insured. An insurer may not alter the 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%. [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 may cancel coverage during this period only if the premium is not paid or if the policy states other reasons for canceling. The insurer must either mail or deliver to you a written cancellation notice. No cancellation is effective until at least 10 days after the mailing or delivery of the notice. [s. 631.36 (2) (b), 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 the nonrenewal. For an auto policy, the insurer must also provide information in the notice on how to apply to the Wisconsin Auto 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), (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) and (am), Wis. Stat.]

Note: There is no grace period required for auto insurance.

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. [s. 631.36 (3), Wis. Stat.]

General Anti-Discrimination Laws

There are statutes and rules that protect 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]

- ◆ For auto or homeowner's policies, 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 the location or age of the risk. Insurers may not use these classifications to charge different rates without credible supporting information. 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 insurance, you should first check with your agent or with the company that sold you the policy. If you do not get satisfactory answers from the agent or company, contact the OCI. A complaint form is included in the back of this booklet. Make sure you have included detailed information about your insurance problem. The more complete and accurate this information is, the more likely it is that your problem can be resolved. Be sure that you have included the correct name of the insurance company from which you bought the policy. Many companies have very similar names. Listing the wrong name may delay the investigation of your complaint.

Before signing an application for any insurance coverage, call the OCI and verify that the company and the agent you are dealing with are licensed in our state. 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 that 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 the OCI immediately so that regulatory action can be taken. By doing so, you may protect someone less knowledgeable than you from being victimized.

The OCI investigates complaints to determine if any insurance laws or rules have been violated. If any laws or rules have been violated, the office will proceed with disciplinary action. Penalties include suspension or revocation of licenses or fines. This office cannot settle a factual dispute and you may have to pursue your claim through small claims court or with an attorney.

The office publishes complaint summaries each year listing those companies that have received the most complaints. This is one way consumers have of judging the service given by the insurance companies. For more information, call the OCI at (608) 266-0103 or 1-800-236-8517 and request a copy of *Insurance Complaints and Administrative Actions*. A copy is also available on OCI's Web site at:

oci.wi.gov/pub_list/pi-030.htm

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

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

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

Community Insurance Information Center
700 West Michigan Street, Suite 350
Milwaukee, WI 53233
(414) 291-5360

**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:
