



**State of New Jersey**  
DEPARTMENT OF BANKING AND INSURANCE  
LEGISLATIVE AND REGULATORY AFFAIRS  
PO Box 325  
TRENTON, NJ 08625-0325

JON S. CORZINE  
*Governor*

TEL (609) 984-3602  
FAX (609) 292-0896

STEVEN M. GOLDMAN  
*Commissioner*

BULLETIN NO. 08-21

TO: ALL INSURERS TRANSACTING PRIVATE PASSENGER AUTOMOBILE  
INSURANCE IN NEW JERSEY

FROM: STEVEN M. GOLDMAN, COMMISSIONER

RE: IMPLEMENTATION OF P.L. 2003, c. 89

The requirement that all private passenger automobile insurers provide coverage to all eligible persons as set forth in N.J.S.A. 17:33B-15 becomes inoperative on January 1, 2009 pursuant to P.L. 2003 c. 89. The Department of Banking and Insurance ("Department") proposed amendments, repeals, and new rules to implement this change, which proposal appeared in the June 16 issue of the New Jersey Register at 40 NJR 3572(a). The Department is in the process of finalizing the adoption of the proposed amendments, repeals and new rules. However, the notice of adoption may not appear in the New Jersey Register prior to January 1, 2009.

In order to provide guidance to insurers and facilitate any required modifications to their systems prior to the effective date of January 1, 2009, the Department is issuing this Bulletin to advise that as of that date insurers may utilize the acceptance/rejection criteria set forth in the proposal at N.J.A.C. 11:3-8. As is provided for in proposed N.J.A.C. 11:3-8.11(b) and (c), insurers should file a Certification of Compliance with N.J.A.C. 11:3-8.11, in the form attached hereto as Exhibit 1 and made a part hereof, by December 31, 2008. The certification may be mailed to:

New Jersey Department of Banking and Insurance  
Office of Property and Casualty  
P.O. Box 325  
Trenton, New Jersey 08625-0325; or  
Faxed to: (609) 777-0019; or  
Submitted through the use of the NAIC System for Electronic Rate and Form  
Filing ("SERFF").

Insurers are also advised to revise their acceptance/rejection criteria so as to render them consistent with those set forth in the proposed new rules and amendments to N.J.A.C. 11:3-8. While the revised acceptance/rejection criteria need not be filed with the Department, insurers should withdraw existing acceptance/rejection criteria currently on file. The withdrawal submission should be received by the Department no later than January 31, 2009.

Changes to the Consumer Bill of Rights referenced in N.J.A.C. 11:3-15.8 are also required. These changes may be found on the Department's website, <http://tinyurl.com/6lpf4c>. Pursuant to N.J.A.C. 11:3-15.8(a), insurers should modify the Consumer Bill of Rights they send to consumers for use on or after January 1, 2009 to conform with the revised text on the Department's website.

Any questions regarding compliance may be directed to Carmen Williams, Insurance Analyst, Office of Property and Casualty, phone: (609) 984-7310 x50365.

11/13/08  
Date

/s/ Steven M. Goldman  
Steven M. Goldman  
Commissioner

EXHIBIT 1

CERTIFICATION OF COMPLIANCE WITH N.J.A.C. 11:3-8.11

I hereby certify that as of \_\_\_\_\_, 2009 \_\_\_\_\_ (Name of Insurance Company)\_\_\_\_\_ will be in compliance with the above-captioned rule and will not use any of the prohibited "Acceptance Criteria" as set forth in N.J.A.C. 11:3-8.11(a).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Date

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