



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Insurance Commissioner

Subject of possible rule making: The Insurance Commissioner is considering new title insurance rate filing and statistical reporting rules and procedures to implement chapter 48.29.RCW. The Commissioner will consider rules that:

1. Establish the information required for the filing rates for title insurance under RCW 48.29.147;
2. Establish standards which title insurance rate filings must satisfy under RCW 48.29.147;
3. Identify statistics that title insurance agents must collect and report to the title insurers that have appointed them, so that the insurers can file accurate and appropriate expense data with their rate filings; and
4. Identify title insurance statistics that title insurers and title insurance agents must collect and report to the Commissioner. These data will help the Commissioner determine whether title insurance rates comply with the standards set forth in RCW 48.29.140(1), 48.29.143, and 48.29.147.
5. Under RCW 48.29.140, establish a date by which title insurers must file every manual of rules and rates, rating plan, rate schedule, minimum rate, class rate, and rating rule, and every modification of any of these filings, under RCW 48.29.143 and 48.29.147.

The Commissioner will also consider rules that require title insurers to file rates and forms through the System for Electronic Rate and Form Filing (SERFF). SERFF is a key component of the National Association of Insurance Commissioners (NAIC) Speed to Market initiative. The SERFF system allows insurance companies to send and states to receive, comment on, and approve or reject insurance industry rate and form filings. SERFF offers a decentralized point-to-point, web-based electronic filing system. SERFF facilitates communication, management, analysis and electronic storage of documents and supporting information. The system improves the efficiency of the rate and form filing and approval process and reduces the time and cost involved in making regulatory filings.

Insurance Commissioner Matter No. R 2009-01

Statutes authorizing the agency to adopt rules on this subject: RCW 48.02.060, RCW 48.29.005, RCW 48.29.140, RCW 48.29.143, RCW 48.29.147

Reasons why rules on this subject may be needed and what they might accomplish:

1. Chapter 48.29 RCW permits the Commissioner to adopt rules to implement the chapter, which may take effect no earlier than January 1, 2010.
2. Rate and form filing procedures that apply to title insurers should be consistent with filing procedures that apply to property and casualty products. SERFF improves filing efficiency and streamlines the record retention processes.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
None.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) OIC will have discussions with interested parties and exchange drafts of possible rules.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication: Please submit written comments by July 31, 2009 to:

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DATE January 7, 2009

NAME Mike Kreidler

SIGNATURE

TITLE Insurance Commissioner

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OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
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