

## DEPARTMENT OF INSURANCE

Legal Division, Rate Enforcement Bureau  
300 Capitol Mall, 17th Floor  
Sacramento, CA 95814

MAY 31 2007

PERSONAL INSURANCE FEDERATION



**NOTICE OF INFORMAL WORKSHOP  
REGARDING PRINCIPALLY AT-FAULT REGULATIONS SET FORTH IN  
TITLE 10, CALIFORNIA CODE OF REGULATIONS, SECTION 2632.13**

RH05042805

May 30, 2007

The California Department of Insurance ("Department") invites all interested persons to attend an informal workshop to discuss the principally at-fault regulations set forth in Title 10, California Code of Regulations, Section 2632.13, filed with the Secretary of State on 10-4-2004, and operative on 11-3-2004 and good driver discount policy regulations set forth in Title 10, California Code of Regulations, Section 2632.19, filed with the Secretary of State on 10-5-98, and operative on 11-4-98. The Department is considering the following amendments to the regulations:

- For section 2632.13: restoring text to subsection (c) that existed prior to the Change Without Regulatory Effect amending subsection (c) and Note filed 12-5-2002: "a driver may be considered to be principally at fault in an accident if the driver's actions or omissions were at least 51 percent of the proximate cause of the accident, subject to the exceptions set forth in Subsection (d), and, in accidents not resulting in death, if the total loss or damage to the property of any one person caused by the accident exceeded \$750.00;"
- For section 2632.13, clarifying the treatment of solo accidents with respect to the \$750 threshold described in subsection (c)
- For section 2632.13, clarifying the obligations of subsequent insurers under subsections (f), (g), and (i)
- For section 2632.19, changing the last sentence in subsection (d) to conform to the \$750 threshold of SB 1590 (Approved by Governor September 20, 2002. Filed with Secretary of State September 21, 2002.): "In bodily injury accidents not resulting in death, the total loss or damage caused by the accident must exceed ~~\$500~~ 750.00"

The informal workshop will be held as follows:

**Friday, June 22, 2007 – 10:00 a.m.**  
Board Meeting Room  
State Board of Equalization  
450 N Street, 1st Floor  
Sacramento, California 95814

The purpose of the workshop is to gather information with respect to the amending the regulations set forth in Title 10, California Code of Regulations, Sections 2632.13 and 2632.19. Therefore, the Department invites all interested parties to present oral or written comments pertaining to the amendments under consideration at the workshop. Participants should be

prepared to present specific comments on, and/or alternate regulation language for, the regulations. Please be advised that participation in the workshop will be in addition to, and not in substitution for, any participation in a formal rulemaking process. This invitation does not constitute a Notice of Proposed Action under the Administrative Procedures Act.

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person for this workshop in order to make special arrangements, if necessary. In addition, any questions regarding this Notice should be directed to the contact person for this informal workshop:

Lisbeth Landsman-Smith  
California Department of Insurance  
Rate Enforcement Bureau  
300 Capitol Mall, 17<sup>th</sup> Floor  
Sacramento, California 95814  
Telephone: (916) 492-3561  
Facsimile: (916) 324-1883  
landsmanl@insurance.ca.gov