

**§ 544.7**

**49 CFR Ch. V (10-1-06 Edition)**

(vii) The total number of comprehensive insurance claims paid by the insurer for each vehicle risk grouping identified in paragraph (d)(2)(vi) of this section during the reporting period, and the total amount (in dollars) paid out by the insurer in response to each of the listed claims totals; and

(viii) The maximum premium adjustments (as a percentage of the basic comprehensive insurance premium) made for each vehicle risk grouping identified in paragraph (d)(2)(vi) of this section during the reporting period, as a result of the insurer's determination that such vehicles are more likely to be stolen.

(3) Identify any other rating rules and plans used by the insurer to establish its comprehensive insurance premiums and premium penalties for motor vehicles it considers as more likely to be stolen, and explain how such rating rules and plans are used to establish the premiums and premium penalties.

(4) Explain the basis for the insurer's comprehensive insurance premiums and the premium penalties charged for motor vehicles it considers as more likely to be stolen. This requirement may be satisfied by providing the pertinent sections of materials filed with State insurance regulatory officials and clearly indicating which information in those sections is being submitted in compliance with this paragraph.

(e) List each action taken by the insurer to reduce the premiums it charges for comprehensive insurance coverage because of a reduction in thefts of this type of motor vehicle. For each action:

(1) State the conditions that must be satisfied to receive such a reduction (e.g., installation of antitheft device, marking of vehicle in accordance with theft prevention standard, etc.);

(2) State the number of the insurer's policyholders and the total number of vehicles insured by the insurer that received this reduction; and

(3) State the difference in average comprehensive insurance premiums for those policyholders that received this reduction versus those policyholders that did not receive the reduction.

(f) In the case of an insurer that offered a reduction in its comprehensive insurance premiums for vehicles equipped with antitheft devices, provide:

(1) The specific criteria used by the insurer to determine whether a vehicle is eligible for the reduction (original equipment antitheft device, passive antitheft device, etc.);

(2) The total number of vehicle thefts for vehicles manufactured in the 1983 or subsequent model years that received a reduction under each listed criterion; and

(3) The total number of recoveries of vehicles manufactured in the 1983 or subsequent model years that received a reduction under each listed criterion. Beginning with the report due not later than October 25, 1987, indicate how many of the total number of recoveries were—

- (i) Recoveries intact;
- (ii) Recoveries-in-whole; and
- (iii) Recoveries-in-part.

(g)(1) List each action taken by the insurer to assist in deterring or reducing thefts of motor vehicles. For each action, describe the action and explain why the insurer believed it would be effective in deterring or reducing motor vehicle thefts.

(2)(i) State the insurer's policy regarding the use of used parts to effect repairs paid for by the insurer on vehicles it insures. Indicate whether the insurer required, promoted, allowed, or forbade the use of used parts in those repairs.

(ii) In the case of insurers requiring, promoting, or allowing the use of used parts to make repairs paid for by the insurer on vehicles it insures, indicate the precautions taken by or on behalf of the insurer to identify the origin of those used parts.

[52 FR 76, Jan. 2, 1987, as amended at 55 FR 25610, June 22, 1990]

**§ 544.7 Incorporating previously filed documents.**

(a) In any report required by this part, an insurer may incorporate by reference any document or portion thereof previously filed with any Federal or State agency or department within the past four years.

(b) An insurer that incorporates by reference a document not previously submitted to the National Highway Traffic Safety Administration shall append that document or the pertinent sections of that document to its report, and clearly indicate on the cover or first page of the document or pertinent section the regulatory requirement in response to which the document is being submitted.

(c) An insurer that incorporates by reference a document shall clearly identify the document and the specific portions thereof sought to be incorporated, and, in the case of a document previously submitted to the National Highway Traffic Safety Administration, indicate the date on which the document was submitted to the agency and the person whose signature appeared on the document.

APPENDIX A—INSURERS OF MOTOR VEHICLE INSURANCE POLICIES SUBJECT TO THE REPORTING REQUIREMENTS IN EACH STATE IN WHICH THEY DO BUSINESS

Allstate Insurance Group  
 American Family Insurance Group  
 American International Group  
 Auto-Owners Insurance Group<sup>1</sup>  
 California State Auto Association  
 CNA Insurance Companies  
 Erie Insurance Group  
 Berkshire Hathaway/GEICO Corporation Group  
 Hartford Insurance Group  
 Liberty Mutual Insurance Companies  
 Metropolitan Life Auto & Home Group  
 Mercury General Group<sup>1</sup>  
 Nationwide Group  
 Progressive Group  
 SAFECO Insurance Companies  
 State Farm Group  
 Travelers/Citigroup Company  
 USAA Group  
 Farmers Insurance Group

<sup>1</sup>Indicates a newly listed company, which must file a report beginning with the report due October 25, 2005.

[70 FR 42507, July 25, 2005]

EFFECTIVE DATE NOTE: At 71 FR 52293, Sept. 5, 2006, appendix A to part 544 was revised, effective Nov. 6, 2006. For the convenience of the user, the revised text is set forth as follows:

APPENDIX A—INSURERS OF MOTOR VEHICLE INSURANCE POLICIES SUBJECT TO THE REPORTING REQUIREMENTS IN EACH STATE IN WHICH THEY DO BUSINESS

Allstate Insurance Group  
 American Family Insurance Group  
 American International Group  
 Auto-Owners Insurance Group  
 CNA Insurance Companies  
 Erie Insurance Group  
 Berkshire Hathaway/GEICO Corporation Group  
 Hartford Insurance Group  
 Liberty Mutual Insurance Companies  
 Metropolitan Life Auto & Home Group  
 Mercury General Group  
 Nationwide Group  
 Progressive Group  
 Safeco Insurance Companies  
 State Farm Group  
 Travelers PC Group  
 USAA Group  
 Farmers Insurance Group

APPENDIX B—ISSUERS OF MOTOR VEHICLE INSURANCE POLICIES SUBJECT TO THE REPORTING REQUIREMENTS ONLY IN DESIGNATED STATES

Alfa Insurance Group (Alabama)  
 Arbella Mutual Insurance (Massachusetts)  
 Auto Club (Michigan)  
 Commerce Group, Inc. (Massachusetts)  
 Kentucky Farm Bureau Group (Kentucky)  
 New Jersey Manufacturers Group (New Jersey)  
 Nodak Mutual Group (North Dakota)<sup>1</sup>  
 Southern Farm Bureau Group (Arkansas, Mississippi)  
 Tennessee Farmers Companies (Tennessee)

<sup>1</sup>Indicates a newly listed company, which must file a report beginning with the report due October 25, 2005.

[70 FR 42507, July 25, 2005]

EFFECTIVE DATE NOTE: At 71 FR 52294, Sept. 5, 2006, appendix B to part 544 was revised, effective Nov. 6, 2006. For the convenience of the user, the revised text is set forth as follows:

APPENDIX B—ISSUERS OF MOTOR VEHICLE INSURANCE POLICIES SUBJECT TO THE REPORTING REQUIREMENTS ONLY IN DESIGNATED STATES

Alfa Insurance Group (Alabama)  
 Arbella Mutual Insurance (Massachusetts)  
 Auto Club (Michigan)  
 Commerce Group, Inc. (Massachusetts)  
 Kentucky Farm Bureau Group (Kentucky)  
 New Jersey Manufacturers Group (New Jersey)

Safety Group (Massachusetts)<sup>1</sup>

<sup>1</sup>Indicates a newly listed company, which must file a report beginning with the report due October 25, 2006.

Southern Farm Bureau Group (Arkansas, Mississippi)

Tennessee Farmers Companies (Tennessee)

APPENDIX C—MOTOR VEHICLE RENTAL AND LEASING COMPANIES (INCLUDING LICENSEES AND FRANCHISEES) SUBJECT TO THE REPORTING REQUIREMENTS OF PART 544

ANC Rental Corporation<sup>2</sup>

ARI (Automotive Resources International)

Avis Rent-A-Car, Inc.

Budget Rent-A-Car Corporation

Dollar Rent-A-Car Systems, Inc.

Donlen Corporation

Enterprise Rent-A-Car

Enterprise Fleet Services<sup>1</sup>

GE Capital Fleet Services

Hertz Rent-A-Car Division (subsidiary of The Hertz Corporation)

Lease Plan USA, Inc.

PHH Vehicle Management Services/PHH Arval

U-Haul International, Inc. (Subsidiary of AMERCO)

Wheels Inc.

<sup>1</sup>Indicates a newly listed company, which must file a report beginning with the report due October 25, 2005.

<sup>2</sup>National Car Rental System, Inc., and Alamo Rent-A-Car Inc., became ANC Rental Corporation in 2002.

[70 FR 42507, July 25, 2005]

EFFECTIVE DATE NOTE: At 71 FR 52294, Sept. 5, 2006, appendix C to part 544 was revised, effective Nov. 6, 2006. For the convenience of the user, the revised text is set forth as follows:

APPENDIX C—MOTOR VEHICLE RENTAL AND LEASING COMPANIES (INCLUDING LICENSEES AND FRANCHISEES) SUBJECT TO THE REPORTING REQUIREMENTS OF PART 544

Cendant Car Rental

Dollar Thrifty Automotive Group

Enterprise Rent-A-Car

Enterprise Fleet Services

Hertz Rent-A-Car Division (subsidiary of The Hertz Corporation)

U-Haul International, Inc. (Subsidiary of AMERCO)

Vanguard Car Rental USA

PART 545—FEDERAL MOTOR VEHICLE THEFT PREVENTION STANDARD PHASE-IN AND SMALL-VOLUME LINE REPORTING REQUIREMENTS

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AUTHORITY: 49 U.S.C. 322, 33101, 33102, 33103, 33104, 33105; delegation of authority at 49 CFR 1.50.

SOURCE: 70 FR 28851, May 19, 2005, unless otherwise noted.

§ 545.1 Scope.

This part establishes requirements for manufacturers of motor vehicles to respond to NHTSA inquiries, to submit reports, and to maintain records related to the reports, concerning the number of vehicles that meet the requirements of 49 CFR part 541, and the number of vehicles that are excluded from the requirements of 49 CFR part 541 pursuant to 49 CFR 541(b)(2).

§ 545.2 Purpose.

The purpose of these requirements is to assist the National Highway Traffic Safety Administration in determining whether a manufacturer has complied with the requirements of 49 CFR 541.5.

§ 545.3 Applicability.

This subpart applies to manufacturers of motor vehicles.

§ 545.4 Response to inquiries.

At any time prior to August 31, 2007, each manufacturer must, upon request from the Office of Vehicle Safety Compliance, provide information identifying the vehicles (by make, model, and vehicle identification number) that have been certified as complying with the requirements of 49 CFR part 541.