



ADMINISTRATIVE RULES OF MONTANA



6.6.3304 DISCRIMINATION IN PRICING PROHIBITED

- (1) Except as provided in paragraphs (2) and (3) below, once program eligibility has been established, the existence or non-existence of prior insurance for a policyholder shall not be considered in determining the premium for a policy. The premium charged by an insurer for a policyholder with no prior insurance shall be the same as if the policyholder had prior insurance and was insured in the same program.
- (2) An insurer may impose a surcharge in accordance with its filed pricing structure on an insured who has received a citation within the immediately prior three years for driving in violation of any state's mandatory insurance law.
- (3) An insurer may impose a surcharge, not to exceed the surcharge permitted in paragraph (2) above, on an insured who in the immediately prior three years has driven in violation of any state's mandatory insurance law but did not receive a citation for such. The surcharge must be in accordance with the insurer's filed pricing structure, and the insurer must maintain in the insured's file evidence sufficient to demonstrate that the insured operated a motor vehicle in violation of a state's mandatory auto insurance law.

Authorizing statute(s): Sec. 33-1-313 and 33-18-102, MCA

Implementing statute(s): Sec. 33-18-210, MCA

History: NEW, 1993 MAR p. 674, Eff. 4/30/93.