



# OFFICE OF INSURANCE AND SAFETY FIRE COMMISSIONER

JOHN W. OXENDINE  
COMMISSIONER OF INSURANCE  
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COMMISSIONER  
COMPTROLLER GENERAL

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BEFORE THE COMMISSIONER OF INSURANCE

STATE OF GEORGIA

## **NOTICE OF INTENT TO ADOPT RULE CHANGES AND NOTICE OF HEARING**

Notice is hereby given pursuant to the Georgia Administrative Procedure Act, O.C.G.A. Sections 50-13-3, 50-13-4 and 50-13-6, 50-13-21 and O.C.G.A. Section 33-2-9 of the proposal by the Commissioner of Insurance to amend the Rules and Regulations of the Office of Commissioner of Insurance.

The Rules and Regulations of the Office of Commissioner of Insurance are proposed to be amended by the following actions:

--Amend Regulation Chapter 120-2-28 entitled "Georgia Motor Vehicles Accident Reparations Act," by amending Rule 120-2-28-.06 entitled "Optional Coverage."

A copy of the proposed amendment to Chapter Section 120-2-28, Rule .06, is attached hereto and made a part hereof by reference.

The amendment is necessary because the Commissioner finds that consumers may need additional information regarding the uninsured motorist coverage they obtain.

The aforesaid proposal, which is being forwarded to the Attorney General for approval as to legality pursuant to O.C.G.A. Section 33-2-9, is now on file in the Administrative Procedure Division of the Office of Commissioner of Insurance, 612 West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334, and is hereby declared to be a public record as follows:

Proposed amendments to Regulation Chapter 120-2-28 entitled "Georgia Motor Vehicles Accident Reparations Act": Docket Number I-07-R-2.

Interested persons may participate in the proposed rulemaking process by submitting their written comments to **Fred Meyer, Administrative Procedure Division, Office of Commissioner of Insurance, 612 West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334. All comments must be received by the Administrative Procedure Division by 4:30 P.M. on Monday, October 29, 2007.** Interested persons may also participate in the proposed rulemaking by submitting oral comments on Regulation Chapter 120-2-28 at a hearing to be held at **10:00 A.M. on Wednesday, October 31, 2007, in the Hearing Room of the Office of Commissioner of Insurance, Seventh Floor, West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334.**

Oral presentations at both hearings will be limited to five (5) minutes per person in order to afford all interested persons an opportunity to be heard. If you have a physical impairment and require assistance or have any questions regarding this notice, please contact Fred Meyer.

Based upon full consideration of all written and oral comments regarding the above matters, the Commissioner of Insurance may reject or adopt the proposed rules or may make changes to the proposed rules which may require another rulemaking hearing.

Given under my Hand and Official Seal this 21<sup>st</sup> day of September, 2007.



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JOHN W. OXENDINE  
COMMISSIONER OF INSURANCE  
STATE OF GEORGIA

Direct All Correspondence To:  
Fred Meyer  
Administrative Procedure Division  
612 West Tower, Floyd Building  
2 Martin Luther King, Jr. Drive  
Atlanta, Georgia 30334  
Telephone Number (404) 656-5875  
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## Georgia Regulations

### RULES AND REGULATIONS OF THE STATE OF GEORGIA

#### RULES OF THE COMPTROLLER GENERAL

##### Insurance Department

##### Chapter 120-2-28

##### Optional Coverage

###### **120-2-28-.06 Optional Coverage.**

(1) Insurers may offer other optional coverage as set forth in O.C.G.A. §33-34-3.1(b) provided that the optional coverage provided for in this paragraph shall not be referenced in a way that is ambiguous, misleading, or could be easily confused with other optional coverages. Medical payments coverage should be offered at a limit of at least \$2,000. Insurers shall not be prohibited from offering medical payment limits in addition to, or less than, those specified herein. Insurers shall be required to file rates and rating plans on such additional optional coverages with the Commissioner for such approval as required by law.

(2) Whenever any new policy of insurance is bound or issued, or any policy of insurance is renewed, and that policy includes uninsured motorist coverage as defined in O.C.G.A. § 33-7-11, a Notice must be given to the insured that contains the following language:

“You have chosen to accept Uninsured Motorists coverage from your insurance company. If you have any questions after reading this statement regarding Uninsured Motorists coverage or the amount of Uninsured Motorists coverage you have chosen, your agent or company representative will be able to assist you. You should have chosen the amount of Uninsured Motorists coverage you want based on this question: If I get hit by someone with little or no liability insurance, how much protection do I need to cover the cost associated with car repair, medical bills, other expenses, and lost wages? If the person who hits your automobile has no liability coverage or liability coverage equal to or less than the Uninsured Motorists amount you chose, your total automobile insurance recovery (from all companies involved) may not exceed the amount of Uninsured Motorists coverage you chose.

The purpose of this notice is informational. This notice does not change or replace the wording in your policy.”

**Authority.**—O.C.G.A. Secs. 33-2-9, 33-34-1 et seq., 33-34-11.

**Georgia Regulations**

**RULES AND REGULATIONS OF THE STATE OF GEORGIA**

**RULES OF THE COMPTROLLER GENERAL**

**Insurance Department**

**Chapter 120-2-28**

**Optional Coverage**

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(2) Whenever any new policy of insurance is bound or issued, or any policy of insurance is renewed, and that policy includes uninsured motorist coverage as defined in O.C.G.A. § 33-7-11, a Notice must be given to the insured that contains the following language:

“You have chosen to accept Uninsured Motorists coverage from your insurance company. If you have any questions after reading this statement regarding Uninsured Motorists coverage or the amount of Uninsured Motorists coverage you have chosen, your agent or company representative will be able to assist you. You should have chosen the amount of Uninsured Motorists coverage you want based on this question: If I get hit by someone with little or no liability insurance, how much protection do I need to cover the cost associated with car repair, medical bills, other expenses, and lost wages? If the person who hits your automobile has no liability coverage or liability coverage equal to or less than the Uninsured Motorists amount you chose, your total automobile insurance recovery (from all companies involved) may not exceed the amount of Uninsured Motorists coverage you chose.

The purpose of this notice is informational. This notice does not change or replace the wording in your policy.”

**Authority.**—O.C.G.A. Secs. 33-2-9, 33-34-1 et seq., 33-34-11.