

STATE OF NEW MEXICO
OFFICE OF SUPERINTENDENT OF INSURANCE

SUPERINTENDENT OF INSURANCE
Russell Toal



DEPUTY SUPERINTENDENT
Jennifer A. Catechis

BULLETIN 2021-012

July 14, 2021

TO: ALL AUTO INSURANCE CARRIERS

RE: AUTO INSURANCE DATA CALL

Superintendent of Insurance Russell Toal issued a [Notice and Order](#) on April 21, 2020 ordering auto insurance carriers to adjust auto premiums determined to be excessive considering the COVID-19 related automobile usage reductions experienced in New Mexico. Pursuant to Paragraph F of the Notice and Order, “This Order will be automatically extended from April 30, 2020 through the extension date of any COVID-19 public health emergency proclamation by the Governor or the Department of Health. If this Order is so extended, insurers shall make additional premium adjustments through the extension date and submit the required filing in SERFF”.

Subsequently, the Office of Superintendent of Insurance (“OSI”) issued a data call in January of 2021 that allowed OSI to evaluate the overall profitability of auto carriers in New Mexico. It appears that some companies have had an abnormally profitable year, despite the premium refunds that were issued by most carriers. While we are refraining from defining a set threshold for profitability, the Superintendent is asking all personal auto insurance companies to review their 2020 loss experience and determine whether additional premium refunds are warranted for this retrospective period.

OSI recognizes that some companies may have recently filed rate decreases which apply to the expected exposures going forward. These filings do not address the Superintendent’s concerns about excessive profitability in 2020.

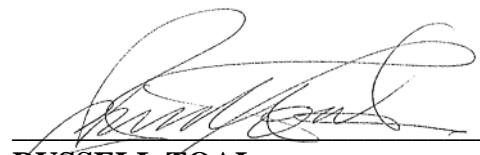
If the company determines that additional refunds are appropriate, the company should submit a SERFF filing documenting the amount and timing of refunds. If the company determines that further refunds are not warranted, the company shall provide a memo to the Superintendent justifying that conclusion. The memo may be emailed to Anna.krylova@state.nm.us.

The deadline to complete the analysis and file the outcome with the Superintendent, as specified above, is August 16, 2021.

Those carriers that received this request on May 26, 2021 through the NAIC's SBS and have already complied do not need to provide another response.

No response needs to be provided for Commercial Auto business or those blocks of business determined to not be applicable as a result of the previous data call, issued in January of 2021.

ISSUED this 14th day of July, 2021.



RUSSELL TOAL
Superintendent of Insurance