

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***

A Statement of Need and Fiscal Impact accompanies this form.

Oregon Department of Consumer and Business Services Insurance Division	836
Agency and Division	Administrative Rules Chapter Number
Sue Munson	503-947-7272
Rules Coordinator	Telephone

**RULE CAPTION**

Requirements for Total Loss Settlements in Automobile Insurance

**Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

December 4, 2009	1 PM*	Conf. Rm. F (Basement) 350 Winter St NE, Salem, OR 97301	Jeannette Holman
Hearing Date	Time	Location	Hearings Officer

**Note: The hearing will begin at 1 PM and end when all present who wish to testify have done so.**

*Auxiliary aids for persons with disabilities are available upon advance request.*

**RULEMAKING ACTION**

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:**

**AMEND:** OAR 836-080-0240

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth. : **ORS 731.244, Chapter 65, Oregon Laws 2009 (Enrolled House Bill 2190)**

Other Auth.:

Stats. Implemented: **ORS 742.466, 746.230, 746.240, and 746.280, and Chapter 65, Oregon Laws 2009 (Enrolled House Bill 2190)**

**RULE SUMMARY**

This rulemaking amends the current rule that establishes standards for adjustment and settlement of automobile total loss claims under collision or comprehensive coverage on the basis of replacement or actual cash value. The rule specifies the written statement that insurers must provide to consumers whose automobiles are totaled and incorporates other provisions of House Bill 2190.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

December 11, 2009

**Last Day for Public Comment** (Last day to submit written comments to the Rules Coordinator)

(Signed)	Teresa D. Miller, Insurance Administrator	October 14, 2009
Signature	Printed name	Date

\*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005