

**NEWFOUNDLAND AND LABRADOR
BOARD OF COMMISSIONERS OF PUBLIC UTILITIES**

AN ORDER OF THE BOARD

NO. A.I. 9(2020)

1 **IN THE MATTER OF** the *Automobile*
2 *Insurance Act*, RSNL 1990, c. A-22,
3 as amended, and regulations
4 thereunder; and
5

6 **IN THE MATTER OF** an application
7 by Aviva General Insurance Company
8 for approval to implement a revised
9 rating program for its Miscellaneous
10 Vehicles category of automobile
11 insurance.
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14 **WHEREAS** effective January 1, 2020 changes to the *Automobile Insurance Act* and regulations
15 thereunder came into effect which included mandatory reforms of the automobile insurance
16 product; and
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18 **WHEREAS** the mandatory reforms included the introduction of Direct Compensation Property
19 Damage (“DCPD”) coverage for all vehicles and an increase in the deductible applicable to all
20 pain and suffering awards from \$2,500 to \$5,000; and
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22 **WHEREAS** on November 5, 2019 the Board implemented a simplified “Reform” filing option
23 and Reform Filing Guidelines to expedite the approval of the mandatory reform changes; and
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25 **WHEREAS** the Reform Filing Guidelines provide step-by-step procedures for splitting existing
26 Board approved Third Party Liability rates into rates for Bodily Injury, Property Damage-Tort and
27 DCPD sub-coverages as well as for reflecting the deductible increase into Bodily Injury rates; and
28 #

29 **WHEREAS** on March 17, 2020 Aviva General Insurance Company applied to the Board for
30 approval of a revised rating program under the Reform filing option for its Miscellaneous Vehicles
31 category of automobile insurance; and
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33 **WHEREAS** the rate filing proposed changes to the following types of Miscellaneous Vehicles:
34 (i) All-Terrain Vehicles, (ii) Motorcycles, (iii) Snowmobiles and (iv) Motorhomes; and

1 **WHEREAS** the revised rating program is consistent with the Reform Filing Guidelines and is
2 supported; and

3
4 **WHEREAS** the Board is satisfied that the proposed rates are just and reasonable in the
5 circumstances, do not impair the solvency of the insurer, are not excessive in relation to the
6 financial circumstances of the insurer, and do not violate the *Automobile Insurance Act* or the
7 *Insurance Companies Act* or the respective regulations thereunder.
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10 **IT IS THEREFORE ORDERED THAT:**

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12 1. The revised rating program received March 17, 2020 from Aviva General Insurance Company
13 for its Miscellaneous Vehicles category of automobile insurance is approved to be effective no
14 sooner than July 1, 2020 for new business and for renewals.

DATED at St. John's, Newfoundland and Labrador, this 14th day of April, 2020.



Darlene Whalen, P. Eng., FEC
Chair and Chief Executive Officer



Christopher Pike, LL.B., FCIP
Commissioner



Cheryl Blundon
Board Secretary