



State of Wisconsin / OFFICE OF THE COMMISSIONER OF INSURANCE

Scott Walker, Governor
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Wisconsin.gov

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REPORT ON Section Ins 6.77, Wis. Adm. Code, relating to exemption from required uninsured motorist, underinsured motorist and medical payments coverage

Clearinghouse Rule No. 15-032
Submitted Under s. 227.19 (3), Stats.

(The proposed rule-making order is attached.)

(a) A detailed statement of basis for the proposed rule and how the rule advances relevant statutory goals or purposes:

The proposed rule will repeal exemptions and related provisions contained in ss. Ins 6.77(3)(am), 4(am) and (b), and (6), Wis. Adm. Code, that are identical to exemptions recently added to s. 632.32(4) and (4m), Wis. Stats. In particular, 2011 Wisconsin Acts 14 and 224 created exemptions for excess and umbrella policies and commercial liability policies covering only non-owned autos from having to offer or include uninsured motorist coverage, underinsured motorist coverage and medical payment coverage. The proposed rule will remove redundant provisions and reduce the risk of confusion.

(b) Summary of the public comments and the agency's responses to those comments:

Comment: No comments were received

(c) An explanation of any modifications made in proposed rule as a result of public comments or testimony received at a public hearing:

OCI received no comments or testimony at the hearing.

(d) Persons who appeared or registered regarding the proposed rule:

Appearances for:

None

Appearances against:

None

Appearances for information:

None

Registrations for:

None

Registrations against:

None

Registrations neither for nor against:

None

Letters received:

None

(e) An explanation of any changes made to the plain language analysis of the rule under s. 227.14 (2), Stats., or to any fiscal estimate prepared under s. 227.14 (4), Stats.

The only change made to the plain language analysis was to clarify that s. Ins 6.77 (3) (am) and (6), Wis. Adm. Code, do not contain exemptions, but rather relate to the exemptions being repealed. This is a minor clarification that was done to comply with the Clearinghouse recommendations.

(f) The response to the Legislative Council staff recommendations indicating acceptance of the recommendations and a specific reason for rejecting any recommendation:

All comments were complied with and corrected.

(g) The response to the report prepared by the small business regulatory review board:

The small business regulatory review board did not prepare a report.

(h) Final Regulatory Flexibility Analysis

A Final Regulatory Flexibility Analysis is Not Required because the rule will not have a significant economic impact on a substantial number of small businesses.

(i) Fiscal Effect

See fiscal estimate attached to proposed rule.