

State of Rhode Island and Providence Plantations
DEPARTMENT OF BUSINESS REGULATION
Insurance Division
1511 PONTIAC AVENUE, BLDG. 69-2
CRANSTON, RHODE ISLAND 02920

IN THE MATTER OF:

**AMERICAN COMMERCE INSURANCE
COMPANY**

RESPONDENT.

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CONSENT AGREEMENT

It is hereby agreed between the Department of Business Regulation (“Department”) and American Commerce Insurance Company (“Respondent”) as follows:

1. Respondent is an insurer licensed in the State of Rhode Island to issue property & casualty insurance policies including automobile insurance policies.
2. As a result of a consumer complaint the Department investigated Respondent’s practice of applying “Accident Forgiveness” benefit under policies issued in the State of Rhode Island and determined that Respondent’s pattern and practice was not in compliance with the policy language and was, therefore, in violation of R.I. Gen. Laws § 27-9-1 et al..
3. Respondent identified 15 RI policyholders who should have benefited from Accident Forgiveness.

THEREFORE, based on the foregoing, Respondent and the Department have decided to resolve this matter without further administrative proceedings and hereby agree to the following resolution:

1. Respondent will revise their practice to comply with policy language and apply “Accident Forgiveness” in all cases in which that policy provision is applicable.

2. Respondent will issue refunds to those RI consumers who should have benefited from Accident Forgiveness (sum total is \$2,727).
3. Respondent will pay a fine of \$2,500.

Counsel for the Department and Respondent hereby consent and agree to the foregoing on behalf of their respective clients the 21st day of September 2015.

Department of Business Regulation
By its Legal Counsel,


Elizabeth Kelleher Dwyer

American Commerce Insurance Company
By its attorney,


Barbara Law