



# OFFICE OF INSURANCE AND SAFETY FIRE COMMISSIONER

**RALPH T. HUDGENS**  
COMMISSIONER OF INSURANCE  
SAFETY FIRE COMMISSIONER  
INDUSTRIAL LOAN COMMISSIONER  
COMPTROLLER GENERAL

**BEFORE THE COMMISSIONER OF INSURANCE**

**STATE OF GEORGIA**

SEVENTH FLOOR, WEST TOWER  
FLOYD BUILDING  
2 MARTIN LUTHER KING, JR. DRIVE  
ATLANTA, GEORGIA 30334  
(404) 656-2056  
[www.oci.ga.gov](http://www.oci.ga.gov)

## NOTICE OF INTENT TO ADOPT RULE CHANGES AND NOTICE OF HEARING

Notice is hereby given pursuant to the Georgia Administrative Procedure Act, O.C.G.A. Sections 50-13-3, 50-13-4, 50-13-6, 50-13-21, and, 33-2-9 of the following proposals by the Commissioner of Insurance to amend the Rules and Regulations of the Office of the Commissioner of Insurance.

The Rules and Regulations of the Office of the Commissioner of Insurance are proposed to be amended by amending the Rule and Regulation entitled "Rules and Regulations For Vehicle and Automobile Club Service Contracts" by the following action:

- Repealing the current title of Chapter 120-2-47 and adopting in lieu thereof the title Vehicle Service Contracts
- Amending Regulation 120-2-47-.02 entitled "Purpose"
- Amending Regulation 120-2-47-.03 entitled "Definitions"
- Amending Regulation 120-2-47-.05 entitled "Filing Requirements"
- Amending Regulation 120-2-47-.08 entitled "Prohibited Acts"
- Amending Regulation 120-2-47-.10 entitled "Cancellation of a Reimbursement Insurance Policy"
- Repealing Regulation 120-2-47-.12 entitled "Insurance Services" and adopting in lieu thereof Regulation 120-2-47-.12 entitled "Exemptions"
- Repealing Regulation 120-2-47-.13 entitled "Exemptions" and adopting in lieu thereof Regulation 120-2-47-.13 entitled "Severability."

## **SYNOPSIS AND EXPLANATION OF PROPOSED RULE CHANGES**

During the most recent session of the Georgia General Assembly, House Bill 1067 passed both chambers of the legislative body and on May 7, 2012, was signed into law by the Governor. The Bill made statutory changes to O.C.G.A. Section 33-7-6. The primary purpose of the proposed changes to Rule and Regulation 120-2-47 is to incorporate those statutory changes into the Rules and Regulations of the Office of the Commissioner of Insurance. The proposed regulatory changes addressed herein also respond to previous statutory changes affecting auto clubs.

The full text of the proposed amended Regulation 120-2-47 entitled "Vehicle Service Contracts" is attached hereto and made a part hereof by reference.

### SCHEDULE

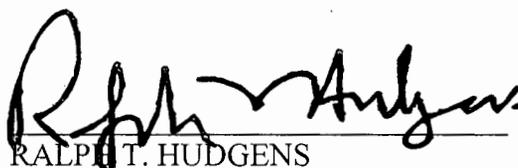
The aforesaid proposals, which are being forwarded to the Attorney General for approval as to legality pursuant to O.C.G.A. Section 33-2-9, are now on file in the Administrative Procedure Division of the Office of Commissioner of Insurance, 1016 West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334, and are hereby declared to be a public record as follows:

Interested persons may participate in the proposed rulemaking process by submitting their written comments to **Vince Wiegand, Administrative Procedure Division, Office of Commissioner of Insurance, 1016 West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334.** All comments must be received by the Administrative Procedure Division by 4:30 P.M. on September 19, 2012. Interested persons may also participate in the proposed rulemaking by submitting oral comments at the hearing to commence on **September 25, 2012 at 10:00 a.m. in the Hearing Room of the Office of Commissioner of Insurance, Seventh Floor, West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334.**

Oral presentations at the hearing may be limited to five (5) minutes per person in order to afford all interested persons an opportunity to be heard. If you have a physical impairment and require assistance or have any questions regarding this notice, please contact the Administrative Procedure Division.

Based upon full consideration of all written and oral comments regarding the above matters, the Commissioner of Insurance may reject or adopt the proposed rules or may make changes to the proposed rules which may require another rulemaking hearing.

Given under my Hand and Official Seal this 24<sup>th</sup> day of August, 2012.

  
RALPH T. HUDGENS  
COMMISSIONER OF INSURANCE  
STATE OF GEORGIA

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