

No. **2016-4803**

**Official Order  
of the  
Texas Commissioner of Insurance**

**Date: November 21, 2016**

**Subject Considered:**

**Texas Automobile Insurance Plan Association  
Amendments to the  
Plan of Operation**

The governing committee of the Texas Automobile Insurance Plan Association (TAIPA) under Petition Numbers A-0416-05 and A-0416-06 requested the commissioner of insurance to approve proposed amendments to the plan of operation.

The commissioner makes the following findings of fact and conclusions of law.

**Findings of Fact**


1. TAIPA filed Petition Numbers A-0416-05 and A-0416-06 to amend its plan of operation on April 25, 2016.
2. TDI published a notice of the proposed amendments in the *Texas Register* on July 22, 2016, (41 TexReg 5473). The 20-day comment period ended on August 11, 2016. TDI received one comment from the Office of Public Insurance Counsel advising they do not have any substantive issues of concern.
3. TAIPA requested the following amendments to the plan of operation:
  - a. Petition No. A-0416-05 would amend Section 14. Performance Standards for Insurers Writing Association Private Passenger Assignments, to implement the timely policy delivery requirements of Insurance Code §525.002, and delete language inconsistent with the Insurance Code.
  - b. Petition No. A-0416-06 would implement Insurance Code §2151.051 by removing exemptions for county mutual insurance companies from TAIPA assignment and membership requirements in these sections:
    - i. Section. 9. Three-Year Assignment Period;

- ii. Section. 25. Three-Year Assignment Period;
  - iii. Section. 35. Association Membership; and
  - iv. Section 47. General Provisions.
4. Commissioner's Order 2016-4730, dated October 13, 2016, approved the amendments requested in paragraph 3(b)(i)-(iii) of the order, but inadvertently omitted the amendment to Section 47 requested in paragraph 3(b)(iv). The omitted request is the subject of this order.

### **Conclusions of Law**

1. These amendments are within the governing committee's authority under Insurance Code Chapter 2151, and are consistent with the statutory mandate that the plan of operation must provide for the efficient, economical, fair, and nondiscriminatory administration of TAIPA.

The commissioner approves the amendment to Section 47 of the Texas Automobile Insurance Plan Association's plan of operation as described above, effective immediately.

  
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David C. Mattax  
Commissioner of Insurance