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Bulletin 2009-4

TO: All Auto Insurers, Third Party Administrators, Independent Adjusters, Managing General Agents, and any other Licensees within the Jurisdiction of the Commissioner responsible for handling Automobile Claims in the State of Utah.

FROM: D. Kent Michie, Utah Insurance Commissioner

DATE: June 2, 2009

SUBJECT: Applicable Fees and Taxes Associated with Automobile Total Loss Settlement Offers

The purpose of this bulletin is to clarify claim settlement practices pertaining to all applicable fees and taxes for vehicle registration and transfer of evidence of ownership.

Rule R590-190, Unfair Property, Liability and Title Claims Settlement Practices Rule, addresses the obligation to pay all applicable fees and taxes claimants incur.

Insurers should consider the following fees and taxes when settling a total loss claim. This list is not all inclusive. The fees and taxes are administered primarily through the Department of Public Safety, Division of Motor Vehicles. The Division of Motor Vehicles website is www.dmv.utah.gov.

- County Specific Corridor Fees
- County Specific Emissions Program Fees
- County Specific Emission Inspection Fees
- License Plate Fees
- Safety Inspection Fees
- Sales & Use Taxes
- Registration Fees; and
 - Automobile Driver Education Fees; and
 - Uninsured Motorist Identification Fees
- Title Fees
- Uniform Fees (Aged Based Fees)

The amounts offered for fees and taxes need to be reflected separately, preferably itemized, and added to the actual cash value so as to provide the claimant with the ability to ascertain how the settlement offer was determined.

DATED this 2nd day of June 2009

D. Kent Michie

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Insurance Commissioner