A Consumer's Guide to Auto Insurance

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About the NAIC …

The National Association of Insurance Commissioners (NAIC) is the oldest association of state government officials. Its members consist of the chief insurance regulators in all 50 states, the District of Columbia and five U.S. territories. The primary responsibility of state insurance regulators is to protect the interests of insurance consumers, and the NAIC helps regulators fulfill that obligation in a number of different ways. This guide is one example of work done by the NAIC to assist states in educating and protecting consumers.

Another way the NAIC lends support to state regulators is by providing a forum for the development of uniform public policy when uniformity is appropriate. It does this through a series of model laws, regulations and guidelines, developed for the states' use. States that choose to do so may adopt the models intact or modify them to meet the needs of their marketplace and consumers.

The NAIC's mission is to assist state insurance regulators, individually and collectively, in serving the public interest and achieving the following fundamental insurance regulatory goals in a responsive, efficient and cost effective manner, consistent with the wishes of its members:

- Protect the public interest;
- Promote competitive markets;
- Facilitate the fair and equitable treatment of insurance consumers;
- Promote the reliability, solvency and financial solidity of insurance institutions; and
- Support and improve state regulation of insurance.

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Printed in the United States of America

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Introduction

Auto insurance is an expensive purchase for most Americans. This guide provides information on how to make decisions that can lower the cost of your auto insurance and increase the value you receive.

A National Association of Insurance Commissioners (NAIC) study found that in 2003 the average auto insurance premium expenditure for private passenger auto insurance was $820.91 for each vehicle insured for one year. In many parts of the country, a year's auto insurance premium for a vehicle is measured in the thousands of dollars. What these figures show is that auto insurance is an important purchase for most American consumers.

To get the best value for your money, you must take responsibility for your auto insurance purchase and make your own decisions.

Underwriting and Rating

Two factors determine what you pay for auto insurance. These factors analyze your characteristics and determine the risk that you present.

The first factor is underwriting. Underwriting is the process used by insurers to decide whether a person will be offered coverage, only offered a limited form of coverage or declined. Insurance companies underwrite to assess the risk associated with an applicant, group the applicant with other similar risks and decide if the company will accept the application.

The second factor is rating. Based on the results of the underwriting process, the rating assigns a price based on what the insurer believes it will cost to assume the financial responsibility for the applicant's potential claim.

The purpose of underwriting is to sort applicants into groups of people that present similar risk and accept, deny or limit coverage for each group of applicants. What that means to you is that you will be grouped with other applicants and policyholders who have similar risk-related characteristics. Therefore, if you can lower your level of risk, you can be grouped with others with lower risk.

Rates for each group will be set based on the claims paid by the insurer for the people in that group. The higher the average losses from a group, the higher the rates for that group. Therefore, it is an advantage for you to be in a low-risk group.

Underwriting

Insurers depend on information on your policy application and in credit history reports. When you apply for insurance, you will be asked a series of questions. The purpose of these questions is to assess the likelihood of your filing a claim.

Insurers want to know your driving record. In addition, insurers want to know certain personal characteristics to group you with other drivers. Insurers review the claim history of your group to project future claims.

Some of these characteristics are beyond your control, such as age and gender. Other characteristics **can** be controlled but, because they relate directly to lifestyle or income, are difficult to control. These characteristics include geographic location and usage of the vehicle. A third set of characteristics is highly controllable, such as the make and model of vehicle the consumer wishes to own and insure. A vehicle with few safety devices and a powerful engine carries greater risk of high claims than a less sporty model. The consumer has a great deal of choice, or control, over his or her decision to own a high-risk vehicle.

Insurers also consider lifestyle characteristics in the underwriting process. These characteristics include marital status and employment history. From prior claims data, insurers know that married persons tend to have lower claim levels than unmarried persons. Other statistics show that persons who work in the same place for a long time tend to have lower claims. Insurers may also use credit history as a measure of personal responsibility.

Rating

The second factor that governs the cost of your auto insurance is rating. Like underwriting guidelines, each company adopts its own rating system, although there are general guidelines that all companies follow.

Commonly Asked Questions Related to Loss History

1) **Driving Record.** On the policy application, you will be asked about your driving record. Insurers will ask about accidents and traffic violations for any driver covered by the policy for the preceding three to five years. Drivers with previous violations or at-fault accidents are considered to be a higher risk and might be charged a higher rate.

2) **Territory**. The claims experience of people in your area will also affect your rates. Applications include a question that asks for the address where the vehicle will be garaged. From this information, insurers can tell a great deal about your risk of financial loss. From claims experience, insurers know that more claims are made from urban areas than rural areas (busy traffic, thefts, vandalism, etc.).

3) **Gender and Age**. Statistically, males have more accidents than females. For that reason, young men might tend to pay more for insurance than young women. (A small number of states have prohibited insurers from using gender as a factor in underwriting.) Insurers also have statistics that show a higher number of claims for some age groups than for others.

4) **Marital Status.** Insurance company claim statistics show a lower rate of auto insurance claims among married policyholders.

5) **Prior Insurance Coverage.** In some states, insurers may ask if you had insurance coverage previously. If you have previously been cancelled for non-payment of premiums, insurers want to know. If you have had insurance, your new insurer may ask your prior company about your claims history. Different insurance companies specialize in particular classes of business. Large insurers might form subsidiaries for preferred (low risk), standard and non-standard (high risk) business.

6) **Vehicle Use.** You will be asked on the application about how often and how far you drive the vehicle you want to insure. Higher annual mileage will generally result in higher premiums because of the higher exposure to risk.

7) **Make and Model of Vehicle.** The type of car you drive will directly affect the cost of your automobile insurance. A make or model of car that has a high number of claims or higher claims cost will be charged a higher premium for comprehensive and collision coverage.

8) **Credit History.** In some states, insurers may use a person's credit history for underwriting and rating purposes. Some insurers use credit history to predict the likelihood of future losses. An adverse credit history may result in a higher premium or the inability to secure insurance through certain carriers. On the other hand, a strong credit history may have a discount effect, thereby lowering overall premium.

The single greatest influence on the rating process is claim frequency. This does not mean how many times you specifically have made an insurance claim, although that will have an additional effect. Claim frequency measures how often an insured event occurs within a group relative to the number of policies contained in that group. Persons sharing characteristics with high-claims groups will be charged more for insurance coverage. At the same time, persons who share characteristics with low-claims groups will be charged lower rates. In addition, insurance companies offer discounts to individuals who exhibit certain characteristics.

Discounts

Discounts are awarded because the insurance company sees you as a "better risk." You should be aware of what discounts are offered by what companies before buying auto insurance. **Not all states allow the same discounts to be used.** Here are some discounts you should look for:

1) **Multiple Vehicles**. Most insurance companies offer a discount to consumers that insure more than one car with their company. Companies offer these discounts not only because they want all of your business, but also because it is easier for them to underwrite individuals that they know, thereby reducing their risk and saving the company money. In addition, industry statistics show that individuals and families who insure more than one car have a better-than-average claims experience. Through this discount, companies pass along some of their savings to you.

2) **Driver Education Courses**. Discounts for driver education courses are targeted primarily at younger and older drivers.

3) **Good Student**. Insurers have found that students who are responsible enough to earn a B average or better tend to be more responsible drivers. For that reason, many companies offer a "good student discount."

4) **Safety Devices**. Automobile safety devices can lower insurers' costs by preventing accidents or limiting their severity. These savings are passed along to policyholders through discounts for safety equipment. This equipment includes air bags, automatic seat belts and anti-lock brakes.

5) **Anti-theft Devices**. Devices or systems that deter theft or vandalism also lower claim costs. Many companies offer discounts for anti-theft devices.

6) **Low Mileage.** The fewer miles you drive, the less chance you have of getting into an accident. Insurers recognize this fact and generally offer discounts for low-mileage drivers. Some companies also offer discounts for drivers that participate in carpools.

7) **Good Driver/Renewal.** Some insurers offer discounts to drivers who maintain a good driving record and renew their policy with the same insurer.

8) **Auto/Home Package.** Some insurers offer a discount on one or both policies if an individual buys a homeowners policy and an auto policy from the same insurer.

9) **Dividends**. Some insurers, particularly mutual insurers, offer dividends to policyholders if the sale of auto insurance has been profitable to them. Dividends are declared and paid after the policy period has expired.

Discounts are not only ways for companies to attract customers, they are also ways for companies to compete and retain business. So, when you shop, do not just ask if a discount exists, but also ask how much you save. Savings can differ from company to company. In addition, consumers should make sure that they receive the discounts for which they qualify. When comparing the price of insurance between different companies, compare the total cost after any discounts.

The Tort System

Insurance provides protection to consumers by assuming certain risks and promising to pay for financial losses. The type of insurance you buy will be based on how the financial loss can occur.

Depending on the type of legal and financial responsibility system used in your state, you will need to purchase either automobile liability insurance or no-fault insurance. Most states require that you purchase some kind of insurance coverage to drive legally in the state.

Liability Insurance

Most auto liability insurance policies contain three major parts: liability insurance for bodily injury; liability insurance for property damage; and uninsured/under-insured motorists coverage.

1) **Bodily injury liability insurance** does not protect you or your car directly. If you are the cause of an accident in which other people are injured, this insurance protects you against their claims for damages such as medical expenses, lost wages, and pain and suffering. This insurance coverage will also pay if the accident was caused by a member of your family living with you or a person using your car with your consent. Bodily injury liability insurance carries specific benefit limits. These limits address how much money your insurance company is committed to pay for any one victim injured in an accident and limits the amount they must pay for multiple victims.

   To make a smart consumer purchase, you must understand these limits for bodily injury liability insurance. In most states, you will be required by law to purchase minimum amounts of bodily injury coverage. However, these minimum amounts are generally low and you may decide to purchase additional coverage. This decision might be based on your desire to protect your assets from additional claims above the minimum amounts. If this is the case, keep in mind that as you raise your coverage, your premiums will increase. This is because you are asking the insurance company to assume responsibility for a higher claim. The extra cost of higher coverage tends to be relatively low.

2) **Property damage liability** insurance pays for any damage you cause to the property of others, such as a crushed fender, broken glass or a damaged wall or fence. Your insurance will pay for this damage whether you are driving your automobile or whether it was being driven by another person with your consent. Once again, there will be maximum limits set by your policy on the claims your insurance company commits to pay as a result of property damage losses, as well as a minimum limit set by the state on how much coverage you must buy.

3) **Uninsured/under-insured motorists coverage** protects you directly. This coverage pays if you are injured by a hit-and-run driver or a driver who does not have auto insurance. This coverage in effect takes the place of the insurance that the other driver should have purchased but did not. Some policies also contain coverage for under-insured drivers. These are drivers who purchased insurance, but not enough to cover your claim.

Once again, uninsured motorists coverage will have policy limits. In addition, your state might require you to purchase specific minimum amounts of coverage. Uninsured motorists coverage does not protect the other driver and it might not cover damage to your vehicle. Your insurance company may sue the other driver for any money the company pays to you because of the other driver's negligence.

The three coverages mentioned above are the basic coverages contained in liability policies sold under the tort system. However, when you purchase auto insurance, you will have to decide what other insurance coverages you would like to purchase.

Another way to provide higher limits of liability inexpensively is by purchasing a personal umbrella policy. An umbrella policy provides broad liability protection over and above your auto policy's liability limits. It will also cover some exposures to loss that are not covered by your auto or homeowners insurance policies.

The No-Fault System

If you live in a no-fault state, this section applies to you. Each state must implement either a tort system or a no-fault system. The system your state has implemented will determine what kind of insurance is available to you.

There are many variations on the no-fault system that make it difficult to provide accurate information on a national basis. This booklet provides a basic overview of the no-fault system, but for specific questions about your state's no-fault law, contact your state insurance department. In a no-fault state, individuals need not go through the court system to have their financial loss paid if the loss results from an injury. Two individuals who have a traffic accident may file claims with their own insurance company. Each insurance company pays the claim for the personal injury to their policyholder regardless of fault.

First of all, under a no-fault system, your insurance company pays you directly for your losses as a result of injuries sustained in an accident, regardless of who is at fault. Similarly, the other driver collects losses for his or her injuries from his or her insurance company. Under a no-fault law, there is no need to determine who is at fault to receive payment for injury claims.

No-fault does not completely eliminate the risk of your being sued. However, no-fault laws do place restrictions on when a suit can be brought. This means that you can be sued, but only under specific conditions. Because no-fault laws do not completely eliminate a person's right to sue, the possibility of your being sued is very real, especially in the event that you are the driver at fault in an accident that causes serious injury to others.

Personal Injury Protection

The most basic no-fault benefit is personal injury protection coverage (PIP). This coverage will pay you, your relative or any other person riding in your car a minimum benefit amount per person for injury, regardless of fault. The level of benefits varies widely among states.

The following are types of coverages that may be extended to you under typical personal injury protection coverage:

1) **Medical Expense Benefits**. This benefit includes all reasonable charges for medical, hospital, surgical, professional nursing, dental, optometric, ambulance, prosthetic services and X-rays.

2) **Rehabilitation Expenses Benefit**. This benefit includes charges for psychiatric, physical and occupational therapy, and rehabilitation.

3) **Work Loss Benefit**. This benefit includes coverage for loss of wages up to a specific limit for a specific time period following injury.

4) **Funeral Expense Benefit**. This benefit covers all reasonable charges up to a specific amount for funeral services, including burial and cremation expenses.

5) **Survivors Loss Benefit**. This benefit provides a payment to your surviving spouse or dependents up to a specific amount for a specific time period.

Residual Bodily Injury Liability Coverage

Under no-fault policies, most injury claims are covered under your PIP benefits. If there is a situation where those benefits are not enough and there is a possibility of your being sued, many states include residual bodily injury liability coverage. This coverage will protect your family and anyone else while in your car with your permission in the event you are sued because of injuries caused to others.

What are the situations under which you can be sued? Again, no-fault laws will vary greatly from state to state, but each no-fault state has defined certain thresholds that, if exceeded, open the possibility of a suit. These thresholds can be based on specific dollar amounts, clearly defined injuries and/or a death resulting from an accident.

What No-Fault Doesn't Cover

In most states, the no-fault law specifically excludes property damage liability for damage that you cause to the property of others. If you are at fault in such an accident, you will be held liable and can be sued for these losses.

Only in a limited number of states does the no-fault law extend some coverage to damage you may cause another driver's automobile. Furthermore, even in these limited cases, property damage liability coverage does not extend to your car. You must buy a separate collision coverage to take care of this risk.

Once again, you should be aware that this booklet can only give you a general overview of no-fault laws governing insurance. For specific information about the no-fault law and insurance in your state, contact your state insurance department. Most state insurance departments have written consumer information that will outline the specific limits and responsibilities for auto insurance in their state.

Property Damage Coverage

The most commonly recognized coverages, in addition to the basic liability package outlined above, are collision and comprehensive coverages.

Collision Coverage

Collision coverage pays for physical damage to your car as the result of your auto colliding with an object, such as a tree or another car. This is relatively expensive coverage. Remember, this coverage is optional and not required by law. However, collision insurance might be required by your lending institution or lessor.

If you have an older vehicle worth less than $2,000, there is little reason for you to purchase collision coverage, because you are likely to pay more money in premium than you would ever receive as a result of a claim. Auto insurance policies only require the company to cover your financial expenses, **not to replace your vehicle**. In the case of an accident involving an older car, the cost of repairing the car can quickly exceed the worth of the car. In that case, an insurer will "total" the car and pay you what the car was worth rather than fixing it. In severe cases, the worth of the car might not exceed the premiums paid for the coverage.

Comprehensive Coverage

Comprehensive coverage pays for damage to your auto from almost all other causes, including fire, severe weather, vandalism, floods and theft. Comprehensive coverage also will cover broken glass, such as windshield damage. Comprehensive coverage is less expensive than collision coverage and many consumers choose to carry it. However, remember it is your choice; you are not required by law to carry comprehensive coverage.

When considering collision and comprehensive coverage, you should consider your deductible. A deductible is an amount of money you agree to pay as part of a claim before the insurer is committed to pay the rest of the claim. For example, if you carried collision coverage with a $200 deductible and you had a $500 loss, you would have to pay $200 and the insurance company would have to pay the remaining $300.

Basically, deductibles reduce your premiums because you agree to deduct a set amount from the claim your insurer otherwise would have to pay. Insurance companies offer deductibles because they reduce the number of small claims, which are costly for them to handle.

If you purchase a new car with a loan, the financial institution that loaned you the money might require you to purchase comprehensive and collision coverages. This is because they see your car as collateral for the loan, and they want to make certain it is worth something if they need to repossess it.

In the event you have to buy, or decide to buy, collision or comprehensive coverage, you can save money by agreeing to the highest deductible you can afford to pay in the event of an accident. However, because comprehensive coverage is usually cheaper than collision coverage, many people save money by dropping the collision coverage and keeping the comprehensive coverage to protect against natural perils, theft and glass breakage.

Other Optional Coverages

Insurance that covers the medical bills of drivers and their passengers is not usually required in states without no-fault laws. However, you might decide to purchase this coverage.

Be cautious when purchasing these coverages. They can duplicate coverage that you might pay for through other insurance policies. For instance, medical payments coverage might duplicate health or disability benefits that you buy individually or receive as a benefit through your job. Before purchasing these coverages, review them and your other insurance policies carefully.

Medical Payments Coverage

Medical payments coverage is one such optional coverage. This coverage pays for the medical and funeral expenses for you or others injured or killed in an accident while riding in or driving your auto. Claims against this coverage include all reasonable hospital, surgical, chiropractor, X-ray, dental, professional nursing, prosthetic and funeral expenses. It will also cover you or members of your family if you are struck by an auto while walking or while riding in another auto. This coverage will pay for your medical and funeral expenses even if you cause the accident. Usually, only expenses incurred within a specified period of time after the accident are included.

Rental Reimbursement Coverage

Rental reimbursement coverage, something known as transportation expenses, usually pays $20 to $25 a day to rent a car for a specific number of days while your vehicle is being repaired. The premium will vary from insurer to insurer.

Towing and Labor Coverage

Towing and labor coverage pays the cost of towing your car to the repair shop, subject to the limits of your policy. Premium for this coverage is relatively inexpensive. However, if you are a member of an auto club, you probably already have this service and might not want to duplicate your coverage.

Smart Shopping

The key to comparison shopping is to know which insurance coverages you need before you start and then to find out how much those coverages will cost from a number of insurers. Comparison shopping takes time, but it will save you money.

Different companies charge different rates for the same coverage. No one wants to pay more for their auto insurance than they absolutely have to. The only way you can make certain you are not paying too much is to shop around. Find out what different insurers charge for identical products and services.

Seek Unbiased Information

Information is available to consumers from a number of unbiased sources. These sources include public libraries, state insurance departments, the Internet, consumer groups and consumer publications.

Because the insurance industry, like many other industries, has developed many words not commonly used by the average person, consumers may need to find a good glossary or dictionary of insurance terms.

Consumers may also obtain a wide variety of information from their state insurance department. Most insurance departments publish home insurance guides that contain information specific to that particular jurisdiction. Every state insurance department has personnel available to answer questions regarding home insurance coverage.

Many state insurance departments help the citizens of their state to comparison shop by publishing premium comparisons. Premium comparisons survey the insurance companies with regard to their rates for a number of locations and typical policyholders. The results of the survey are published for public use.

If your insurance department publishes a premium comparison, it can only be used to give you a general idea of rates available in your state. For specific information, you must contact individual insurers. However, premium comparisons may help you to narrow your choice of insurers or agents you want to call.

Where to Shop

When you begin to contact insurers, there are a few things you should know about how insurance companies market their products.

Most insurance companies and many agents advertise. Check the newspaper and yellow pages of the telephone directory for companies and agents in your area. In addition, contact your neighbors, relatives and friends for recommendations on insurance companies and agents. Ask them about their experience regarding price and service. In particular, ask them what kind of claim service they have received from the companies they recommend.

Consumers often rely on their insurance agent or company to tell them what kind of coverage they need. Insurance agents are paid on a commission basis.

Remember, competition only works if the consumer shops for coverage.

Price Quotations

When shopping for auto insurance, premium quotations are a useful tool for comparison of different companies' products. When asking for price quotations, it is crucial that you provide the same information to each agent or company.

To give you an accurate quote the agent or company will usually request the following information. This information is necessary to the rating process described earlier in this guide.

- Description of your vehicle;
- Its use;
- Your driver's license number;
- The number of drivers in your household; and
- The coverages and limits you want.

You should understand that not all insurance companies use insurance agents to sell their product. Insurance companies generally use one of three methods to market their product: direct marketing, independent agents or exclusive agents. The type of marketing method may be good or bad for a consumer, depending on the type of services offered. Therefore, consumers should be aware of each of the three methods and may want to consider them in their purchase decision.

- **Direct Marketing**
  Direct marketers sell insurance over the Internet, through the mail and by telephone. In some cases, consumers can save money with direct marketers because these companies do not have to pay insurance agents commissions to sell their policies. Companies can pass along some of these savings to the consumer. However, some consumers prefer to pay an additional premium for the opportunity to have a local agent available to them.

- **Independent Agents**
  If you decide to call agents for quotations, ask them how many companies they represent. Independent agents represent several companies; therefore, you can get quotes for more than one insurance company from one agent. This is considered an advantage to many consumers.

- **Exclusive Agents**
  Some insurance companies sell coverage through agents that only represent their company. These companies call their agents an exclusive agency force. Exclusive agents can only offer you coverage from the company they represent; therefore, you can only get a quote from one company for each exclusive agent that you talk to. Sometimes, exclusive agents may work for a lower rate of commission than independent agents. This is because companies do not have to give the agent an incentive to write their product over another company's product. The lower commission structure, especially on commissions for renewal business, can represent significant cost savings to the insurance company and often a portion of that savings is passed along to the consumer in the form of lower premiums.

For Your Protection

Once you have selected the insurance coverages you need and an insurance agent or company, there are steps you can take to make certain you get your money's worth.

Before signing an application for any insurance coverage, contact your state insurance department and verify that the company and the agent you are dealing with are licensed in your state. It is illegal for unlicensed insurers to sell insurance. Business cards are not proof of a licensed insurance agent or company. If you do business with an unlicensed agent or company, you have no guarantee that the coverage you pay for will ever be honored. If you purchase insurance from companies not legally doing business within your state, you will not be protected by the guaranty fund should the company fail.

Every state has a safety net to protect insurance consumers from financial loss in the rare instance that a company becomes insolvent. This safety net is called a "guaranty fund." The guaranty funds are established by state law and are composed of licensed auto companies in the state. They pay the claims of policyholders and other claimants of an insolvent company. The money to pay the claims against the insurance company comes from assessments made against all of the insurance companies that are members of the guaranty fund.

If you are contacted by an unlicensed agent or company, call your state insurance department immediately so that regulatory action can be taken. By doing so, you may protect someone less knowledgeable than you from being victimized.

You should be aware that a auto insurance policy is a legal contract. It is written so that your rights and responsibilities, as well as those of the insurance company, are clearly stated. When you purchase auto insurance, you will receive a policy. You should read that policy and make certain you understand its contents. If you have questions about your insurance policy, contact your insurance agent or company for clarification. Keep your policy in a safe place and know the name of your insurer. If you still have questions, contact your state insurance department.

Your State Insurance Department

Your state insurance department exists to serve you. State insurance departments can be a source of unbiased information and assistance to you.

State insurance departments regularly publish written information valuable to the auto insurance consumer. They may have additional consumer guides that outline your specific rights and responsibilities under your state's insurance laws and regulations. They also may publish premium comparison reports for your use in shopping for insurance. If you do not understand your insurance policy, you can contact your state insurance department and ask questions.

If you have a complaint against an insurer, it is always best to contact your insurance company first and attempt to settle the matter. Most insurance companies have policyholder service offices set up precisely to handle such questions. If you still are not satisfied, contact your state insurance department. State insurance departments have complaint specialists to help you with your problem. Although they cannot represent you legally against an insurance company or adjustor, they can make an appropriate investigation into potential violations of insurance laws or regulations based on your complaint.

State Auto Insurance Laws

Tort States

Alabama
Alaska
Arizona
California
Colorado
Connecticut
Georgia
Idaho
Illinois
Indiana
Iowa
Louisiana
Maine
Mississippi
Missouri
Montana
Nebraska
Nevada
New Hampshire
New Mexico
North Carolina
Ohio
Oklahoma
Rhode Island
Tennessee
Vermont
Washington
West Virginia
Wyoming

Tort States Where Personal Injury Protection is Available

Arkansas
Delaware
District of Columbia
Maryland
Oregon
South Carolina
South Dakota
Texas
Virginia
Wisconsin

No-Fault States

Florida
Hawaii
Kansas
Kentucky
Massachusetts
Michigan
Minnesota
New Jersey
New York
North Dakota
Pennsylvania
Utah

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