

**RULES
OF
OFFICE OF COMMISSIONER OF INSURANCE, SAFETY FIRE COMMISSIONER**

**CHAPTER 120-2
RULES OF COMMISSIONER OF INSURANCE**

**SUBJECT 120-2-14.
GEORGIA AUTOMOBILE INSURANCE PLAN**

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120-2-14-.04. Administration of the Plan

Proposed Modification to 120-2-14-.04

(1) The Plan shall be administered by a Governing Committee and Manager. The Committee may consist of twelve (12) representatives. Eight (8) representatives will be elected from among Plan subscriber companies, ~~two (2)~~ from each of the following classes of companies: ~~American Insurance Association~~, two (2) from Georgia Association of Property and Casualty Insurance Companies, four (4) from American Property Casualty Insurers Association ~~of America~~, and two (2) from Non-Affiliated Insurance Companies. Each of the eight (8) shall be submitted to the Commissioner for approval prior to election.

Two (2) representatives will be appointed by the Committee from the users of the Plan for a two (2) year term. These two (2) nominees selected by the Committee shall be approved by the Commissioner prior to being appointed. These two representatives will not have the right to vote in matters pertaining to the determination and fulfillment of quotas, Commercial Automobile Insurance Procedure participation, nor the cost to administer the Plan.

Two (2) representatives may be appointed at the discretion of the Commissioner from subscribers, users of the Plan, or the public. The users of the Plan and public representatives will not have the right to vote in matters pertaining to the determination and fulfillment of quotas, Commercial Automobile Insurance Procedure participation, nor the cost to administer the Plan.

(2) For voting purposes, a quorum shall consist of a majority of the members currently serving on the Committee. If the Committee consists of an even number of members, however, a majority shall constitute one-half of those members but shall not be less than five members.

(3) Each subscriber company serving on the Committee shall designate a representative to act on its behalf. This representative shall be either (1) a salaried employee or officer of the named subscriber company or (2) a salaried employee or officer of another subscriber company from a group of companies under the same management as the named

subscriber company. A salaried employee or officer of the holding company of the named subscriber company may also be designated as the representative. No more than one (1) company in a group under the same management shall serve on the Committee at the same time. A company leaving its class of companies shall resign its seat at the next meeting of the Committee.

- (4) Biennially, on a date fixed by the Committee, such respective class of companies heretofore described shall elect its representatives to the Committee to serve for a period of two (2) years or until a successor is elected. Similarly, those elected representatives shall biennially, on a date fixed by the Committee, appoint the two representatives from among the users of the Plan.
- (5) A majority of such subscriber companies shall constitute a quorum and voting by proxy shall be permitted. A company may not appoint more than one (1) company in its class of companies to exercise its proxy.
- (6) The notice of each biennial meeting shall be accompanied by an agenda for such meeting. At the biennial meeting, a company may cast one (1) vote for each vacant seat on the Committee for its class of companies and it may not cast two (2) votes for one seat. Forty-five (45) days notice of the biennial meeting shall be given in writing to all companies which are subscribers to the Plan.
- (7) A vacancy on the Committee shall be filled by the respective organization (~~American Insurance Association~~, Georgia Association of Property and Casualty Insurance Companies or ~~American Property Casualty Insurers Association of America~~) who shall appoint a successor to serve until the next biennial meeting. If a non-affiliated company vacancy occurs, a successor to serve until the next biennial meeting shall be elected by the non-affiliated companies. If a user of the Plan representative vacancy occurs, a successor to serve until the next biennial meeting shall be appointed by the committee.
- (8) A subscriber company seat not appointed by the ~~American Insurance Association~~, Georgia Association of Property and Casualty Insurance Companies, Non-Affiliated Insurance Companies, or ~~American Property Casualty Insurers of America~~ by the appointment deadline shall be filled as determined by the Committee.

Statutory Authority: [O.C.G.A. §§ 33-2-9](#) and [40-9-100](#).