TITLE 10. INVESTMENT
CHAPTER 5. INSURANCE COMMISSIONER
SUBCHAPTER 9. INSURANCE FRAUD
ARTICLE 5. ORGANIZED AUTOMOBILE INSURANCE FRAUD INTERDICTION PROGRAM

§ 2698.70. Definitions

For the purposes of these regulations:

(a) "Application" means the written document submitted to the Commissioner by which a local district attorney requests program funding, including a plan setting forth the district attorney's intended use of funds to enhance the investigation and prosecution of automobile insurance fraud.

(b) "Assessment" means the annual fee paid by insurers for each vehicle insured under an insurance policy in the state to support enhanced investigation and prosecution of automobile insurance fraud.

(c) "Case" means the file set up by the Division or district attorney(s) of the suspected fraudulent claims for the purpose of investigation, development of evidence and prosecution.

(d) "Claim" means the request for payment of automobile insurance benefits which has been submitted to an insurer.

(e) "Commissioner" means the Insurance Commissioner of the state of California.

(f) "County Plan" means the plan submitted to the Commissioner as part of the application process by the local district attorney which details the projected use of the funds sought pursuant to these regulations.

(g) "Department" means the California Department of Insurance.

(h) "District Attorney" means the prosecuting officer of a California county jurisdictional district as provided in Government Code section 26500.

(i) "Fraud Division" or "Division" means the California Department of Insurance Fraud Division, formerly known as the Bureau of Fraudulent Claims. The Bureau was designated the Fraud Division subsequent the to the enactment of CIC Section 1872.8.

(j) "Grantee" means a grant-funded applicant.

(k) "In force" means an insurance policy, covering note or binder that has been issued and put into effect on a vehicle in this state.

~~(k)~~ (l) "Incidental Expenses" means those costs incurred by the California Department of Insurance to administer the program and may include reasonable costs for collection of assessments, administrative support of the Fraud Division program component, management of the distribution and oversight of monies allocated to the district attorneys.

~~(l)~~ (m) "Program" means those activities conducted by the Department, or any other agency, which are directed toward the enhanced investigation and prosecution of automobile insurance fraud and which require funding or administration through assessments and the distribution of funds to the Fraud Division, Department of California Highway Patrol and to district attorneys.

~~(m)~~ (n) "Insurer" shall have the same meaning as used in California Insurance Code section 23.

~~(n)~~ (o) "Regulations" means these regulations, California Code of Regulations Title 10, Chapter 5, Subchapter 9, Article 4.

~~(o)~~ (p) "Suspected Fraudulent Claim" means a claim which has been referred to the Division because the insurer reasonably believes that the claim involves a person who has committed a fraudulent act related to automobile insurance.

(q) "Transaction Date" means the date, by month, day and year, on which a vehicle is added to the Automobile Assessment File.

~~(p)~~ (~~q~~r) "Vehicle" shall have the same meaning as defined in Section 670 of the Vehicle Code and shall include commercial and non-commercial vehicles.

(~~r~~s) "Vehicle identification number (VIN)" means a series of Arabic number and Roman letter that is assigned to a motor vehicle by its manufacturer for identification purposes.

Note: Authority cited: Section 1874.8, Insurance Code; *CalFarm Insurance Company et al. v. Deukmejian, et al. (1989) 48 Cal.3d 805, 824.* Reference: Section 382, 382.5 and 1874.8, Insurance Code