



**ACORD Forms Notification Service
April 2023 Bulletin**

ACORD P&C and Life/Annuity/Health Form Changes and Additions

The following pages include both a list of any new and revised ACORD forms and an Explanation of the Changes made.

Forms can be found on the **ACORD Forms Portal** page at www.acord.org. The effective date included on the footer of all forms will match the date the form must be used in order to ensure compliance with our filings. To download forms, you will need to “sign-in” as an ACORD member with your user name and password.

If you need assistance, a sample of a form, or you would like to join ACORD, please call Member Services at (800) 444-3341, Option 2 or email us at memberservices@acord.org.

If you do not wish to receive this notification, please email memberservices@acord.org requesting that we unsubscribe you to this Forms Notification Service.



Forms Release 4/28/2023

Form Number	Replaces	Title	For Use on or after:	Regulatory Change
REVISIONS				
P&C Countrywide				
NONE				
P&C – State Specific				
NEW				
NONE				
REVISED				
ACORD 65 NY (2023/08)	2003/01	NEW YORK AUTO SUPPLEMENT - SPOUSAL LIABILITY COVERAGE	08/01/2023	X
ACORD 90 NY (2023/08)	2015/12	NEW YORK PERSONAL AUTO APPLICATION	08/01/2023	X
ACORD 137 NY (2023/08)	2021/03	NEW YORK COMMERCIAL AUTO COVERAGES/LIMITS SECTION	08/01/2023	X
ACORD 137 VA (2023/07)	2019/05	VIRGINIA COMMERCIAL AUTO COVERAGES/LIMITS SECTION	07/01/2023	X
ACORD 290 NY (2023/08)	2015/12	NEW YORK PERSONAL AUTO APPLICATION SECTION	08/01/2023	X
NEW				
P&C-Countrywide				
NONE				
P&C -Withdrawn				
Life & Annuity				
NONE				
Withdrawn Forms				
NONE		NO CHANGE TO THE STATIC TEXT		
ACORD 80 CA (2023/01)		No change to the static text: uncompressed versions of the XFDL file is deployed, replacing a compressed version that was on the forms portal		
ACORD 137 VA (2019/05)		No change to the static text: uncompressed versions of the XFDL file is deployed, replacing a compressed version that was on the forms portal		



April 2023
EXPLANATION OF CHANGES
P&C FORMS

Countrywide

None

State Specific

Revised Forms

NEW YORK

Changes were made to the forms due to the passage of 2023 New York Senate Bill No. 833 concerning supplemental spousal liability insurance. New York State law requires an insurer issuing or delivering a policy that satisfies the requirements of New York Vehicle and Traffic Law Article 6 provide supplemental spousal liability insurance in such policy **unless the named insured elects, in writing, to decline** and refuse such insurance in the insured's policy. New York's Supplemental spousal liability insurance provides bodily injury liability coverage under a motor vehicle insurance policy when a person is injured or killed in a motor vehicle accident caused by the negligence of the person's spouse.

New York previously required the purchase of supplemental spousal liability coverage for motor vehicles. The law now requires that insurance companies provide motorists with supplemental spousal liability insurance coverage equal to bodily injury liability coverage, **unless** the insured specifically rejects such coverage in writing.

The declination form, previously released, is ACORD 65 NY (2023/08).

**1. ACORD 90 NY (2023/08)
NEW YORK PERSONAL AUTO APPLICATION**

The following changes were made:

1. Change of edition date (2023/08) and copyright date.
2. New ACORD logo to page 1.
3. On page 1, ACORD added to the Supplemental Spousal Liability fields a box to indicate if spousal liability insurance as declined.
4. On last page of form the following language was added:

*I ACKNOWLEDGE THAT SUPPLEMENTAL SPOUSAL LIABILITY INSURANCE WILL BE INCLUDED IN THE POLICY'S BODILY INJURY LIABILITY LIMITS APPLICABLE TO MOTOR VEHICLES UNLESS DECLINED ON ACORD 65 NY, NEW YORK SUPPLEMENTAL SPOUSAL LIABILITY INSURANCE DECLINATION FORM.

5. Above the applicant's signature, added the New York Fraud warning:

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR COMMERCIAL INSURANCE OR A STATEMENT OF CLAIM FOR ANY COMMERCIAL OR PERSONAL INSURANCE BENEFITS CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, AND ANY PERSON WHO, IN CONNECTION WITH SUCH APPLICATION OR CLAIM, KNOWINGLY MAKES OR KNOWINGLY ASSISTS, ABETS, SOLICITS OR CONSPIRES WITH ANOTHER TO MAKE A FALSE REPORT OF THE THEFT, DESTRUCTION, DAMAGE OR CONVERSION OF ANY MOTOR VEHICLE TO A LAW ENFORCEMENT AGENCY, THE DEPARTMENT OF MOTOR VEHICLES OR AN INSURANCE COMPANY COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL ALSO BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE VALUE OF THE SUBJECT MOTOR VEHICLE OR STATED CLAIM FOR EACH VIOLATION.

**2. ACORD 137 NY (2023/08)
NEW YORK COMMERCIAL AUTO COVERAGES/LIMITS SECTION**

1. Change of edition date (2023/08) and copyright date.
2. New ACORD logo to page 1.
3. ACORD added Supplemental Spousal Liability Declined along with the covered auto symbols with the following:
“*SUPPLEMENTAL SPOUSAL LIABILITY INCLUDED UNLESS DECLINED”
4. On each page of form the following language was added:

I ACKNOWLEDGE THAT SUPPLEMENTAL SPOUSAL LIABILITY INSURANCE WILL BE INCLUDED IN THE POLICY'S BODILY INJURY LIABILITY LIMITS APPLICABLE TO MOTOR VEHICLES UNLESS DECLINED ON ACORD 65 NY, NEW YORK SUPPLEMENTAL SPOUSAL LIABILITY INSURANCE DECLINATION FORM.

5. Above the applicant's signature, added the New York Fraud warning:

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR COMMERCIAL INSURANCE OR A STATEMENT OF CLAIM FOR ANY COMMERCIAL OR PERSONAL INSURANCE BENEFITS CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, AND ANY PERSON WHO, IN CONNECTION WITH SUCH APPLICATION OR CLAIM, KNOWINGLY MAKES OR KNOWINGLY ASSISTS, ABETS, SOLICITS OR CONSPIRES WITH ANOTHER TO MAKE A FALSE REPORT OF THE THEFT, DESTRUCTION, DAMAGE OR CONVERSION OF ANY MOTOR VEHICLE TO A LAW ENFORCEMENT AGENCY, THE DEPARTMENT OF MOTOR VEHICLES OR AN INSURANCE COMPANY COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL ALSO BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE VALUE OF THE SUBJECT MOTOR VEHICLE OR STATED CLAIM FOR EACH VIOLATION.

**3. ACORD 290 NY (2023/08)
NEW YORK PERSONAL AUTO APPLICATION SECTION**

The following changes were made:

1. Change of edition date (2023/08) and copyright date.
2. New ACORD logo to page 1.
3. ACORD added to the Supplemental Spousal Liability fields a box to indicate if spousal liability insurance as declined.
4. On last page of form the following language was added:

***I ACKNOWLEDGE THAT SUPPLEMENTAL SPOUSAL LIABILITY INSURANCE WILL BE INCLUDED IN THE POLICY'S BODILY INJURY LIABILITY LIMITS APPLICABLE TO MOTOR VEHICLES UNLESS DECLINED ON ACORD 65 NY, NEW YORK SUPPLEMENTAL SPOUSAL LIABILITY INSURANCE DECLINATION FORM.**

5. Above the applicant's signature, added the New York Fraud warning:

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR COMMERCIAL INSURANCE OR A STATEMENT OF CLAIM FOR ANY COMMERCIAL OR PERSONAL INSURANCE BENEFITS CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, AND ANY PERSON WHO, IN CONNECTION WITH SUCH APPLICATION OR CLAIM, KNOWINGLY MAKES OR KNOWINGLY ASSISTS, ABETS, SOLICITS OR CONSPIRES WITH ANOTHER TO MAKE A FALSE REPORT OF THE THEFT, DESTRUCTION, DAMAGE OR CONVERSION OF ANY MOTOR VEHICLE TO A LAW ENFORCEMENT AGENCY, THE DEPARTMENT OF MOTOR VEHICLES OR AN INSURANCE COMPANY COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL ALSO BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE VALUE OF

THE SUBJECT MOTOR VEHICLE OR STATED CLAIM FOR EACH VIOLATION.

Again, note ACORD previously released ACORD 65 NY (2023/08). New York Auto Supplement – Spousal Liability Coverage. The form is available on the ACORD forms portal.

**4. ACORD 137 VA (2023/07)
VIRGINIA COMMERCIAL AUTO COVERAGES / LIMITS SECTION**

Similar to the changes that were released last month to ACORD 90 VA and ACORD 290 VA in response to changes to the Enhanced Underinsured Motorist law in Virginia, we made changes to this commercial form.

1. Form edition: 2023/07 and new copyright date.
2. On age 1, a selection box and a row for Reduced Underinsured Motorist.
3. The following has been added allowing for the applicant to initial:

I ELECT TO REDUCE UNDERINSURED MOTORIST COVERAGE PAYMENTS BY THE AMOUNT OF AVAILABLE BODILY INJURY OR PROPERTY DAMAGE LIMITS.

To the current addition of these forms, we are releasing the following updates. Please note that there are **no changes** to the static text:

ACORD 80 CA CALIFORNIA HOMEOWNER APPLICATION (2023/01)

An uncompressed xfdl being deployed. There are no form changes or a new form edition.

ACORD 137 VA VIRGINIA COMMERCIAL AUTO COVERAGES / LIMITS SECTION (2019/05)

An uncompressed xfdl being deployed. There are no form changes or a new form edition.

UPCOMING FORMS CHANGES

While we are monitoring legislative and regulatory changes, we advise of the following:

IDAHO

Idaho revised the uninsured motorist and underinsured motorist coverage disclosure form. Difference in Limits (Offset) will be replaced with Offset UIM. For more information, review IDAPA 18.02.02 and the attachment B. Of note, instead of having one form where the second page was the denial form, the Department is changing that a second form only be provided if the applicant is rejecting UM or UIM.

We will be modifying 61 ID (2019/01) and creating a new declination form:

ACORD 62 ID.

We will also be changing ACORD 90 ID, 290 ID and 137 ID.

The forms will be released after they are approved, as filing is required.

MICHIGAN

Michigan's DIFS is issuing two PIP Choice Forms: one for individual / personal policies, and one for commercial policies. Pursuant with the requirements of Public Acts 21 and 22 of 2019, the Michigan Selection of Personal Injury Protection (PIP) Medical Coverage Form for individual / personal policies has been amended to restate the definition of qualified health coverage (QHC); to increase the relevant annual individual QHC deductible to \$6,579 or less (effective July 1, 2023; see MCL 500.3107d(7)(b)(B)); and to specify proof requirements for QHC purposes. The form also includes an expanded notice section to clarify policy renewals for unlimited coverage (Option 1), \$500,000 per person per accident (Option 2), or \$250,000 per person per accident with no excluded persons (Option 3), as well as a supplemental section to identify any additional excluded persons.

The Michigan Selection of Personal Injury Protection (PIP) Medical Coverage Form for commercial policies has been amended to expand the notice section regarding the renewal of an expired policy.

Automobile insurers must offer applicants and insureds a choice of PIP medical limits for policies issued or renewed after July 1, 2020. ACORD will be filing these forms

and will release when approved. ACORD 136 MI (2020/07) and ACORD 66 MI (2020/07) will be impacted and revised.

Please contact us with questions or comments.