

DEPARTMENT OF REGULATORY AGENCIES

Division of Insurance

3 CCR 702-5

PROPERTY AND CASUALTY

Regulation 5-1-27

CONCERNING REQUESTS FOR COMMERCIAL OR PERSONAL AUTOMOBILE POLICY INFORMATION FROM A CLAIMANT OR CLAIMANT'S ATTORNEY AND POLICYHOLDER'S REQUESTS FOR A CERTIFIED COPY OF THE HOMEOWNER INSURANCE POLICY

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Section 1 Authority

This regulation is promulgated and adopted by the Commissioner of Insurance under the authority of § 10-1-109(1), 10-3-1117 and 10-4-110.8(10), C.R.S.

Section 2 Scope and Purpose

The purpose of this regulation is to establish rules concerning requests for commercial and personal automobile policy information pursuant to § 10-3-1117, C.R.S. and certified copies of homeowner insurance policies pursuant to § 10-4-110.8 (10), C.R.S.

Section 3 Applicability

The provisions of this regulation shall apply to all insurers that issue commercial and/or personal automobile policies and/or homeowner insurance policies in Colorado.

Section 4 Definitions

- A. "Insurer" shall have the same meaning as found at § 10-1-102(13), C.R.S.
- B. "Claimant" for the purposes of this regulation, and specifically related to automobile claims, shall have the same meaning as found at § 10-3-1117(5), C.R.S.
- C. "Commissioner" shall have the same meaning as found at § 10-1-102(5), C.R.S.
- D. "Homeowner insurance policy", for the purposes of this regulation shall be the insurance policy, which includes the declaration page and endorsements, as found at § 10-4-110.8 (10), C.R.S.

- E. "Policy" for the purposes of this regulation, shall mean personal automobile liability insurance policies as found at § 10-4-601(10), C.R.S., and commercial automobile liability insurance policies, and may or may not include a declaration page or the application submitted to obtain the policy.

Section 5 Rules

Pursuant to §§ 10-3-1117 and 10-4-110.8 (10), C.R.S., Colorado insurers must provide certain policy information upon request received by the insurer's registered agent. A third-party claimant or claimant's attorney's request for personal or commercial automobile liability insurance policies and policy limits and policyholder requests for homeowner insurance policies must be sent to the insurer's registered agent. Therefore, it is necessary that insurers maintain current registered agent information pursuant to § 10-3-107, C.R.S. and Colorado Insurance Regulation 1-1-10.

- A. In regard to commercial and personal automobile insurance policy limits requests:
1. In order to ensure compliance with § 10-3-1117, C.R.S., insurers shall establish a process to respond to written requests for commercial automobile and personal automobile policy liability limit information within the thirty (30) calendar day statutory timeline from the date the registered agent receives a written request pursuant to § 10-3-1117, C.R.S.
 2. If the Commissioner is the named registered agent, the insurer shall provide to the Commissioner an electronic mailing address to facilitate the transfer of policy limits requests directly to the insurer.
 3. For purposes of compliance with § 10-3-1117, C.R.S., insurers shall provide a copy of the commercial or personal automobile policy, which may include, but is not required, the declarations page or the application even if attached to the policy.
 4. In accordance with Colorado Insurance Regulation 1-1-7, Section 5.A., insurers shall retain the requests and responses providing the information required under § 10-3-1117, C.R.S. for the current calendar year plus two prior years.
- B. In regard to a policyholder's request for a certified copy of their homeowner insurance policy:
1. In order to ensure compliance with § 10-4-110.8(10), C.R.S., insurers shall make available a certified copy of a homeowner insurance policy within thirty (30) calendar days of receipt by the registered agent of the policyholder's written request. Such written requests for a certified copy of the homeowner insurance policy shall be sent to the insurer's registered agent, as identified in the Division of Insurance records.
 2. If the Commissioner is the named registered agent, the insurer shall provide to the Commissioner an electronic mailing address to facilitate the transfer of homeowner insurance policy requests directly to the insurer.
 3. In accordance with Colorado Regulation 1-1-7, Section 5.A., insurers shall retain the policyholder requests and documentation confirming the certified policy was made available to the policyholder in compliance with § 10-4-110.8(10), C.R.S. for the current calendar year plus two prior years.

Section 6 Severability

If any provision of this regulation or the application of it to any person or circumstances is for any reason held to be invalid, the remainder of this regulation shall not be affected.

Section 7 Enforcement

Noncompliance with this regulation may result in the imposition of any of the sanctions made available in the Colorado statutes pertaining to the business of insurance, or other laws, which include the imposition of civil penalties, issuance of cease and desist orders, and/or suspensions or revocation of license, subject to the requirements of due process.

Section 8 Effective Date

This regulation shall be effective November 30, 2025.

Section 9 History

New regulation effective November 30, 2025.