

**GLOUCESTER COUNTY INSURANCE COMMISSION
RESOLUTION FOR TITLE 59:9-2 INTER MEMBER SUBROGATION**

WHEREAS, the Gloucester County Insurance Commission (hereinafter the "Commission") is duly constituted as a joint insurance fund and is subject to certain requirements of the Local Public Contracts Law; and

WHEREAS, there exists a need for the Commission to clarify procedural requirements as to inter member subrogation under Title 59:9-2 regarding the requirement of the filing of a Notice of Claim for recourse to recover insurance deductibles with auto/property damage claims; and

WHEREAS, the Commission conferred as to the following options: *A.* enforcing the standard procedural requirements to inter members as conducted with non-inter members; *B.* waiving the auto/property deductible for the member that was not at fault for the accident and having the Commission pay 100% of the loss to the member not at fault, while also showing an auto physical damage for the amount paid in the claims experience; or *C.* the member "at fault" waives their Title 59:9-2 immunities and the Commission pays 100% of the loss to the member not at fault, while also showing an auto physical damage for the amount paid in the claims experience; and

BE IT RESOLVED, by the Gloucester County Insurance Commission that the standard procedural requirements shall be enforced to inter members regarding subrogation procedures in Title 59:9-2 requiring that a Notice of Claim be filed for recourse of insurance deductibles with auto/property damage claims.


ADOPTED by THE GLOUCESTER COUNTY INSURANCE COMMISSION at a properly noticed meeting held on March 22, 2012.

ADOPTED:



GERALD A. WHITE, CHAIRMAN

ATTEST:



DEAN SIZEMORE, SECRETARY