

# COMMISSIONER OF SECURITIES & INSURANCE

MATTHEW M. ROSENDALE, SR.  
COMMISSIONER



OFFICE OF THE MONTANA  
STATE AUDITOR

February 28, 2017

All Property & Casualty Insurers  
and Auto Body Shops in Montana

RE: Rescinding advisory memorandum on prevailing competitive rates in Lewis and Clark  
County (issued 12/23/16)

To Whom It May Concern:

The advisory memorandum issued by the Office of the Montana State Auditor, Commissioner of Securities and Insurance (CSI), on December 23, 2016, titled "Prevailing Competitive Rates for Automobile Body Repair Businesses in Lewis and Clark County" has been rescinded, and will not be enforced by the CSI.

The definition of "market price" pursuant to Mont. Code Ann. 33-18-222(1) is either the agreed rate between the insurer and the business, or the "prevailing competitive rate[]...in the local area where the repairs are to be performed." The CSI does not have authority under this statute to set a market price.

Sincerely,

Matthew M. Rosendale, Sr.  
Commissioner of Securities and Insurance  
Montana State Auditor