



COMMISSIONER OF SECURITIES AND INSURANCE

Troy Downing
Commissioner

Office of the
Montana State Auditor

ADDENDUM TO ADVISORY MEMORANDUM

To: ALL INTERESTED PERSONS

From: TROY DOWNING
Commissioner of Securities and Insurance, Montana State Auditor

Date: 11/04/2024

Addendum to August 29, 2007 Advisory Memorandum Regarding Amendment to § 33-23-203, Mont. Code Ann., Limitation of Liability Under Motor Vehicle Liability Policy ("Anti- Stacking Statute") - New Certification

Background

On August 29, 2007, the Commissioner of Securities and Insurance, Montana State Auditor (CSI) issued an advisory memorandum related to House Bill 587 amending § 33-23-203, Mont. Code Ann., which allows an insurer to avoid stacking “if the premiums charged for the coverage by the insurer actuarially reflect the limiting of coverage separately to the vehicles covered by the policy and premium rates have been filed with” CSI. The last paragraph of that advisory memorandum references instructions and a checklist for filing new rates intended to avoid stacking. CSI has developed a new certification for compliance with § 33-23-203, MCA. Accordingly, the last paragraph of the August 29, 2007 advisory memorandum is rescinded because the instructions and checklist referenced therein are no longer in effect.

Guidance

A new certification titled, [Montana Certification of Compliance for UM, UIM, and Med-Pay Coverages](#) is available on the CSI website at csimt.gov under Rates and following this advisory memo. If you have questions regarding this matter, please contact CSI at 406-444-2040.

This advisory memorandum is informational only and does not enlarge, delimit, or otherwise modify any requirements of applicable law or in any way limit the authority of CSI under applicable law. CSI encourages interested persons to consult with independent legal counsel for guidance on the application of law to any particular circumstances.

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MONTANA CERTIFICATION OF COMPLIANCE FOR UM, UIM, AND MED-PAY COVERAGES

SERFF Filing Number _____

I, _____, on behalf of _____,
[Qualified Credentialed Actuary Name] [Company Name]

do hereby certify the following (please check one):

The Company allows “stacking” of UM, UIM, and Med-Pay limits.

The Company does **not** allow “stacking” of **all or some of** UM, UIM, and Med-Pay, and the premiums charged for the coverage by the Company actuarially reflects the limiting of coverage separately to the vehicles covered by the policy per § 33-23-203(1)(c), MCA.

I certify that a complete copy of UM, UIM and Med-Pay premiums and/or rates have been filed with the Commissioner of Securities and Insurance, Office of the Montana State Auditor.

I understand that this certification in no way excuses compliance with any provision of Montana law.

Qualified Credentialed Actuary Signature

Date

Title

Email Address

Telephone Number

Mailing Address

City, State, Zip