

1 Department of Commerce

2

3 Adopted Permanent Rules Relating to Liquor Liability Assigned

4 Risk Plan Rates

5

6 Rules as Adopted

7 2783.0060 RATING PLAN.

8 Rates Applicable To Minimum Coverage Required By

9 Minnesota Statutes, Section 340A.409, Subdivision 1

10 Assigned Risk Liquor Liability Rates

11 Rate For Three or Fewer Incidents

12 In The Last Three Years

13		Package		
14	Limits	Goods	Restaurants	Bars
15				
16	50/100	\$.34	\$1.17	\$1.70
17		Rate For More Than Three Incidents		

18 In The Last Three Years

19 Four Incidents

20 50/100 \$6.25

21 Each incident after the fourth incident will cause the

22 rate charged to be increased by 20 percent over the

23 rate charged for one less incident

24 For purposes of the rating plan, no experience or scheduled

25 credits apply.

26 A combined bar and package establishment is rated as a bar

27 for purposes of the plan.

28 A restaurant for purposes of the rating plan is a liquor

29 vendor whose revenue from liquor sales is less than 50 percent

30 of its combined liquor and food sales.

31 A bar for purposes of the rating plan is a liquor vendor

32 whose revenues from liquor sales is 50 percent or more of its

33 combined liquor and food sales.

34 An incident is either a loss or a violation. A loss and

35 the violation that resulted in that loss are deemed to be one

36 incident for purposes of the rating plan. A loss shall not be

37 considered an incident for purposes of the rating plan if the

38 circumstances which resulted in that loss would not result in a

1 loss at the time of application to the assigned risk plan
2 because state law prohibits recovery by an insurance company
3 against any liquor vendor under subrogation clauses of the
4 uninsured, underinsured, collision, or other first party
5 coverages of a motor vehicle insurance policy as a result of
6 payments made by the company to persons who have claims that
7 arise in whole or in part under Minnesota Statutes, section
8 340A.801. The applicant shall have the burden of proof to
9 establish that a loss which occurred prior to the adoption of
10 Minnesota Statutes, section 340A.801 should not be classified as
11 a loss.

12 The rates charged by the assigned risk plan shall not be
13 deemed to be the maximum rates allowed to be charged for liquor
14 liability insurance in Minnesota.

15 Upon adoption of this chapter any certificate of coverage
16 previously issued by the assigned risk plan shall be subject to
17 retroactive rebate, dividend, surcharge or other charge as may
18 be necessitated by the adoption of this rating plan. Premiums
19 for certificates of coverage previously issued shall be
20 determined as if this rating plan were in effect at the time of
21 issuance of the certificate of coverage.