



FILED

NOV 5 2024

INSURANCE REGULATION
Docketed by: EP

OFFICE OF INSURANCE REGULATION

MICHAEL YAWORSKY
COMMISSIONER

Index OIR: 2024-146

IN THE MATTER OF:

CASE NO.: 400393-24-CO

TRUCK INSURANCE EXCHANGE
_____ /

CONSENT ORDER

THIS CAUSE came for consideration as the result of TRUCK INSURANCE EXCHANGE's ("TRUCK INSURANCE") failure to timely file its "Commercial and Personal Residential Property Supplemental Quarterly Report" with the FLORIDA OFFICE OF INSURANCE REGULATION ("OIR") as required by section 624.424(10)(a), Florida Statutes (2024), and Rule 69O-137.009, Florida Administrative Code. Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the OIR hereby finds as follows:

1. The OIR has jurisdiction over the subject matter and the parties herein.
2. TRUCK INSURANCE is an insurer authorized to transact business in Florida and subject to regulation by the OIR, pursuant to the Florida Insurance Code.
3. Rule 69O-137.009 requires each insurer that issues personal lines or commercial lines residential property insurance policies to file Form OIR-D0-1185, Quarterly Supplemental Report, with the OIR on a quarterly basis in conjunction with financial reports.
4. TRUCK INSURANCE failed to file its second quarter 2024 Quarterly Supplemental Report with the OIR, which was due on August 15, 2024.

5. On August 23, 2024, TRUCK INSURANCE filed its second quarter 2024 Quarterly Supplemental Report with the OIR.

6. Section 624.4211(1), Florida Statutes (2024), provides that if the OIR finds that one or more grounds exist for the discretionary revocation or suspension of a certificate of authority issued under chapter 624, Florida Statutes, the OIR may, in lieu of such revocation or suspension, impose a fine upon the insurer.

7. The OIR finds that TRUCK INSURANCE has violated sections 624.424(1) and 624.424(10)(a), and Rule 690-137.009. The OIR deems the violation as non-willful warranting a fine in the amount of \$3,000 U.S. Dollars (“USD”) for the violation pursuant to section 624.4211(2).

8. TRUCK INSURANCE agrees that within 10 days of the execution of this Consent Order, TRUCK INSURANCE shall pay an administrative fine in the amount of \$3,000 USD and administrative costs of \$2,000 USD to the OIR. TRUCK INSURANCE shall send its payment to the address reflected on the invoice attached as “Exhibit A”.

9. Any deadlines, reporting requirements, other provisions, or requirements set forth in this Consent Order may be altered or terminated by written approval of the OIR. Such approval must be requested in writing prior to any proposed deviation from the terms of this Consent Order.

10. TRUCK INSURANCE agrees that, upon execution of this Consent Order, failure to adhere to one or more of the terms and conditions contained herein may result, without further proceedings, in the OIR suspending, revoking, or taking other administrative action as it deems appropriate upon TRUCK INSURANCE’s license in this state in accordance with sections 120.569(2)(n) and 120.60(6), Florida Statutes (2024).

11. TRUCK INSURANCE additionally agrees that, upon execution of this Consent Order, failure to adhere to one or more of the terms and conditions contained herein may be considered willful and subject TRUCK INSURANCE to the appropriate penalties and fines.

12. TRUCK INSURANCE additionally agrees that any future violations of the statutes or rules named herein may subject TRUCK INSURANCE to penalties as the OIR deems appropriate.

13. TRUCK INSURANCE expressly waives a hearing in this matter, the making of findings of fact and conclusions of law by the OIR, and all further and other proceedings herein to which it may be entitled by law or rules of the OIR. TRUCK INSURANCE hereby knowingly and voluntarily waives all rights to challenge or to contest this Consent Order in any forum available to it, now or in the future, including the right to any administrative proceeding, state or federal court action, or any appeal.

14. Except as noted above, each party to this action shall bear its own costs.

15. The parties agree that this Consent Order shall be deemed to be executed when the OIR has signed a copy of this Consent Order bearing the notarized signature of the authorized representative of TRUCK INSURANCE.

[Remainder of page intentionally left blank.]

WHEREFORE, the agreement between TRUCK INSURANCE and the FLORIDA OFFICE OF INSURANCE REGULATION, the terms and conditions of which are set forth above, is APPROVED.

All terms and conditions contained herein are hereby ORDERED.

DONE AND ORDERED this 5th day of November, 2024.




Michael Yaworsky, Commissioner
Office of Insurance Regulation

By execution hereof, TRUCK INSURANCE EXCHANGE, consents to entry of this Consent Order, agrees without reservation to all the above terms and conditions, and shall be bound by all provisions herein. The undersigned represents that they have the authority to bind TRUCK INSURANCE EXCHANGE, to the terms and conditions of this Consent Order.

TRUCK INSURANCE EXCHANGE

By: Victoria L. McCarthy

[Corporate Seal]

Print Name: Victoria L. McCarthy

Title: Vice President of Truck Underwriters Association, attorney in fact for Truck Insurance Exchange

Date: 11/1/24

STATE OF C.A.

COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of physical presence

or online notarization, this 1st day of November 2024, by Victoria L. McCarthy
(name of person)

as _____ for _____
(type of authority; e.g., officer, trustee, attorney in fact) (company name)

See attached C.A. notary form
(Signature of the Notary)

Ethan J. Beckelman
(Print, Type or Stamp Commissioned Name of Notary)

Personally Known _____ OR Produced Identification ✓

Type of Identification Produced C.A. driver's license

My Commission Expires 02-20-2028

Satisfactory Proof of Identification
California Notary Form Attached
Per California Law

COPIES FURNISHED TO:

RAUL NICOLAS VARGAS OCHOA
PRESIDENT

Truck Insurance Exchange
6301 Owensmouth Ave
Woodland Hills, CA 91367-2216
Telephone: (818)-965-0433
Email: Mary.Aguilera@bristolwest.com

ALEX MAY IV, MCM
DIRECTOR

Florida Office of Insurance Regulation
P & C Market Regulation
200 East Gaines Street
Tallahassee, Florida 32399

GREGORY J. MILL, ESQ.
ASSISTANT GENERAL COUNSEL

Florida Office of Insurance Regulation
200 E. Gaines Street
Tallahassee, Florida 32399
Telephone: (850) 413-14108
Email: gregory.mill@fioir.com

CALIFORNIA JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }

COUNTY OF Orange }

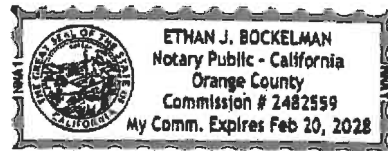
Subscribed and sworn to (or affirmed) before me on this 15th day of November, 2024
Date Month Year

by Victoria L. McCarthy

Name of Signers

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature: Ethan J. Bockelman
Signature of Notary Public



Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent attachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Consent Order

Document Date: 11-1-24

Number of Pages: _____

Signer(s) Other Than Named Above: _____