§ 2315. Recording and reporting of experience; statistical plans. (a) Every authorized insurer shall annually file with the rate service organization of which it is a member or subscriber, or with such other agency as the superintendent may approve, a statistical report showing a classification schedule of its premiums and losses on all kinds or types of insurance business subject to this article, and such other information as the superintendent may deem necessary or expedient for the administration of the provisions of this article. The superintendent from time to time may prescribe the form of the report including statistical data conforming to established classifications. The statistical reports shall be consolidated in accordance with regulations prescribed by the superintendent. Such consolidations shall be made available, subject to reasonable rules promulgated by the superintendent, to insurers and rate service organizations. No insurer shall be required to record or report its loss experience on a classification basis that is inconsistent with the rating system filed by it, except that the superintendent may require each insurer writing private passenger automobile coverages to file annually with the superintendent (or a statistical agent designated by the superintendent for such purpose), in the form prescribed by the superintendent, a statistical report showing a schedule of its premiums, losses, and exposures classified by United States postal zip code. No statistical report shall be issued or otherwise made available to any rate service organization (except in the capacity of designated statistical agent), insurers, or persons other than appropriate governmental entities, except on a consolidated manner, or in such aggregate form as to protect an individual insurer's schedule of premiums, losses and exposures for any specific zip code.

(b) Statistical plans and rules shall be promulgated for the recording and reporting of expense experience on a country-wide basis. Such rules and plans may also provide for the recording and reporting of expense experience items which are specially applicable to this state and are not susceptible of determination by a prorating of country-wide expense experience.

(c) In order to further uniform administration of rate regulatory laws, the superintendent and every insurer and rate service organization may exchange information and experience data with insurance supervisory

officials, insurers, and rate service organizations in other states and may consult with them with respect to rate making and the application of rating systems. Reasonable rules and plans may be promulgated by the superintendent for the interchange of data necessary for the application of rating plans. In the promulgation of statistical plans and rules the superintendent shall give consideration to the rating systems on file with him and, in order that such rules and plans may be as uniform as is practicable among the several states, to the rules and to the form of the plans in other states.

(d) No plan, rule or regulation, or amendment thereto, shall be promulgated by the superintendent pursuant to subsection (a), (b) or (c) hereof except upon notice, and after hearing, to every rate service organization affected thereby. No such plan, rule or regulation, or amendment thereto, shall become effective less than sixty days after promulgation.

(e) The willful withholding of information from, or giving of false or misleading information to, the compensation insurance rating board or any other rate service organization or any insurer or the superintendent or any statistical agency designated by the superintendent, which will in any way affect the rate or premium chargeable to any assured or group of assureds shall constitute a violation of this chapter and also be subjected to the penalty provided for in subsection (e) of section two thousand three hundred twenty-one of this article.