



Republic of the Philippines
Department of Finance
INSURANCE COMMISSION
1071 United Nations Avenue
Manila



Circular Letter No.:	2018-10
Date:	23 January 2018

CIRCULAR LETTER

TO : ALL NON-LIFE INSURANCE COMPANIES

SUBJECT : RULES AND REGULATIONS IN THE USE OF TRAFFIC ACCIDENT INVESTIGATION REPORT AS AN ALTERNATIVE TO POLICE REPORT AS A REQUIREMENT IN PROCESSING INSURANCE CLAIMS IN MOTOR INSURANCE

Pursuant to the powers vested in the Insurance Commissioner by Section 437 (d) and (p) of The Insurance Code, as amended by Republic Act No. 10607, to lessen the burden on the part of the insured to secure Police Reports which are not easily accessible and to provide an alternative to Police Reports as a requirement in the processing of motor insurance claims as allowed in this Circular, the following **Rules and Regulations in the Use of Traffic Accident Investigation Report as an Alternative Requirement in Processing Insurance Claims in Motor Insurance** are hereby adopted:

Section 1. **Scope.** – All Non-Life Insurance Companies offering motor insurance.

Section 2. **Definition.** – As used in this Circular, a Traffic Accident Investigation Report is a document prepared by an Authorized Person as provided under Section 4 hereof who, in the regular course of duty, investigates a motor vehicle accident resulting in **bodily injury** to any party or **loss of or damage to the property** of any person as one of the requirements to substantiate an insurance claim.

Section 3. **Contents.** – A Traffic Accident Investigation Report shall contain the following minimum information:

- (a) The time, day, month and year of the accident;

- (b) Information adequate to identify the location of the accident;
- (c) Identifying information for all involved parties and witnesses, including name, age, sex, complete address, telephone number, vehicle ownership and registration, proof of insurance and name of insurer;
- (d) A narrative description of the facts of the accident, a simple diagram of the scene of the accident, traffic violation, if any, photographs, available closed circuit television (cctv) footages and the investigating officer's name, agency and identification number;
- (d) Attestation of the parties involved in the accident as well as the person preparing the traffic accident investigation report; and,
- (e) Such other matters which are relevant to the preparation of the Traffic Accident Investigation Report.

Section 4. Authorized Person/s to Prepare Report. – Traffic Officers, Personnel, or Constables of Metro Manila Development Authority or Traffic Bureau/s or its equivalent of local government units duly certified by the Land Transportation Office (LTO) that such traffic officer, personnel or constable have undergone, completed and passed the necessary course for Traffic Accident Investigation Reporting.

Section 5. Applicability. –Traffic Accident Investigation Report shall **only** be used as an alternative to Police Report in processing insurance claims for motor vehicles resulting in **bodily injury** to any party or **loss of or damages to such motor vehicle or property** arising from the operation of a motor vehicle in public highways, roads and streets of Metro Manila, Metro Cebu and Metro Davao where traffic officers, personnel or constables, as provided under Section 4 of this Circular, exercise their regular duty as such.

Provided however, that this Circular shall not be applicable to any claim arising from fire, external explosion, self-ignition or lightning or burglary, housebreaking, theft, malicious act, whilst in transit or for death or injury to any passenger or third-party pursuant to the provisions of Section 391 of The Insurance Code, as amended by R.A. 10607, where the claim shall be paid without the necessity of proving fault or negligence of any kind which requires police report to substantiate a claim.

Provided further, that non-life insurance companies are not, based on their sound business judgment, precluded from relaxing their requirements to substantiate insurance claims but not to the effect of requiring stricter or more cumbersome requirements in processing motor insurance claims.

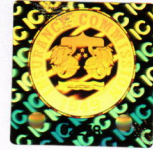
The application of this Circular regarding the use of Traffic Accident Investigation Report vis-à-vis Police Report is attached to this Circular as ANNEX "A".

Section 6. **Effectivity.** – This Circular takes effect immediately.

For strict compliance.



DENNIS B. FUNA
Insurance Commissioner



Application of Traffic Accident Investigation Report (TAIR)

<p style="text-align: center;">Under the Current Practice where only the Police Report is recognized</p>	<p style="text-align: center;">Under this Circular where Traffic Accident Investigation Report (TAIR) is recognized as an alternative to Police Report (In Metro Manila, Metro Davao and Metro Cebu areas)</p>
<p>Section I Third Party Liability (TPL) - Bodily injury including Death</p> <p>Section II No Fault Clause (Sec. 391 of the Insurance Code, as amended) - including Death</p> <p>Section III</p> <ul style="list-style-type: none"> a. Loss & Damage b. Carnapping c. Damage to property <p>Section IV-A Extended Third Party Bodily Injury</p> <p>Section IV-B Extended Third Party Property Damage</p>	<p>Section I Third Party Liability (TPL)</p> <p>Section III Damage to Property</p> <p>Section IV-A Extended Third Party Bodily Injury</p> <p>Section IV-B Extended Third Party Property Damage</p>

Note: Non-life insurance companies are not, based on their sound business judgment, precluded from relaxing their requirements to substantiate insurance claims but not to the effect of requiring stricter or more cumbersome requirements in processing motor insurance claims.