

# Do Washington Car Insurance Rates Go Up After an Accident That Wasn't My Fault?

## Our Vancouver law firm fights to protect your rights

Getting rear-ended is bad enough. Then comes the worry that your insurance bill is about to go up, even though you were just sitting there doing nothing wrong. It's one of those situations where being in the right can still leave you feeling financially exposed.

The good news is that Washington State has meaningful protections for drivers who find themselves on the wrong end of someone else's mistake in a [car accident](#). The not-so-great news is that "not at fault" doesn't always mean your rates are fully protected from every possible increase. Here's what you actually need to know about the law.

## Does Washington law protect you from rate increases after a not-at-fault accident?

Washington law ([RCW 46.52.130](#)) limits how insurers may use accident information from an individual's Abstract Driver Records or ABS--what is commonly referred to as a "driver's abstract," an official document used by the Washington Department of Licensing that summarizes a person's driving history. An auto insurance policy may not be canceled, nonrenewed, denied, or increased based on accident information included in the driver's abstract unless the policyholder was determined to be at fault. That is real, tangible protection for policyholders.

Still, it is important to understand the limitations. State law does not provide a blanket freeze on future premiums. Instead, it limits one important basis that could otherwise be used by insurers to justify a rate increase. There is a restriction on the use of accident information from the driver's abstract when the policyholder was not determined to be at fault.

- **Example:** If another driver runs a red light in Vancouver and hits you while you were doing nothing wrong, your insurance provider generally should not use that accident from your driving record as the basis for a premium increase. A crash alone that was not determined to be your fault should not be the sole basis for increased automobile insurance premiums in Washington.

## Rates Can Go Up for Other Reasons After a Crash

It is important to know that your auto insurance rates can still go up for other reasons, and this is where things get more complicated. Washington insurers must provide premium-change transparency under [chapter 284-30A WAC](#). For covered personal insurance policies, an insurer must provide a reasonable explanation for a premium increase at renewal upon written request by the policyholder.

If your bill goes up and nobody at your insurance company can tell you why in clear terms, that is a red flag. Ask for a written explanation. You may be entitled to one, and a vague answer such

as “rate adjustments in your area” may not satisfy Washington’s premium-change transparency rules if it does not explain the specific reasons for the increase and the amount or percentage change tied to those reasons.

**A Note On Chapter 284-30A WAC:** The rule protecting policyholders will become stronger starting on June 1, 2027. Beginning then, insurers must provide premium change notices with reasonable explanations and primary factors for covered policies, rather than waiting for the policyholder to request an explanation.

### **When your own policy gets involved**

The situation changes depending on how you file your claim. If you go directly through the at-fault driver’s insurance provider, your own policy may not need to pay benefits at all, which is often the cleanest outcome for your rates--although you will be dealing at "arm's length" with the other driver's insurance company rather than your own. That is why using your own insurance to get your vehicle repaired may be preferable in some situations, as there are laws in place that favor you, the consumer, when dealing with your own insurance company as opposed to someone else's. If the at-fault driver has no insurance, or their coverage does not fully cover your losses, you may need to file under your own uninsured or underinsured motorist coverage regardless, as this may be the only practical way to get your vehicle repaired.

Washington has a relatively high estimated rate of uninsured drivers. Recent industry data places Washington at approximately [19.1 percent uninsured motorists in 2023](#), so this scenario comes up more than people expect. If you drive in Vancouver, Clark County, or anywhere along the I-5 corridor, uninsured and underinsured motorist coverage is not just a technical policy add-on. It may become the coverage that protects you after a serious crash.

Filing under your own policy can also create a claim-history record. Broadly explained, a [CLUE report](#) is an insurance claims-history report used by insurers. It may include claim activity tied to your policy, such as claims reported to an insurer, even when the final payment or fault decision does not tell the whole story. A not-at-fault claim may still appear in that record, even if it does not legally justify a premium increase by itself. That is why the issue is not simply whether the claim exists. The more important question is how the claim is coded, whether fault was assigned to you, and whether the insurer can identify a lawful reason for any renewal increase.

### **What factors actually determine whether your rates change?**

Even within the protections Washington law provides, a few variables can influence what happens to your premium after a not-at-fault accident:

#### **Your claims history matters more than most people realize.**

A single not-at-fault accident on an otherwise clean record may be treated differently than multiple claims over several renewal periods. Washington’s premium transparency rules

recognize claims history as one factor that may affect premium changes. If you have filed multiple claims in recent years, even legitimate claims, your insurer may review your policy more closely at renewal.

### **The type of coverage you use matters, too.**

Filing under your own collision coverage, uninsured motorist coverage, or underinsured motorist coverage may create a different underwriting record than a third-party claim paid entirely by the at-fault driver's insurer. Personal Injury Protection coverage can also be important because it pays covered medical expenses and certain other losses without requiring a fault determination. The key point is not that using your own coverage automatically raises your rates. The better question is whether the insurer assigns fault to you, how the claim is coded, and what explanation the insurer gives for any renewal increase.

### **Discount eligibility is a separate issue from your base rate.**

Some drivers may not see a formal accident surcharge after a not-at-fault crash, but they may lose or fail to qualify for an accident-free, claim-free, or safe-driver discount at renewal. That can produce a similar financial effect even if the insurer does not describe it as a surcharge. If your premium increases after renewal, ask your insurer whether any discount changed, whether any claim was treated as chargeable, and what specific factor caused the increase. Under Washington's premium transparency rules, policyholders can request a written explanation for a renewal increase.

### **How should I handle the claims process to protect myself?**

The steps you take right after a car accident can have a real impact on how the claim gets recorded and resolved. While there is no substitute for getting legal advice from a qualified attorney, below is a list of some important steps you may consider taking following a crash.

- **Get a police report every time:** A police report that clearly identifies the other driver as at fault gives you documentary evidence that supports a not-at-fault coding in your insurance records. Without it, fault can be disputed. Keep in mind that law enforcement may not respond to the scene if the minimum property damage threshold is not met (the all the vehicles in the crash are still operable and the damage to the vehicles is minimal) or there are no reported injuries.
- **File the third-party claim:** If you do not plan to go through your own insurance or you do not have coverage for damage to your vehicle caused by other drivers, then you'll most likely need to file a claim with the at-fault driver's insurance company. If you can resolve the situation without touching your own policy, your rates are less likely to increase following a crash. However, as stated above, you will be dealing at "arm's length" with the other driver's insurance carrier. For example, you may be asked to provide a recorded statement to the other driver's insurance company, which is

evidence that can later be used against you. This is a good time to consult with an attorney first.

- **Notify your own insurance company anyway:** Most policies require you to report car accidents even when you're not filing a claim with them. Staying silent can complicate things later. Simply report what happened and be clear that you're filing third-party (i.e. using the other driver's insurance to pay for the repairs to your vehicle) if that is how you wish to proceed. The other option would be to make a claim with your own insurance and pay your deductible--in which case your insurance company will seek to recover the money needed to repair your vehicle from the other driver's insurance, including repayment of your deductible, although your premiums may later increase.
- **Document everything in writing:** After phone calls with any insurance adjuster, follow up by email to confirm what was discussed. Paper trails matter if the claim gets disputed down the road. Email is usually better than text, but you should save all written communications regardless of format.

### **What if my insurance rates go up anyway?**

If you get your renewal notice and something looks off, start by asking your insurance company for a detailed and clear explanation. Under [Washington's premium-change transparency rules](#), a policyholder who receives a premium increase at renewal can request a written explanation from the insurer. If the increase relates to the not-at-fault accident and your insurance provider cannot point to a lawful rating factor or a permissible use of accident information under RCW 46.52.130, you have options.

The [Washington State Office of the Insurance Commissioner](#) is the regulatory body that oversees insurance providers in the state, and it takes consumer complaints seriously. You can file a complaint through its website or contact its consumer hotline at 1-800-562-6900. The OIC generally cannot rewrite your policy or act as your private attorney, but it can review consumer complaints, contact insurers, and identify potential compliance problems. If an insurer cannot clearly explain a renewal increase, a complaint to the OIC may help create regulatory pressure and a written record of the dispute.

Beyond regulatory options, many drivers should also compare quotes from other insurers. So, shop around! Rate increases after accidents can vary by insurer, policy, claims history, discount eligibility, and how the claim is coded. Here are some key points Vancouver drivers should know about:

- Avoid assuming that a national carrier, regional carrier, or smaller insurer will treat every not-at-fault claim the same way. Insurance companies may be bound by the same regulations, but they can operate slightly differently from one company to the next. Find one that best suits your needs.

- Ask each insurer whether the accident is being treated as chargeable, whether any safe-driver or claim-free discount was removed, and whether the quote reflects a CLUE report entry or a fault determination.
- Compare the total renewal premium, not just whether the insurer calls the increase a surcharge.

If your rate does increase after a not-at-fault accident, a few practical moves may help reduce the cost:

- Ask whether you qualify for any driver-safety, multi-policy, paperless billing, automatic payment, low-mileage, or usage-based insurance discounts.
- Ask whether bundling your auto policy with home or renters coverage unlocks a multi-policy discount.
- Review your deductibles and coverage limits carefully before making changes. A lower premium may not be worth it if it leaves you underinsured after a serious crash.
- Ask whether accident forgiveness is available before you need it, but read the terms closely. Accident forgiveness is a policy feature, not a Washington legal protection, and it may not apply to every accident, every driver, or every renewal.
- If your premiums are still too high, call around and get quotes from other insurance companies that have a good reputation for quality service and resolving claims fairly. While it can pay to shop around, it is also generally true that you get what you pay for.

### **How long does a not-at-fault car accident follow me?**

Most Washington insurance providers may consider recent claims history when calculating your rate, often within a multi-year lookback period. That means a not-at-fault accident may have less practical effect over time, especially if you remain claim-free after the crash. The claim will generally remain on your CLUE report for up to seven years, but its weight in your rate calculation depends on the insurer, the policy, the claim type, the fault coding, and the age of the claim.

If your insurance provider increases your rates after a not-at-fault accident without a clear written explanation, pushes back on discount reinstatement after the car accident ages off, or refuses to clearly document the not-at-fault status on your claim, those are worth challenging directly or escalating to the OIC.

### **Let an experienced Vancouver lawyer take on the insurance companies for you**

If another driver caused your crash and injuries, legal guidance can help you protect the injury claim while also avoiding mistakes with insurance communications. Insurance companies are businesses, and their interests do not always match yours. The Scott Law Firm, PLLC helps injured victims in Vancouver and Southwest Washington deal with insurers, document their losses, and pursue the compensation available under Washington law.

[Contact us online](#) or call today to schedule your free consultation. Get clear answers before the insurance company controls the conversation. Now let Colin fight to make sure you're made whole.

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