

## LOSS COSTS/RULES/FORMS – LEGISLATIVE MONITORING

SEPTEMBER 28, 2018

COMMERCIAL LINES	LI-CL-2018-033
PERSONAL LIABILITY (INCL. PERSONAL UMBRELLA)	LI-DL-2018-109
DWELLING PROPERTY	LI-DP-2018-073
PERSONAL FLOOD	LI-FD-2018-113
HOMEOWNERS	LI-HO-2018-131
MOTORCYCLE	LI-MT-2018-086
PERSONAL AUTO	LI-PA-2018-225
PERSONAL INLAND MARINE	LI-PM-2018-090
WATERCRAFT	LI-WT-2018-017

## SUMMARY OF LAWS, REGULATIONS AND COURT DECISIONS

### KEY MESSAGE

This circular provides updated summaries of Commercial Lines, Personal Auto and Personal Property and Specialty Program laws, regulations and court decisions under review as of August 31, 2018.

### BACKGROUND

In circular [LI-CL-2018-032/LI-DL-2018-086/LI-DP-2018-064/LI-FD-2018-108/LI-HO-2018-112/LI-MT-2018-079/LI-PA-2018-195/LI-PM-2018-069/LI-WT-2018-014](#), we furnished a summary of:

- Laws and regulations reviewed during 2018 which impact ISO forms, loss costs and/or rules, and/or company procedures;
- Court cases reviewed during 2018 which impact ISO forms, loss costs and/or rules; and
- All outstanding items.

### ISO ACTION

We have consolidated the summaries previously provided under separate cover letters and updated them to include any changes and/or additional information as of August 31, 2018.

The information contained in the attached summaries is categorized by state. Explanations of abbreviations and meanings are contained on the first page of each summary.

Company procedural requirements have been separated into seven broad categories for information. Companies must determine how specific requirements affect their current procedures.

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## ISONET LEGISLATIVE MONITORING PRODUCT

The information summarized in your monthly Legislative Monitoring circular is also available in a searchable database via ISONet.

ISONet Legislative Monitoring provides you access to a database containing information on all laws, regulations and court cases reviewed by ISO staff since January 1995. This database includes laws, regulations and court cases reviewed which potentially impact ISO forms, loss costs and/or rules, policywriting support forms, and/or company procedures, for all lines of business serviced by ISO.

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## FUTURE ISO ACTION

We will update these summaries monthly.

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## REFERENCE(S)

[LI-CL-2018-032/LI-DL-2018-086/LI-DP-2018-064/LI-FD-2018-108/LI-HO-2018-112/LI-MT-2018-079/LI-PA-2018-195/LI-PM-2018-069/LI-WT-2018-014](#) (08/31/2018) Last Monthly Summary Update

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## ATTACHMENT(S)

- Commercial Lines Summary
- Personal Auto Summary
- Personal Property and Specialty Program Summary

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## CONTACT INFORMATION

If you have any questions concerning:

- The content of this circular, please direct your inquiry as follows:
  - ◆ Auto-related questions: [auto@verisk.com](mailto:auto@verisk.com)
  - ◆ Liability-related questions: [liability@verisk.com](mailto:liability@verisk.com)
  - ◆ Property-related questions: [property@verisk.com](mailto:property@verisk.com)
- Other issues for this circular, please contact Customer Support:  
E-mail: [info@verisk.com](mailto:info@verisk.com)  
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We distribute both state-specific and multi-state products and services. We do not distribute all the multi-state products and services for use in every jurisdiction due to corporate policy, regulatory preference, or variations or lack of clarity in state laws.

We provide participating insurers with information concerning the jurisdictions for which our products and services are distributed. Even in those jurisdictions, each insurer must determine what filing requirements, if any, apply and whether those requirements have been satisfied.

Now, as in the past, all of our products and services are advisory, and are made available for optional use by participating insurers as a matter of individual choice. Your company must decide for itself which, if any, ISO products or services are needed or useful to its operation and how those selected for use should be applied. We urge that you be guided by the advice of your attorneys on the legal requirements.

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## Commercial Lines Circular Summary

Line ID	Status	Type
ALL = All Commercial Lines	APPVD = Approved	FORM = Policy Forms
AUTO = Automobile only	DISAPV = Disapproved	LOSS COSTS = Loss Costs
CAS = Casualty only	DONE = ISO Activity Completed	NON-ISO = Procedural Item
COMB = Combination (see comments)	NO IMP = No Impact	RATE = Rates
OTHR = Other (see comments)	PEND = Filed and Pending	RULE = Rules
PROP = Property only	PREP = Filing/Policywriting Support Form in Preparation	SUPPORT = Policywriting Support Forms
	REVIEW = Under Review	
	W/DRAWN = Withdrawn	

### Major Categories of Policywriting Support Forms:

APPS = Applications
CERTS = Certificates of Insurance
CLAIMS = Claim Forms, First Report of Injury and Loss Notices
DISCL = Disclosure Forms
FRAUD = Fraud Warnings
OTHER = Other
PHN = Policyholder Notices
SELECT = Selection/Rejection/Waivers for UM/UIM, PIP
TERM = Cancellation/Nonrenewal/Changes in Policy Premium and /or Scope of Coverage Notices and Lost Policy Releases

### Major Categories of Company Procedural Requirements:

CLAIMS = Claims Handling and Reporting (Examples: reports to insureds; reports to third parties)
DISCNT = Discounts, such as “Safety” discounts
FINAN = Billing/Premium Finance
OTHER = Other
TERM = Policy Termination/Cancellation/Renewal/Nonrenewal (Examples: records maintenance; premium computation following late notice of nonrenewal)
UNWTG = Underwriting (Examples: permissible underwriting criteria; privacy/nondisclosure requirements)

An asterisk (\*) is printed in the far-left column for all **new** items. A pound sign (#) is printed in the far-left column for all items that have been updated since the last release of the circular. In addition, we have underlined the specific portion of the item that has been revised for easy identification of all changes.

**CAUTION:** This summary contains certain laws, regulations and court cases reviewed by ISO. It is intended to assist you in your advanced planning but should NOT be used as a substitute for your independent review of all laws, regulations or court decisions to determine those requirements which affect your operations. ISO makes no warranties, expressed or implied, that this is an exhaustive, all-encompassing summary of all laws, regulations, or court decisions that may have an impact on your operation.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
AK	Alaska Division of Insurance Bulletin B 17-08, dated October 20, 2017, provides, in part, the following: "New legislation, under SLA 2016, Chapter 41, Section 63, requires the director of the Division of Insurance (division) to ensure that policies providing uninsured and underinsured motorists (UM/UIM) coverage clearly state that the UM/UIM coverage provides coverage for the insured for injuries sustained as a pedestrian or bicyclist by a motor vehicle. This requirement is effective January 1, 2019. Accordingly, all auto policies that include UM/UIM coverage that incept or renew on or after January 1, 2019 must contain the required language. Note: the requirement is not solely that such coverage be provided, but that this specific coverage be clearly stated."	AUTO		Appvd	Form	<a href="#">LI-CA-2018-166</a> 07/25/2018 <a href="#">LI-CA-2018-163</a> 06/28/2018 <a href="#">LI-CA-2017-328</a> 11/15/2017	Stefanie Morisi 2676			Approved to become effective 01/01/2019.
AK	Alaska Division of Insurance Bulletin B 18-08, dated May 9, 2018, generally provides guidance related to AK HB 195. It provides, in part, that a company must disclose use of credit history at the renewal of a policy, disclose an "adverse action" and provide notice. It also provides a model reconsideration certification form, developed for insurers to comply with the requirements of AS 21.36.460 and 21.36.461 and provides that consumer credit history may now be used at renewal.	ALL		No Imp			Nathy Labatta 2904			No impact on ISO's programs.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
AL	Alabama Act No. 2018-249 (former H.B. 279) amends, in part, ALA. CODE §27-31D-1 et. seq. to provide that an owner of insurable property claiming an adjustment shall maintain the Institute for Business and Home Safety (IBHS) certification documentation, which shall be considered proof of compliance with the Fortified for Safe Living Standards (FFSLs) or Fortified Commercial Standard (FCS) requirements described in this Act. In addition, evidence of IBHS certification, as provided for in this Act, shall be presented to the insurer or potential insurer of a property owner before the adjustment becomes effective for the insurable property.	PROP	03/15/2018	Appvd	Rule	<a href="#">LI-CL-2018-012</a> 04/30/2018 <a href="#">LI-CL-2018-008</a> 03/30/2018	Michael Hamilton 2720		Other	Approved to become effective 10/01/2018.
AR	In Cross v. State Farm Mut. Auto. Ins. Co., 2018 Ark. App 98, 1 (2018), the Arkansas Court of Appeals held that the "government-owned-vehicle exclusion is void as it is contrary to the public-policy purpose behind the UM statute."	AUTO		Appvd	Form	<a href="#">LI-CA-2018-140</a> 05/17/2018 <a href="#">LI-CA-2018-092</a> 04/10/2018	Kelly Quinn 2621			Approved to become effective 11/01/2018.
AZ	2018 Ariz. Sess. Laws ____ (former H.B. 2650), effective August 31, 2019, amends ARIZ. REV. STAT. ANN. § 28-3394.01 to state, in part, "for private passenger motor vehicle liability insurance, an insurer shall consider the traffic citation equivalent to a dismissed traffic citation pursuant to Section 28-3394 except that an insurer of a commercial motor vehicle may consider the citation for underwriting and rating purposes for any policy covering the vehicle."	AUTO	08/31/2019	No Imp			Larisa Wirth-Granlund 2711		Unwtg	No impact on ISO's program.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
CA	2018 Cal. Stat. ____ (Former A.B. 1799), updates certain existing requirements with respect to standard fire policy and sets forth requirements in relation to providing of a copy of the policy after receiving a request of same from the insured after a loss.	PROP	01/01/2019	No Imp			Lori Kennedy 2813			Specifies that the copy of the policy does not have to be certified and should be the policy in effect at the time of loss. Updates requirements with respect to electronic transmission of policy.
CA	2017 Cal. Stat. ____ (Former S.B. 19), which becomes effective July 1, 2018, in part, renames "household goods carrier" as "household mover" under new Chapter 3.1, titled "Household Movers Act", as added to Division 8 of the California Business and Professions Code. The Household Movers Act includes Article 3. Accident Liability Protection providing, in part, the minimum liability insurance requirements for a "household mover".	AUTO	07/01/2018	Review	Rule	<a href="#">LI-CA-2017-300</a> 10/19/2017	Bill Coulton 2214		Other	Under Review.
CO	In <i>Tubbs v. Farmers Ins. Exch.</i> , No. 14CA0782, 2015 Colo. App. LEXIS 763 (Colo. Ct. App. May 21, 2015), the Colorado Court Of Appeals stated, in part, "Generally, the states that have found exhaustion clauses in insurance contracts to be enforceable have done so because the statute specifically allowed or required UIM [Underinsured motorists] coverage to be conditioned on exhaustion of the liable party's liability limit... Colorado's UIM statute contains no such allowance or requirement."	AUTO		Review	Form		Jennifer Bernstein 2684		Other	No changes at this time. ISO plans to continue to monitor for subsequent developments and further evaluate for future action.
CT	2018 Conn. Acts 18-158 (Former H.B. 5206), effective October 1, 2019, amends CONN. GEN. STAT. § 38a-323(a) (1), to permit insurers to provide notice of nonrenewal for personal and commercial policies by electronic means, if agreed between the insurer and the named insured.	ALL	10/01/2019	No Imp	Non-ISO		Stefanie Morisi 2676			No impact on ISO's program.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
#FL	<p>2018 Fla. Laws. Ch. ____ (former H.B. 465), in part, amends FLA. STAT. ANN. § 627.728 (5) (2018) to expand the methods for mailing cancellation and nonrenewal notices to the first-named insured to include other mailing using the Intelligent Mail barcode or other similar tracking method used or approved by the United States Postal Service.</p> <p>In addition, FLA. STAT. ANN. § 627.7015 (1) (2018) is amended to provide under the nonadversarial alternative dispute resolution procedure that, in addition to the insurer and the policyholder, a third-party, as an assignee of the policy benefits, may also request mediation of a claims dispute. However, an insurer is not required to participate in any mediation requested by this third-party assignee.</p> <p>Based on our initial review of 2018 Fla. Laws. Ch. ____ (former H.B. 465), we anticipate revising several commercial and personal lines endorsements.</p>	AUTO OTHR PROP	03/30/2018	Pend	Form	<a href="#">LI-OP-2018-003</a> 07/18/2018 <a href="#">LI-FR-2018-018</a> 07/18/2018 <a href="#">LI-CF-2018-080</a> 07/18/2018 <a href="#">LI-BP-2018-059</a> 07/18/2018 <a href="#">LI-AG-2018-003</a> 07/18/2018 <a href="#">LI-OP-2018-002</a> 05/30/2018 <a href="#">LI-FR-2018-012</a> 05/30/2018 <a href="#">LI-CF-2018-070</a> 05/30/2018 <a href="#">LI-BP-2018-043</a> 05/30/2018 <a href="#">LI-AG-2018-002</a> 05/30/2018 <a href="#">LI-OP-2018-001</a> 04/16/2018 <a href="#">LI-FR-2018-008</a> 04/16/2018 <a href="#">LI-CF-2018-052</a> 04/16/2018 <a href="#">LI-BP-2018-029</a> 04/16/2018 <a href="#">LI-AG-2018-001</a> 04/16/2018	Larisa Wirth-Granlund 2711		Unwtg	Filing submitted.



## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
GA	2018 Ga. Laws ____ (former H.B. 878), which becomes effective July 1, 2018, amends GA. CODE ANN. § 33-24-44.1 to provide, in part, "(a) An insured may request cancellation of an existing insurance policy by [...] making a request for cancellation of an insurance policy to the insurer or its duly authorized agent orally, electronically, or in writing[...].In the event of oral cancellation the insurer, shall, within 10 days provide such insured, electronically or in writing, confirmation of such requested cancellation. The insurer or its duly authorized agent may require that the insured provide written, electronic, or other recorded verification of the request for cancellation prior to such cancellation taking effect."	ALL	07/01/2018	Pend	Form	<a href="#">LI-CL-2018-022</a> 07/06/2018 <a href="#">LI-CL-2018-015</a> 05/22/2018	Jennifer Bernstein 2684		Term	Filing submitted to the Insurance Department on 06/25/2018.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
GA	2018 Ga. Laws ____ (former H.B. 760), which becomes effective July 1, 2018, amends GA. CODE. ANN § 33-24-47 to provide, in part: - "(b) A notice of termination, including a notice of cancellation or nonrenewal, by the insurer, OR a notice of an increase in premiums, other than an increase in premiums due to a change in risk or exposure, including a change in experience modification or resulting from an audit of auditable coverages, which exceeds 15 percent of the current policy's premium, [or a notice of change in any policy provision which limits or restricts coverage]..." (language in brackets removed); and - New section, "(g) An insurer shall provide a written notice of a reduction in coverage to the named insured no less than 45 days prior to the effective date of the proposed reduction in coverage; provided that such notice shall be printed in all capital letters in a separate document entitled 'NOTICE OF REDUCTION IN COVERAGE.'..."	ALL	07/01/2018	Review	Form	<a href="#">LI-CL-2018-014</a> 05/18/2018	Bill Coulton 2214			Under Review.
IA	2017 Iowa Acts ____ (former S.B. 2169), which becomes effective July 1, 2018, revises Section 1. Section 123.92, subsection 1, Code 2018 in connection with liquor liability.	COMB	07/01/2018	Appvd	Rule	<a href="#">LI-GL-2018-049</a> 06/11/2018 <a href="#">LI-BP-2018-050</a> 06/11/2018 <a href="#">LI-GL-2018-040</a> 04/25/2018 <a href="#">LI-BP-2018-030</a> 04/25/2018	Nathaniel Brown 2796			Approved to become effective 11/01/2018.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
*IL	2018 Ill. Laws ____ (Former H.B. 4472) adds the following statement to 625 ILL. COMP. STAT. 7-601 relating to required liability insurance policy: "No person shall operate a motor vehicle registered in another state upon the highways of this State unless the vehicle is covered by a liability insurance policy. The operator of the vehicle shall carry within the vehicle evidence of the insurance."	AUTO	01/01/2019	No Imp	Non-ISO		Stefanie Morisi 2676		Other	No impact on ISO's program.
#IL	83 Ill. Adm. Code 462, which went into effect on June 1, 2017, in part: - Defines an "installer" of energy efficiency measures to mean "an entity that performs installations" (with "entity" being generally defined as a natural person or corporation) and also defines "installation", in part, as "connecting...the conductors, connectors and all associated fittings, devices, or apparatuses mounted at the premises' that are directly involved in delivering energy from the premises' electrical wiring to the energy efficiency measure..." - Establishes that after January 1, 2018, all "installers", except for "self-installers", will be subject to certification. - Requires that an applicant for certification "shall have in force, and provide proof that it has in force, general liability insurance that shall remain in effect for a period of not less than one year.	COMB	06/01/2017	Done	Form	<a href="#">LI-GL-2018-046</a> 05/22/2018 <a href="#">LI-BP-2018-039</a> 05/22/2018 <a href="#">LI-GL-2017-109</a> 08/14/2017 <a href="#">LI-BP-2017-083</a> 08/14/2017	Nathaniel Brown 2796			Implemented to become effective 09/01/2018.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
*LA	Louisiana Department of Insurance Advisory Letter No. 2018-01; addresses interpretation of separate named storm or hurricane deductibles.	ALL		No Imp			Lori Kennedy 2813			No impact on ISO's program. Specifies that the copy of the policy does not have to be certified and should be the policy in effect at the time of loss. Updates requirements with respect to electronic transmission of policy. The Louisiana Department of Insurance Issued Advisory Letter No. 2018-01 on June 21, 2018 informing all property and casualty insurers how the separate named storm deductibles or hurricane deductibles are to be interpreted and applied to claims resulting from a subtropical storm which has been named by the National Hurricane Center of the National Weather Service.
*LA	LAC 37: XIII. Chapter 139, effective August 20, 2018, repeals Louisiana Regulation 99 – Certificates of Insurance to comply with 2016 La. Acts 278 which removed the commissioner of insurance from the approval process for certificates of insurance.	ALL	08/20/2018	No Imp	Non-ISO		David Rothaug 2715	Certs		No impact on ISO's program.
MD	Maryland Bulletin 12-07, dated April 27, 2012, notifies carriers of the passage of 2012 Md. Laws Ch. 120 (former H.B. 301), effective January 1, 2013, and states that former H.B. 301 “amends the fraud disclosure statement that is required to appear on every insurance application (except reinsurance applications) used in Maryland.”	COMB	01/01/2013	Pend	Form	<a href="#">LI-CL-2012-025</a> 06/21/2012	Lori Kennedy 2813		Other	Filing was returned by the Maryland Insurance Administration on 08/14/2012, and resubmitted on a monoline (i.e., EP, PF and MP) basis on 08/22/2012.
MD	In Jackson v. The Dackman Co., 30 A.3d 854 (2011), the Maryland Court of Appeals found, in part, certain provisions of The Reduction of Lead Risk in Housing Act (MD. CODE ENVIR. §§6-801, et. seq.) to be unconstitutional in that such provisions enabled property owners to immunize themselves from suit by making a "qualified offer" and limited claimants' rights to seek compensation.	CAS		Review	Form Rule	<a href="#">LI-GL-2012-148</a> 07/13/2012 <a href="#">LI-FR-2012-019</a> 07/13/2012 <a href="#">LI-BP-2012-081</a> 07/13/2012	Lori Kennedy 2813			Under Review.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
MI	The Michigan Department of Insurance and Financial Services Bulletin 2017-12-INS issued on August 24, 2017, announced that the annual adjustment of the maximum amount payable for Work Loss and Survivor's Loss Benefits under Personal Protection Insurance is \$5,541 per month, effective October 1, 2017 through September 30, 2018.	AUTO	10/01/2017	Prep	Form	<a href="#">LI-CA-2017-279</a> 09/13/2017	Gregory Nduthu 2698			Initial Drafting Stage. Under Review circular issued.
MI	In March 2018, the MCCA issued an Assessment Bulletin for the period July 1, 2018 to June 30, 2019 announcing an assessment increase for the fiscal year ending June 30, 2019 from \$170.00 to \$192.00 per written vehicle year. For commercial fleets written on a gross receipts basis or for policies in which commercial auto vehicle years cannot be identified, the rate will be 53% of the applicable commercial auto PIP written premium for the period July 1, 2018 to June 30, 2019. Based on our initial review of the 2018 MCCA Assessment Bulletin, we anticipate revising the MCCA Surcharge factor for policies in which vehicle years cannot be identified in Rule A4. Michigan Catastrophic Claims Association in the Commercial Lines Manual (CLM) to 2.409.	AUTO	07/01/2018	Appvd	Rule	<a href="#">LI-CA-2018-185</a> 08/10/2018 <a href="#">LI-CA-2018-162</a> 06/28/2018	Larisa Wirth-Granlund 2711		Unwtg	Implemented to become effective 01/01/2019. Only a CA filing, the PA record is informational only.
MI	Michigan Bulletin 2018-13, issued and entered on June 6, 2018, provides that it supersedes Bulletin 92-03 and subsequently updates statements regarding coverage disputes between no-fault insurers and health insurers in light of the Supreme Court decision in Covenant Medical Center, Inc. v. State Farm Auto Ins. Co., which found that health care providers do not have a statutory cause of action against no-fault insurers for recovery or Personal Injury Protection benefits.	AUTO		No Imp	Non-ISO		Stefanie Morisi 2676		Other	No impact on ISO's program.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
MN	In Poehler v. Cinnati Insurance Company, 899 N.W.2d 135 (2017), the Supreme Court of Minnesota examined Minnesota Statutes § 549.09 subd. 1(b) and concluded in part that, absent contractual language explicitly precluding preaward interest, an insured can recover preaward interest on an insurance appraisal award without the existence of an underlying breach of contract or actionable wrongdoing.	CAS COMB OTHR		Review			David Geller 2780			Under Review.
MO	2018 Mo. Laws ____ (former S.B. 594), amends MO. REV. STAT. § 379.321.6. (5) to provide, in part, that all policies exempt from filing shall include, at the time of policy issuance, a notice advising the policy holder that the policy may include rates or forms exempt from filing with the department. 2018 Mo. Laws ____ (former S.B. 594), also amends MO. REV. STAT. § 379.321.6.(8) to provide, in part, that an insurer renewing a policy issued with policy forms not filed with the director shall provide written notice to the first named insured and producer of record, if any, at least ten days prior to the current policy's expiration date if, after renewal, there will be a material restriction or reduction in coverage not specifically requested by the insured, required by law or based on the altered nature or extent of the risk insured. If the insurer has not so notified the policyholder, the policyholder may elect to cancel the renewal policy within thirty days of delivery of the renewal policy.	ALL	08/28/2018	No Imp			Larisa Wirth-Granlund 2711		Unwtg	No impact on ISO's program.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
MO	2018 Mo. Laws ____ (Former S.B. 708), effective July 1, 2019, revises, in part, the minimum motor vehicle financial responsibility requirements from \$10,000 to \$25,000 "... because of injury to, or destruction of, property of others in any one accident."	AUTO	07/01/2019	Review	Form Loss Cost Rule	<a href="#">LI-CA-2018-165</a> 07/17/2018	Stefanie Morisi 2676		Other	Initial Drafting Stage. Under Review circular issued.
MU	Biggert-Waters Flood Insurance Reform Act of 2012, H.R. 4348, 112th Congress, generally provides a five-year reauthorization of the National Flood Insurance Program and, in part, includes a provision for the Secretary of Homeland security to establish, by rule, a standard formula (COASTAL Formula) to determine and allocate wind and flood losses for claims involving indeterminate losses.	PROP		Review	Form	<a href="#">LI-OP-2012-062</a> 08/30/2012 <a href="#">LI-FR-2012-033</a> 08/30/2012 <a href="#">LI-CM-2012-037</a> 08/30/2012 <a href="#">LI-CF-2012-218</a> 08/30/2012 <a href="#">LI-BP-2012-205</a> 08/30/2012 <a href="#">LI-AG-2012-056</a> 08/30/2012	Joseph Ameen 2589			ISO will monitor activity related to the development of the COASTAL Formula and other requirements contained in the Act and, if warranted, will release an additional circular following reported substantive advancement by the federal government regarding the initiatives addressed in the Act.
MU	The United States District Court for the Western District of Washington, in Western Heritage Insurance Company v. Cyril Hoover DBA Okanogan Valley Transportation, et al., No. C15-1154RSM, 2016 WL 1242091 (W.D. Wash. Mar. 30, 2016), found, among other things, the language of a "Limitation to Designated Premises or Project" Endorsement to a commercial general liability policy issued to a cab service provider to not exclude coverage.	CAS		Review	Form	<a href="#">LI-BP-2016-063</a> 05/27/2016 <a href="#">LI-GL-2016-042</a> 05/12/2016 <a href="#">LI-CU-2016-048</a> 05/12/2016	Mitchel Tarter 2806	Other	Other	Under Review.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
ND	2017 N.D. Laws ____ (former H.B. 1302), which becomes effective August 1, 2017, revises N.D. CENT. CODE § 26.1-39-05 which currently provides, in part, that if the covered loss occurred within ninety days after the policy effective date the loss payable to the insured is the lesser of the full value of the policy or the actual cash value or replacement cost of the property. This law revises the 90-day period to 60 days, and revises the loss payable to the insured, during this 60-day period, to the full value of the policy or the amount paid in accordance with the policy provisions as if a partial loss occurred.	PROP	08/01/2017	Prep	Form	<a href="#">LI-CL-2017-040</a> 05/18/2017 <a href="#">LI-CL-2017-024</a> 04/07/2017	Timothy McDonnell 3877			Filing under preparation.
#NH	New Hampshire Bulletin Ins. 18-039-AB, issued July 18, 2018, withdraws the Informational Letter issued by the New Hampshire Insurance Department on December 14, 2015. Bulletin Ins. 18-039-AB further states that "walling off of books of business is not unfairly discriminatory as long as insurers permit insureds in the walled-off book of business the opportunity to move to the new rates/coverages upon request."	ALL		No Imp			Kelly Quinn 2621			No impact on ISO's program.
NH	The State of New Hampshire Insurance Department provides guidance in regard to the proper interpretation of the After-Market Parts Law, RSA 407-D.	AUTO		No Imp			Larisa Wirth-Granlund 2711		Unwtg	No impact on ISO's program.
NH	2018 N.H. Laws ____ (former H.B. 1308), effective January 1, 2019, states that any licensed insurance company authorized to transact fire or casualty business in this state shall provide 120 days' notice to its appointed agents of record in New Hampshire of the insurance company's decision to cease writing an entire line of business.	AUTO CAS COMB	01/01/2019	No Imp			David Geller 2780			No impact on ISO's program.



## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
NH	2018 N.H. Laws ____ (former S.B. 424), effective July 29, 2018, in part, amends N.H. REV. STAT. ANN. s 417-C:2 to require that all commercial lines allow ten days written notice for cancellation if cancellation is mailed within the first 60 days of the effective date of new policies.	ALL	07/29/2018	Appvd	Form	<a href="#">LI-CL-2018-030</a> 08/01/2018 <a href="#">LI-CL-2018-018</a> 06/14/2018	Nathy Labatta 2904		Unwtg	Approved to become effective 01/01/2019.
NY	The Sixth Amendment to 11 NYCRR 60-2 (Insurance Regulation No. 35-D), which becomes effective August 1, 2017 in part, provides: - Section 60-2.3 "Requirements for SUM endorsements," which includes revisions to the prescribed Supplementary Uninsured/Underinsured Motorists Endorsement; and - Section 60-2.2 "Notice about SUM coverage," which revises the requirements for a Supplementary Uninsured/Underinsured Motorists Notice.	AUTO	08/01/2017	Review	Form	<a href="#">LI-CA-2017-258</a> 08/16/2017	Bill Coulton 2214		Unwtg	Under Review. Based on our initial review of the Sixth Amendment to 11 NYCRR 60-2 (Insurance Regulation No. 35-D), we anticipate revising: - PP 04 09 01 14, Supplementary Uninsured/Underinsured Motorists Endorsement – New York - CA 31 07 10 13, New York Supplementary Uninsured/Underinsured Motorists Endorsement - IL U 004 09 03, New York Required Notice of Availability of Supplementary Uninsured/Underinsured Motorists Coverage
NY	2017 N.Y. Laws ____ (former S.B. 5644), revises, in part, N.Y. INS. LAW § 3420 (f) by adding a new paragraph 2-a which, in part, addresses Supplementary Uninsured/Underinsured Motorists coverage offer requirements. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall apply to new insurance policies and contracts issued on and after such effective date and shall expire and be deemed repealed June 30, 2020.	AUTO	06/17/2018	Review	Form Rule	<a href="#">LI-CA-2018-078</a> 03/09/2018 <a href="#">LI-CA-2018-001</a> 01/03/2018	Bill Coulton 2214			ISO action on hold.
PA	In Toner v. The Travelers Home and Marine Insurance Company, 137 A.3d 583 (2016), Superior Court of PA held that an insurer was not required to provide the Named Insured with a new waiver of stacking form when the Named Insured adds cars to a single vehicle policy.	AUTO		Review			Gregory Nduthu 2698			No changes at this time. ISO plans to continue to monitor for subsequent developments and further evaluate for future action.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
RI	2018 R.I. Pub. Laws ____ (former S.B. 2426/H.B. 7607), effective January 1, 2019, amends R.I. GEN. LAWS § 31-47.4-3. (a) to provide, in part, each insurer shall provide weekly records of each motor vehicle insurance policy to the division of motor vehicles.	AUTO	01/01/2019	No Imp			Larisa Wirth-Granlund 2711		Unwtg	No impact on ISO's program.
RI	2018 R.I. Pub. Laws ____ (Former H.B. 8013) and 2018 R.I. Pub. Laws ____ (Former S.B. 2679) revises Chapter 27-10.2 relating to aftermarket parts/OEM parts and their timeframe guidelines. In addition, the insurer may not require the repairer to use procedures that are not in compliance with OEM recommendations.	AUTO	07/04/2018	No Imp	Non-ISO		Stefanie Morisi 2676			No impact on ISO's program.
SD	The decision in Streff v. State Farm Mut. Auto. Ins. Co., 2017 S.D. 83, states, in part, that “the [circuit] court ruled that the government vehicle exclusion in the auto policy violated South Dakota public policy and was unenforceable because SDCL § 58-11-9.4 required UIM coverage in “motor vehicle liability polic[ies].” The South Dakota Supreme Court’s decision in Streff generally recognized the public policy principles provided in the underlying court’s decision and stated in part that “SDCL 58-11-9.4 manifests South Dakota’s public policy as expressed by the Legislature to give insureds the opportunity for full compensation for injuries inflicted by financially irresponsible motorists.”	AUTO		Appvd	Form	<a href="#">LI-CA-2018-079</a> 03/09/2018 <a href="#">LI-CA-2018-033</a> 01/26/2018	Stefanie Morisi 2676			Approved to become effective 10/01/2018.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
UT	<p>2018 Utah Laws ____ (former S.B. 190), effective May 8, 2018, in part, amends:</p> <ul style="list-style-type: none"> <li>- UTAH CODE ANN. §§ 31A-22-305 and 31A-22-305.3 to state that uninsured and underinsured motorists coverage "does not cover any benefit paid or payable under Title 34A, Chapter 2, Workers' Compensation Act, except that the covered person is credited an amount described in Subsection 34A-2-106(5)."</li> <li>- UTAH CODE ANN. § 31A-22-305.3 (6) to state that "[a]n underinsured motorist insurer does not have a right of reimbursement against a person liable for the damages resulting from an injury-causing occurrence if the person's liability insurer has tendered the policy limit and the limits have been accepted by the claimant."</li> </ul> <p>Based on our initial review of 2018 Utah Laws ____ (former S.B. 190), we anticipate revising various Utah Commercial Auto, Personal Auto, and Motorcycle endorsements.</p>	AUTO	05/08/2018	Appvd	Form	<a href="#">LI-CA-2018-158</a> 06/14/2018 <a href="#">LI-CA-2018-088</a> 04/06/2018	Larisa Wirth-Granlund 2711		Unwtg	Implemented to become effective 11/01/2018.
VA	<p>Virginia Adopted amendments to chapter 335 of title 14 of the Virginia Administrative Code, Rules Governing Claims-made Liability Insurance Policies (amending Rules 14VAC5-335-10 through 14VAC5-335-60 and adding new Rules 14VAC5-335-23, 14VAC5-335-27 and 14VAC5-335-45); sets forth requirements with respect to claims-made liability policies.</p>	COMB	10/01/2018	Review	Form Rule	<a href="#">LI-CL-2018-010</a> 04/06/2018	Lori Kennedy 2813			Under Review circular issued. We are reviewing Virginia Adopted amendments to chapter 335 of title 14 of the Virginia Administrative Code addressing Rules Governing Claims-made Liability Insurance Policies with respect to requirements that may have impact on various ISO commercial lines of insurance.

## Commercial Lines Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
WA	In Xia v. ProBuilders Specialty Insurance Co., No. 92436-8, 2017 WL 1532219 (Apr. 27, 2017 Wash.), the Supreme Court of Washington reversed the decision of the Washington Court of Appeals that granted summary judgment to the insurer and remanded the case for further proceedings. In this case, it was generally alleged that an exhaust vent attached to a hot water heater was improperly installed and released carbon monoxide into a home, sickening the resident. The insurer for the company that constructed the home declined to defend or indemnify its insured, based, in part, on a pollution exclusion within the policy. With respect to the facts of the case, the Supreme Court of Washington stated that the insurer "correctly identified the existence of an excluded polluting occurrence under the unambiguous language of its policy. However, it ignored the existence of a covered occurrence – negligent installation – that was the efficient proximate cause of the claimed loss. Accordingly, coverage for this loss existed under the policy, and... [the insurer's] refusal to defend its insured was in bad faith."	COMB		Appvd	Form Rule	<a href="#">LI-CL-2018-028</a> 07/27/2018 <a href="#">LI-CL-2018-027</a> 07/27/2018 <a href="#">LI-CL-2018-026</a> 07/18/2018 <a href="#">LI-CL-2018-025</a> 07/18/2018 <a href="#">LI-GL-2017-081</a> 05/25/2017 <a href="#">LI-CU-2017-025</a> 05/25/2017 <a href="#">LI-BP-2017-055</a> 05/25/2017	Christopher Spencer 2791			Approved to become effective 01/01/2019.
WI	2018 Wis. Laws ____ (former A.B. 744), effective April 5, 2018, in part, revises Section 631.36 (4) (b) to add reference to policies renewed with an affiliate in compliance with 631.39 to the exceptions to the nonrenewal statutory language found in 631.36 (4). Additionally, Section 631.39 is introduced, and provides requirements for renewals in affiliates, as referenced in 631.36 (4) (b).	ALL	04/05/2018	Appvd	Form	<a href="#">LI-CL-2018-031</a> 08/24/2018 <a href="#">LI-CL-2018-017</a> 06/05/2018 <a href="#">LI-CL-2018-011</a> 04/18/2018	Joseph Ameen 2589			Approved to become effective 11/01/2018.

## Personal Auto Circular Summary

Status		Type	
APPVD	= Approved	FORM	= Policy Forms
DISAPV	= Disapproved	LOSS COSTS	= Loss Costs
DONE	= ISO Activity Completed	NON-ISO	= Procedural Item
NO IMP	= No Impact	RATE	= Rates
PEND	= Filed and Pending	RULE	= Rules
PREP	= Filing/Policywriting Support Form in Preparation	SUPPORT	= Policywriting Support Forms
REVIEW	= Under Review		
W/DRAWN	= Withdrawn		

### Major Categories of Policywriting Support Forms:

APPS	= Applications
CERTS	= Certificates of Insurance
CLAIMS	= Claim Forms, First Report of Injury and Loss Notices
DISCL	= Disclosure Forms
FRAUD	= Fraud Warnings
OTHER	= Other
PHN	= Policyholder Notices
SELECT	= Selection/Rejection/Waivers for UM/UIM, PIP
TERM	= Cancellation/Nonrenewal/Changes in Policy Premium and /or Scope of Coverage Notices and Lost Policy Releases

### Major Categories of Company Procedural Requirements:

CLAIMS	= Claims Handling and Reporting (Examples: reports to insureds; reports to third parties)
DISCNT	= Discounts, such as "Safety" discounts
FINAN	= Billing/Premium Finance
OTHER	= Other
TERM	= Policy Termination/Cancellation/Renewal/Nonrenewal (Examples: records maintenance; premium computation following late notice of nonrenewal)
UNWTG	= Underwriting (Examples: permissible underwriting criteria; privacy/nondisclosure requirements)

An asterisk (\*) is printed in the far-left column for all **new** items. A pound sign (#) is printed in the far-left column for all items that have been updated since the last release of the circular. In addition, we have underlined the specific portion of the item that has been revised for easy identification of all changes.

**CAUTION:** This summary contains certain laws, regulations and court cases reviewed by ISO. It is intended to assist you in your advanced planning but should NOT be used as a substitute for your independent review of all laws, regulations or court decisions to determine those requirements which affect your operations. ISO makes no warranties, expressed or implied, that this is an exhaustive, all-encompassing summary of all laws, regulations, or court decisions that may have an impact on your operation.

## Personal Auto Circular Summary

State	Item Description	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
AK	Alaska Division of Insurance Bulletin B 17-08, dated October 20, 2017, provides, in part, the following: "New legislation, under SLA 2016, Chapter 41, Section 63, requires the director of the Division of Insurance (division) to ensure that policies providing uninsured and underinsured motorists (UM/UIM) coverage clearly state that the UM/UIM coverage provides coverage for the insured for injuries sustained as a pedestrian or bicyclist by a motor vehicle. This requirement is effective January 1, 2019. Accordingly, all auto policies that include UM/UIM coverage that incept or renew on or after January 1, 2019 must contain the required language. Note: the requirement is not solely that such coverage be provided, but that this specific coverage be clearly stated."		Appvd	Form	<a href="#">LI-PA-2018-178</a> 07/25/2018 <a href="#">LI-PA-2018-158</a> 06/28/2018 <a href="#">LI-PA-2017-233</a> 11/15/2017	Stefanie Morisi 2676			Approved to become effective 01/01/2019.
AR	In Cross v. State Farm Mut. Auto. Ins. Co., 2018 Ark. App 98, 1 (2018), the Arkansas Court of Appeals held that the "government-owned-vehicle exclusion is void as it is contrary to the public-policy purpose behind the UM statute."		Appvd	Form	<a href="#">LI-PA-2018-115</a> 05/17/2018 <a href="#">LI-PA-2018-089</a> 04/10/2018	Kelly Quinn 2621			Approved to become effective 11/01/2018.
AZ	2018 Ariz. Sess. Laws ____ (former H.B. 2650), effective August 31, 2019, amends ARIZ. REV. STAT. ANN. § 28-3394.01 to state, in part, "for private passenger motor vehicle liability insurance, an insurer shall consider the traffic citation equivalent to a dismissed traffic citation pursuant to Section 28-3394 except that an insurer of a commercial motor vehicle may consider the citation for underwriting and rating purposes for any policy covering the vehicle."	08/31/2019	No Imp			Larisa Wirth-Granlund 2711		Unwtg	No impact on ISO's program.
CO	In Tubbs v. Farmers Ins. Exch., No. 14CA0782, 2015 Colo. App. LEXIS 763 (Colo. Ct. App. May 21, 2015), the Colorado Court Of Appeals stated, in part, "Generally, the states that have found exhaustion clauses in insurance contracts to be enforceable have done so because the statute specifically allowed or required UIM [Underinsured motorists] coverage to be conditioned on exhaustion of the liable party's liability limit...Colorado's UIM statute contains no such allowance or requirement."		Review	Form		Jennifer Bernstein 2684		Other	No changes at this time. ISO plans to continue to monitor for subsequent developments and further evaluate for future action.

## Personal Auto Circular Summary

State	Item Description	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
CT	2018 Conn. Acts 18-158 (former H.B. 5206) amends CONN. GEN. STAT. § 38a-323a, effective October 1, 2019, to now provide that an electronic mail address shall be included in the statement designating a third party to receive notice of cancellation or nonrenewal of the policy.	10/01/2019	Review	Form	<a href="#">LI-PA-2018-179</a> 07/25/2018	Stefanie Morisi 2676	Other	Other	Under Review.
CT	2018 Conn. Acts 18-158 (Former H.B. 5206), effective October 1, 2019, amends CONN. GEN. STAT. § 38a-323(a) (1), to permit insurers to provide notice of nonrenewal for personal and commercial policies by electronic means, if agreed between the insurer and the named insured.	10/01/2019	No Imp	Non-ISO		Stefanie Morisi 2676			No impact on ISO's program.
DE	In Mark Banaszak v. Progressive Direct Ins. Co., 3 A.3d 1089 (Del. 2010), the Delaware Supreme Court held, in part, that pursuant to DEL. CODE ANN. tit. 18, § 3902, an insurer must "(1) not deliver any insurance policy without the minimum uninsured coverage, unless rejected by the insured in writing; and must (2) make a meaningful offer supplying the insured with supplemental UM/UIM coverage up to the limits of an insured's bodily injury liability insurance." The court also found that there is nothing in the statute that suggests the two offers are dependent on one another or that one is a prerequisite for the other.		Prep	Support	<a href="#">LI-PA-2011-002</a> 01/04/2011 <a href="#">LI-PA-2010-280</a> 11/19/2010	Lillian Carlson 2699	Select	Other	Status circular issued. Policywriting Support Form under development.
DE	2017 Del. Laws ____ (former House Substitute 1 for H.B. 80), effective May 1, 2018, in part, replaces existing Chapter 83 of DEL. CODE ANN. tit. 18 to regulate the use of credit information for underwriting and rating personal insurance and includes certain prohibitions in the use of credit information as well as disclosure and notice requirements. With the adoption of former House Substitute 1 for H.B. 80, current Delaware Insurance Regulation 906 is now outdated and will be repealed effective May 1, 2018.	05/01/2018	Review	Support	<a href="#">LI-PA-2018-070</a> 03/20/2018	Stefanie Morisi 2676	Other		Under Review.

## Personal Auto Circular Summary

State	Item Description	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
DE	2017 Del. Laws ____ (former S.B. 42), provides that upon an insured's request, insurers must add any licensed minor child residing with the insured or any licensed foster child place in insured's care, as an additional driver to an existing policy, which shall continue to be rated as personal auto coverage. Premium for such coverage may not be increased unless actuarially justified.	08/17/2017	No Imp			Minelva Cintron 2622		Unwtg	No impact on ISO's program.
#FL	2018 Fla. Laws. Ch. ____ (former H.B. 465), in part, amends FLA. STAT. ANN. § 627.728 (5) (2018) to expand the methods for mailing cancellation and nonrenewal notices to the first-named insured to include other mailing using the Intelligent Mail barcode or other similar tracking method used or approved by the United States Postal Service. In addition, FLA. STAT. ANN. § 627.7015 (1) (2018) is amended to provide under the nonadversarial alternative dispute resolution procedure that, in addition to the insurer and the policyholder, a third-party, as an assignee of the policy benefits, may also request mediation of a claims dispute. However, an insurer is not required to participate in any mediation requested by this third-party assignee. Based on our initial review of 2018 Fla. Laws. Ch. ____ (former H.B. 465), we anticipate revising several commercial and personal lines endorsements.	03/30/2018	Pend	Form	<a href="#">LI-PA-2018-126</a> <a href="#">05/24/2018</a> <a href="#">LI-PA-2018-091</a> <a href="#">04/16/2018</a>	Larisa Wirth-Granlund 2711		Unwtg	Filing submitted.



## Personal Auto Circular Summary

State	Item Description	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
GA	2018 Ga. Laws ____ (former H.B. 878), which becomes effective July 1, 2018, amends GA. CODE ANN. § 33-24-44.1 to provide, in part, "(a) An insured may request cancellation of an existing insurance policy by [...] making a request for cancellation of an insurance policy to the insurer or its duly authorized agent orally, electronically, or in writing[...]In the event of oral cancellation the insurer, shall, within 10 days provide such insured, electronically or in writing, confirmation of such requested cancellation. The insurer or its duly authorized agent may require that the insured provide written, electronic, or other recorded verification of the request for cancellation prior to such cancellation taking effect."	07/01/2018	Pend	Form	<a href="#">LI-PA-2018-125</a> 05/22/2018	Jennifer Bernstein 2684		Term	Filing submitted to the Insurance Department on 06/25/2018.
GA	2018 Ga. Laws ____ (former H.B. 760), which becomes effective July 1, 2018, amends GA. CODE. ANN. § 33-24-45 to provide, in part, the following new sections: - (b)(3) which provides a definition for "reduction in coverage"; and - "(f)(4) A reduction in coverage where an insurer provides a written notice of a reduction in coverage to the named insured or his or her representative no less than 30 days prior to the effective date of the proposed reduction in coverage; provided that such notice shall be printed in all capital letters in a separate document entitled 'NOTICE OF REDUCTION IN COVERAGE.'..."	07/01/2018	No Imp	Form		Bill Coulton 2214			No impact on ISO's program.
*IL	2018 Ill. Laws ____ (Former H.B. 4472) adds the following statement to 625 ILL. COMP. STAT. 7-601 relating to required liability insurance policy: "No person shall operate a motor vehicle registered in another state upon the highways of this State unless the vehicle is covered by a liability insurance policy. The operator of the vehicle shall carry within the vehicle evidence of the insurance."	01/01/2019	No Imp	Non-ISO		Stefanie Morisi 2676		Other	No impact on ISO's program.

## Personal Auto Circular Summary

State	Item Description	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
KY	806 KY. ADMIN. REGS. 20:010, has been amended to state, in part, "All notices of cancellation and nonrenewal of automobile liability insurance policies under KRS 304.20-040 shall be in writing and inform the applicant or insured of the specific reason for cancellation or nonrenewal."	05/04/2018	No Imp			Jennifer Bernstein 2684		Term	No impact on ISO's program.
*LA	LAC 37: XIII. Chapter 139, effective August 20, 2018, repeals Louisiana Regulation 99 – Certificates of Insurance to comply with 2016 La. Acts 278 which removed the commissioner of insurance from the approval process for certificates of insurance.	08/20/2018	No Imp	Non-ISO		David Rothaug 2715	Certs		No impact on ISO's program.
MI	In March 2018, the MCCA issued an Assessment Bulletin for the period July 1, 2018 to June 30, 2019 announcing an assessment increase for the fiscal year ending June 30, 2019 from \$170.00 to \$192.00 per written vehicle year. For commercial fleets written on a gross receipts basis or for policies in which commercial auto vehicle years cannot be identified, the rate will be 53% of the applicable commercial auto PIP written premium for the period July 1, 2018 to June 30, 2019. Based on our initial review of the 2018 MCCA Assessment Bulletin, we anticipate revising the MCCA Surcharge factor for policies in which vehicle years cannot be identified in Rule A4. Michigan Catastrophic Claims Association in the Commercial Lines Manual (CLM) to 2.409.	07/01/2018	Appvd	Rule		Larisa Wirth-Granlund 2711		Unwtg	Implemented to become effective 01/01/2019. Only a CA filing, the PA record is informational only.
MI	Michigan Bulletin 2018-13, issued and entered on June 6, 2018, provides that it supersedes Bulletin 92-03 and subsequently updates statements regarding coverage disputes between no-fault insurers and health insurers in light of the Supreme Court decision in Covenant Medical Center, Inc. v. State Farm Auto Ins. Co., which found that health care providers do not have a statutory cause of action against no-fault insurers for recovery or Personal Injury Protection benefits.		No Imp	Non-ISO		Stefanie Morisi 2676		Other	No impact on ISO's program.

## Personal Auto Circular Summary

State	Item Description	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
MI	The Michigan Department of Insurance and Financial Services Bulletin 2017-12-INS issued on August 24, 2017, announced that the annual adjustment of the maximum amount payable for Work Loss and Survivor's Loss Benefits under Personal Protection Insurance is \$5,541 per month, effective October 1, 2017 through September 30, 2018.	10/01/2017	Prep	Form	<a href="#">LI-PA-2017-166</a> 09/13/2017	Gregory Nduthu 2698			Initial Drafting Stage. Under Review circular issued.
MO	2018 Mo. Laws ____ (Former S.B. 708), effective July 1, 2019, revises, in part, the minimum motor vehicle financial responsibility requirements from \$10,000 to \$25,000 "... because of injury to, or destruction of, property of others in any one accident."	07/01/2019	Review	Form Loss Cost Rule	<a href="#">LI-PA-2018-171</a> 07/17/2018	Stefanie Morisi 2676		Other	Initial Drafting Stage. Under Review circular issued.
#NH	New Hampshire Bulletin Ins. 18-039-AB, issued July 18, 2018, withdraws the Informational Letter issued by the New Hampshire Insurance Department on December 14, 2015. Bulletin Ins. 18-039-AB further states that "walling off of books of business is not unfairly discriminatory as long as insurers permit insureds in the walled-off book of business the opportunity to move to the new rates/coverages upon request."		No Imp			Kelly Quinn 2621			No impact on ISO's program.
NH	The State of New Hampshire Insurance Department provides guidance in regard to the proper interpretation of the After-Market Parts Law, RSA 407-D.		No Imp			Larisa Wirth-Granlund 2711		Unwtg	No impact on ISO's program.
NJ	2016 N.J. Laws 35 (former S.B. 1155), in part, amends N.J. REV. STAT. 39:1-1, in part, to introduce a definition of autocycle and to revise the definition of motorcycle to include autocycles. N.J. REV. STAT. 39:3-10.34 is also amended to provide, in part, that an owner or registered owner of an autocycle registered or principally garaged in this State shall maintain motor vehicle liability insurance coverage, personal injury protection coverage, and uninsured motorist coverage.	08/31/2016	Review			Jennifer Bernstein 2684		Other	Undergoing analysis.

## Personal Auto Circular Summary

State	Item Description	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
#NY	2018 N.Y. Laws ____ (former S.B. 7288) amends N.Y. INS. LAWS § 3420(f)(2-a) regarding Supplementary Uninsured/Underinsured Motorists coverage to generally provide, in part, that this section, applicable to new policies entered into or after the effective date of June 16, 2018, removes the Commercial risk insurance applicability and applies to the first named insured.	06/16/2018	<u>Appvd</u>	Form Rule	<a href="#">LI-PA-2018-189</a> 08/06/2018 <a href="#">LI-PA-2018-149</a> 06/19/2018 <a href="#">LI-PA-2018-113</a> 05/16/2018	Stefanie Morisi 2676		Other	<u>Approved to become effective 01/01/2019.</u>
NY	2017 N.Y. Laws ____ (former S.B. 5644), revises, in part, N.Y. INS. LAW § 3420 (f) by adding a new paragraph 2-a which, in part, addresses Supplementary Uninsured/Underinsured Motorists coverage offer requirements. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall apply to new insurance policies and contracts issued on and after such effective date and shall expire and be deemed repealed June 30, 2020.	06/17/2018	Review	Form Rule	<a href="#">LI-PA-2018-060</a> 03/09/2018 <a href="#">LI-PA-2018-001</a> 01/03/2018	Bill Coulton 2214			ISO action on hold.
OR	Oregon Division of Financial Regulation Bulletin DFR 2018-03, dated April 16, 2018, states, in part: “Auto insurers that have rating plans which rate using the sex or gender of the insured are required to accommodate consumers who designate their sex as not-specified. Rating plans, rating systems and applications that do not allow applicants who designate their sex or gender as not-specified to obtain coverage from an insurer will be considered unfairly discriminatory on the basis of sex [...] Insurers that currently have filed auto insurance plans that use sex or gender as a rating factor must also file rates for consumers who choose the "not-specified" gender. Rate and form filings should be made to be effective for policies issued or renewed after January 1, 2019.” Based on our initial review of Oregon Division of Financial Regulation Bulletin DFR 2018-03, we anticipate revising the Oregon Personal Vehicle Manual Class Plan Pages		<u>Appvd</u>	Rule	<a href="#">LI-PA-2018-148</a> 06/15/2018 <a href="#">LI-PA-2018-106</a> 05/07/2018	Larisa Wirth-Granlund 2711		Unwtg	Implemented to become effective 01/01/2019.

## Personal Auto Circular Summary

State	Item Description	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
PA	In Toner v. The Travelers Home and Marine Insurance Company, 137 A.3d 583 (2016), Superior Court of PA held that an insurer was not required to provide the Named Insured with a new waiver of stacking form when the Named Insured adds cars to a single vehicle policy.		Review			Gregory Nduthu 2698			No changes at this time. ISO plans to continue to monitor for subsequent developments and further evaluate for future action.
PR	Puerto Rico Office of the Commissioner of Insurance Ruling Letter No.: CN-2016-206-AP dated 11/07/2016 advises insurers of the Commissioner of Insurance's position to "clarify the standard that governs arbitration clauses for all insurance policies issued in Puerto Rico."		Review	Form	<a href="#">LI-PA-2016-350</a> 12/21/2016	Minelva Cintron 2622		Claims	Undergoing initial analysis. Under Review circular issued.
RI	2018 R.I. Pub. Laws ____ (former S.B. 2426/H.B. 7607), effective January 1, 2019, amends R.I. GEN. LAWS § 31-47.4-3. (a) to provide, in part, each insurer shall provide weekly records of each motor vehicle insurance policy to the division of motor vehicles.	01/01/2019	No Imp			Larisa Wirth-Granlund 2711		Unwtg	No impact on ISO's program.
RI	2018 R.I. Pub. Laws ____ (Former H.B. 8013) and 2018 R.I. Pub. Laws ____ (Former S.B. 2679) revises Chapter 27-10.2 relating to aftermarket parts/OEM parts and their timeframe guidelines. In addition, the insurer may not require the repairer to use procedures that are not in compliance with OEM recommendations.	07/04/2018	No Imp	Non-ISO		Stefanie Morisi 2676			No impact on ISO's program.
SD	The decision in Streff v. State Farm Mut. Auto. Ins. Co., 2017 S.D. 83, states, in part, that "the [circuit] court ruled that the government vehicle exclusion in the auto policy violated South Dakota public policy and was unenforceable because SDCL § 58-11-9.4 required UIM coverage in "motor vehicle liability polic[ies]." The South Dakota Supreme Court's decision in Streff generally recognized the public policy principles provided in the underlying court's decision and stated in part that "SDCL 58-11-9.4 manifests South Dakota's public policy as expressed by the Legislature to give insureds the opportunity for full compensation for injuries inflicted by financially irresponsible motorists."		Appvd	Form	<a href="#">LI-PA-2018-076</a> 03/30/2018 <a href="#">LI-PA-2018-075</a> 03/30/2018 <a href="#">LI-PA-2018-019</a> 01/26/2018	Stefanie Morisi 2676			Approved to become effective 10/01/2018.

## Personal Auto Circular Summary

State	Item Description	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
TN	Martin v. Powers, 505 S.W.3d 512 (Tenn. 2016); the Tennessee Supreme Court found, when evaluating the term "self-insurer" under uninsured motorists coverage, that the policy's failure to define "self-insurer" and its broad reference to "any applicable motor vehicle" rendered the provision both vague and indefinite and held that the provision at issue was ambiguous.		Prep	Form	<a href="#">LI-PA-2017-056</a> 04/03/2017	Minelva Cintron 2622			Filing under preparation.
UT	2018 Utah Laws ____ (former S.B. 190), effective May 8, 2018, in part, amends: - UTAH CODE ANN. §§ 31A-22-305 and 31A-22-305.3 to state that uninsured and underinsured motorists coverage "does not cover any benefit paid or payable under Title 34A, Chapter 2, Workers' Compensation Act, except that the covered person is credited an amount described in Subsection 34A-2-106(5)." - UTAH CODE ANN. § 31A-22-305.3 (6) to state that "[a]n underinsured motorist insurer does not have a right of reimbursement against a person liable for the damages resulting from an injury-causing occurrence if the person's liability insurer has tendered the policy limit and the limits have been accepted by the claimant." Based on our initial review of 2018 Utah Laws ____ (former S.B. 190), we anticipate revising various Utah Commercial Auto, Personal Auto, and Motorcycle endorsements.	05/08/2018	Appvd	Form	<a href="#">LI-PA-2018-144</a> 06/14/2018 <a href="#">LI-PA-2018-083</a> 04/06/2018	Larisa Wirth-Granlund 2711		Unwtg	Implemented to become effective 11/01/2018.

## Personal Property and Specialty Programs Circular Summary

Status		Type	Classification
APPVD	= Approved	FORM = Policy Forms	HO = Homeowners only
DISAPV	= Disapproved	LOSS COSTS = Loss costs	DP = Dwelling Property only
DONE	= ISO Activity Completed	NON-ISO = Procedural Item	COMB = Combination (see comments)
NO IMP	= No Impact	RATE = Rates	PIM = Personal Inland Marine only
PEND	= Filed and Pending	RULE = Rules	ALL = All Personal Property Lines and Specialty Programs
PREP	= Filing/Policywriting Support Form in Preparation	SUPPORT = Policywriting Support Forms	DL = Personal Liability, Personal Insurance Coverage, and Personal Liability and Theft
REVIEW	= Under Review		WT = Watercraft
W/DRAWN	= Withdrawn.		MT = Motorcycle

### Major Categories of Policywriting Support Forms:

APPS	= Applications
CERTS	= Certificates of Insurance
CLAIMS	= Claim Forms, First Report of Injury and Loss Notices
DISCL	= Disclosure Forms
FRAUD	= Fraud Warnings
OTHER	= Other
PHN	= Policyholder Notices
SELECT	= Selection/Rejection/Waivers for UM/UIM, PIP
TERM	= Cancellation/Nonrenewal/Changes in Policy Premium and /or Scope of Coverage Notices and Lost Policy Releases

### Major Categories of Company Procedural Requirements:

CLAIMS	= Claims Handling and Reporting (Examples: reports to insureds; reports to third parties)
DISCNT	= Discounts, such as "Safety" discounts
FINAN	= Billing/Premium Finance
OTHER	= Other
TERM	= Policy Termination/Cancellation/Renewal/Nonrenewal (Examples: records maintenance; premium computation following late notice of nonrenewal)
UNWTG	= Underwriting (Examples: permissible underwriting criteria; privacy/nondisclosure requirements)

An asterisk (\*) is printed in the far-left column for all **new** items. A pound sign (#) is printed in the far-left column for all items that have been updated since the last release of the circular. In addition, we have underlined the specific portion of the item that has been revised for easy identification of all changes.

**CAUTION:** This summary contains certain laws, regulations and court cases reviewed by ISO. It is intended to assist you in your advanced planning but should NOT be used as a substitute for your independent review of all laws, regulations or court decisions to determine those requirements which affect your operations. ISO makes no warranties, expressed or implied, that this is an exhaustive, all-encompassing summary of all laws, regulations, or court decisions that may have an impact on your operation.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
AK	Alaska Division of Insurance Bulletin B 17-08, dated October 20, 2017, provides, in part, the following: "New legislation, under SLA 2016, Chapter 41, Section 63, requires the director of the Division of Insurance (division) to ensure that policies providing uninsured and underinsured motorists (UM/UIM) coverage clearly state that the UM/UIM coverage provides coverage for the insured for injuries sustained as a pedestrian or bicyclist by a motor vehicle. This requirement is effective January 1, 2019. Accordingly, all auto policies that include UM/UIM coverage that incept or renew on or after January 1, 2019 must contain the required language. Note: the requirement is not solely that such coverage be provided, but that this specific coverage be clearly stated."	MT		Appvd	Form	<a href="#">LI-MT-2018-069</a> 07/25/2018 <a href="#">LI-MT-2018-063</a> 06/28/2018 <a href="#">LI-MT-2017-095</a> 11/15/2017	Stefanie Morisi 2676			Approved to become effective 01/01/2019.
AL	Alabama Act No. 2018-249 (former H.B. 279) amends, in part, ALA. CODE §27-31D-1 et. seq. to provide that an owner of insurable property claiming an adjustment shall maintain the Institute for Business and Home Safety (IBHS) certification documentation, which shall be considered proof of compliance with the Fortified for Safe Living Standards (FFSLS) or Fortified Commercial Standard (FCS) requirements described in this Act. In addition, evidence of IBHS certification, as provided for in this Act, shall be presented to the insurer or potential insurer of a property owner before the adjustment becomes effective for the insurable property.	DP HO	03/15/2018	Appvd	Rule	<a href="#">LI-HO-2018-046</a> 04/30/2018 <a href="#">LI-DP-2018-038</a> 04/30/2018 <a href="#">LI-HO-2018-034</a> 03/30/2018 <a href="#">LI-DP-2018-029</a> 03/30/2018	Michael Hamilton 2720		Other	Approved to become effective 10/01/2018.
AR	In Cross v. State Farm Mut. Auto. Ins. Co., 2018 Ark. App 98, 1 (2018), the Arkansas Court of Appeals held that the "government-owned-vehicle exclusion is void as it is contrary to the public-policy purpose behind the UM statute."	DL MT		Appvd	Form	<a href="#">LI-MT-2018-049</a> 05/17/2018 <a href="#">LI-DL-2018-034</a> 05/17/2018 <a href="#">LI-MT-2018-038</a> 04/10/2018 <a href="#">LI-DL-2018-031</a> 04/10/2018	Kelly Quinn 2621			Approved to become effective 11/01/2018.



## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
AZ	2018 Ariz. Sess. Laws ____ (former H.B. 2650), effective August 31, 2019, amends ARIZ. REV. STAT. ANN. § 28-3394.01 to state, in part, "for private passenger motor vehicle liability insurance, an insurer shall consider the traffic citation equivalent to a dismissed traffic citation pursuant to Section 28-3394 except that an insurer of a commercial motor vehicle may consider the citation for underwriting and rating purposes for any policy covering the vehicle."	MT	08/31/2019	No Imp			Larisa Wirth-Granlund 2711		Unwtg	No impact on ISO's program.
CA	2018 Cal. Stat. 75 (former A.B. 2229), revises CAL INS. CODE § 10102 to require that the Residential Property Insurance Disclosure form provided on or after January 1, 2020 to include any fire safety-related discounts offered by the insurer.	DP HO	01/01/2019	No Imp	Non-ISO		Michael Hamilton 2720		Other	No impact on ISO's program.
CT	Connecticut PUBLIC ACT # 18-160, effective January 1, 2019, provides that a surcharge of \$12 on the named insured should be applied to homeowner's policies for personal risk insurance policies on condominiums or residential dwellings with four or fewer units. This charge is not a premium - instead it is an assessment for creating a Healthy Homes fund which this bill is establishing. 85% of the surcharges collected, after subtracting an amount to cover the cost of an employee to facilitate collection, will be deposited into the Crumbling Foundations Assistance Fund to assist homeowners whose concrete foundations have been damaged by the presence of pyrrhotite.	HO	01/01/2019	No Imp	Non-ISO		Daniel Holt 2557		Other	No impact on ISO's program.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
CT	2018 Conn. Acts 18-158 (former H.B. 5206) amends CONN. GEN. STAT. § 38a-323a, effective October 1, 2019, to now provide that an electronic mail address shall be included in the statement designating a third party to receive notice of cancellation or nonrenewal of the policy.	HO MT	10/01/2019	Review	Form	<a href="#">LI-MT-2018-070</a> 07/25/2018 <a href="#">LI-HO-2018-094</a> 07/25/2018	Stefanie Morisi 2676	Other	Other	Under Review.
CT	2018 Conn. Acts 18-158 (Former H.B. 5206), effective October 1, 2019, amends CONN. GEN. STAT. § 38a-323(a) (1), to permit insurers to provide notice of nonrenewal for personal and commercial policies by electronic means, if agreed between the insurer and the named insured.	ALL	10/01/2019	No Imp	Non-ISO		Stefanie Morisi 2676			No impact on ISO's program.
CT	2017 Conn. Acts 17-198 (former H.B. 7183), in part, revised CONN. GEN. STAT. § 38a-323 to provide notice requirements for an insurer which intends to renew any policy under terms or conditions less favorable to the insured than provided under the existing policy	DL DP HO PIM	01/01/2019	Appvd	Form	<a href="#">LI-PM-2018-044</a> 07/18/2018 <a href="#">LI-HO-2018-091</a> 07/18/2018 <a href="#">LI-FD-2018-077</a> 07/18/2018 <a href="#">LI-DP-2018-056</a> 07/18/2018 <a href="#">LI-DL-2018-044</a> 07/18/2018	David Geller 2780			Approved to become effective 01/01/2019.
DE	2017 Del. Laws ____ (former S.B. 42), provides that upon an insured's request, insurers must add any licensed minor child residing with the insured or any licensed foster child place in insured's care, as an additional driver to an existing policy, which shall continue to be rated as personal auto coverage. Premium for such coverage may not be increased unless actuarially justified.	MT	08/17/2017	No Imp			Minelva Cintron 2622		Unwtg	No impact on ISO's program.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
DE	2017 Del. Laws ____ (former House Substitute 1 for H.B. 80), effective May 1, 2018, in part, replaces existing Chapter 83 of DEL. CODE ANN. tit. 18 to regulate the use of credit information for underwriting and rating personal insurance and includes certain prohibitions in the use of credit information as well as disclosure and notice requirements. With the adoption of former House Substitute 1 for H.B. 80, current Delaware Insurance Regulation 906 is now outdated and will be repealed effective May 1, 2018.	DP HO MT WT	05/01/2018	Review	Support	<a href="#">LI-WT-2018-004</a> 03/20/2018 <a href="#">LI-MT-2018-031</a> 03/20/2018 <a href="#">LI-HO-2018-029</a> 03/20/2018 <a href="#">LI-DP-2018-026</a> 03/20/2018	Stefanie Morisi 2676	Other		Under Review.
FL	2018 Fla. Laws Ch. ____ (former H.B. 1011), which becomes effective January 1, 2019, revises FLA. STAT. ANN. § 627.7011 to, in part, modify the required statement concerning law and ordinance coverage and flood insurance that must be included with all homeowners insurance policies and to require that an insurer that issues a homeowners insurance policy must include this statement with the policy documents at initial issuance and every renewal.	HO	01/01/2019	Appvd	Form Rule	<a href="#">LI-HO-2018-069</a> 06/15/2018 <a href="#">LI-HO-2018-068</a> 06/15/2018 <a href="#">LI-HO-2018-052</a> 05/18/2018 <a href="#">LI-HO-2018-051</a> 05/18/2018 <a href="#">LI-HO-2018-037</a> 04/02/2018	Judeth McLaren 2721	Discl		Filing approved to become effective 01/01/2019.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
#FL	<p>2018 Fla. Laws. Ch. ____ (former H.B. 465), in part, amends FLA. STAT. ANN. § 627.728 (5) (2018) to expand the methods for mailing cancellation and nonrenewal notices to the first-named insured to include other mailing using the Intelligent Mail barcode or other similar tracking method used or approved by the United States Postal Service.</p> <p>In addition, FLA. STAT. ANN. § 627.7015 (1) (2018) is amended to provide under the nonadversarial alternative dispute resolution procedure that, in addition to the insurer and the policyholder, a third-party, as an assignee of the policy benefits, may also request mediation of a claims dispute. However, an insurer is not required to participate in any mediation requested by this third-party assignee. Based on our initial review of 2018 Fla. Laws. Ch. ____ (former H.B. 465), we anticipate revising several commercial and personal lines endorsements.</p>	DP HO PIM	03/30/2018	Pend	Form	<a href="#">LI-PM-2018-070</a> 09/06/2018 <a href="#">LI-HO-2018-115</a> 09/06/2018 <a href="#">LI-DP-2018-065</a> 09/06/2018 <a href="#">LI-PM-2018-049</a> 07/27/2018 <a href="#">LI-HO-2018-097</a> 07/27/2018 <a href="#">LI-DP-2018-058</a> 07/27/2018 <a href="#">LI-PM-2018-024</a> 05/29/2018 <a href="#">LI-HO-2018-059</a> 05/29/2018 <a href="#">LI-DP-2018-043</a> 05/29/2018 <a href="#">LI-PM-2018-010</a> 04/16/2018 <a href="#">LI-HO-2018-043</a> 04/16/2018 <a href="#">LI-DP-2018-034</a> 04/16/2018	Larisa Wirth-Granlund 2711		Unwtg	Filing submitted.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
GA	2018 Ga. Laws ____ (former H.B. 878), which becomes effective July 1, 2018, amends GA. CODE ANN. § 33-24-44.1 to provide, in part, "(a) An insured may request cancellation of an existing insurance policy by [...] making a request for cancellation of an insurance policy to the insurer or its duly authorized agent orally, electronically, or in writing[...]. In the event of oral cancellation the insurer, shall, within 10 days provide such insured, electronically or in writing, confirmation of such requested cancellation. The insurer or its duly authorized agent may require that the insured provide written, electronic, or other recorded verification of the request for cancellation prior to such cancellation taking effect."	ALL	07/01/2018	Pend	Form	<a href="#">LI-WT-2018-010</a> 07/06/2018 <a href="#">LI-PM-2018-040</a> 07/06/2018 <a href="#">LI-MT-2018-066</a> 07/06/2018 <a href="#">LI-HO-2018-085</a> 07/06/2018 <a href="#">LI-DP-2018-051</a> 07/06/2018 <a href="#">LI-DL-2018-043</a> 07/06/2018 <a href="#">LI-DL-2018-042</a> 07/06/2018 <a href="#">LI-PM-2018-020</a> 05/22/2018 <a href="#">LI-MT-2018-051</a> 05/22/2018 <a href="#">LI-HO-2018-057</a> 05/22/2018 <a href="#">LI-DP-2018-041</a> 05/22/2018 <a href="#">LI-DL-2018-037</a> 05/22/2018	Jennifer Bernstein 2684		Term	Filing submitted to the Insurance Department on 06/25/2018.
GA	2018 Ga. Laws ____ (former H.B. 760), which becomes effective July 1, 2018, amends GA. CODE. ANN § 33-24-46 to provide, in part: - "(b)(2) 'Nonrenewal' or 'nonrenewed' means a refusal by an insurer or an affiliate of an insurer to renew. Failure of an insured to pay the premium as required of the insured for renewal, A CHANGE IN POLICY TERMS, OR A REDUCTION IN COVERAGE..." (emphasis supplied); - New section, (b)(5) which provides a definition for "reduction in coverage"; and - New section, "(d)(2) An insurer shall provide a written notice of a reduction in coverage to the named insured no less than 30 days prior to the effective date of the proposed reduction in coverage; provided that such notice shall be printed in all capital letters in a separate document entitled 'NOTICE OF REDUCTION IN COVERAGE.'..."	DP HO	07/01/2018	Review	Form		Bill Coulton 2214			Under Review.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
*IL	2018 Ill. Laws ____ (Former H.B. 4472) adds the following statement to 625 ILL. COMP. STAT. 7-601 relating to required liability insurance policy: "No person shall operate a motor vehicle registered in another state upon the highways of this State unless the vehicle is covered by a liability insurance policy. The operator of the vehicle shall carry within the vehicle evidence of the insurance."	MT	01/01/2019	No Imp	Non-ISO		Stefanie Morisi 2676		Other	No impact on ISO's program.
*LA	Louisiana Department of Insurance Advisory Letter No. 2018-01; addresses interpretation of separate named storm or hurricane deductibles.	ALL		No Imp			Lori Kennedy 2813			No impact on ISO's program. Specifies that the copy of the policy does not have to be certified and should be the policy in effect at the time of loss. Updates requirements with respect to electronic transmission of policy. The Louisiana Department of Insurance Issued Advisory Letter No. 2018-01 on June 21, 2018 informing all property and casualty insurers how the separate named storm deductibles or hurricane deductibles are to be interpreted and applied to claims resulting from a subtropical storm which has been named by the National Hurricane Center of the National Weather Service.
*LA	LAC 37: XIII. Chapter 139, effective August 20, 2018, repeals Louisiana Regulation 99 – Certificates of Insurance to comply with 2016 La. Acts 278 which removed the commissioner of insurance from the approval process for certificates of insurance.	ALL	08/20/2018	No Imp	Non-ISO		David Rothaug 2715	Certs		No impact on ISO's program.
LA	Louisiana letter regarding Notice of Withdrawal of Approval of policy forms with respect to UM coverage under ISO's PA program which contain a Public or Livery Conveyance exclusion and the Department's position that such exclusions purporting to narrow or exclude statutorily mandated UM coverage for insured persons violates Louisiana law and public policy and are unenforceable under Louisiana Law.	MT		Pend	Form	<a href="#">LI-MT-2016-001</a> 01/06/2016	Minelva Cintron 2622			Filed circular issued.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
*MA	2018 Mass. Acts 219 (former S.B. 2646), effective November 7, 2018, requires, in part, that an insurance company offering homeowners insurance coverage or renters insurance coverage that issues a policy or contract insuring against liability for injury to a person or injury to or destruction of property arising out of the ownership or lease of residential property shall, for any claim involving a dog-related incident, record circumstances relating to the incident.	DL DP HO	11/07/2018	No Imp	Non-ISO		David Rothaug 2715		Claims	No impact on ISO's program.
MD	Maryland Bulletin 18-10 is a reminder, to companies and producers, of regulatory requirements relating to offers of coverage for water back-up in light of complaints received following recent flooding in the state.  Currently, COMAR 31.08.14, Coverage for Loss Caused by Water That Backs Up Through Sewers or Drains applies to homeowner's insurance and requires insurers to offer policyholders the option to purchase water damage coverage up to the full policy limits of liability for dwelling coverage, other structure coverage, personal property coverage, and loss of use coverage.	HO	06/12/2018	No Imp	Non-ISO		Michael Hamilton 2720		Other	No impact on ISO's program.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
MI	<p>Michigan Bulletin 2018-17-INS states, in part, that the dollar amount of the three-year claim history to be used for nonrenewal of a home insurance policy, pursuant to Section 2117(2)(e), MCL 500.2117(2)(e), is being revised by the Director of the Department of Insurance and Financial Services, pursuant to Section 2117(5).</p> <p>As of January 1, 2018, the new minimum dollar amount under MCL 500.2117 for three paid claims within the immediately preceding three years totaling \$3,700 or more, exclusive of weather-related claims, is \$4,000.</p> <p>As of January 1, 2018, the new minimum dollar amount under MCL 500.2117 for three paid claims within the immediately preceding three years totaling \$5,000 or more, including weather-related claims, is \$5,300. This bulletin supersedes Bulletin 2012-08-INS, dated May 22, 2012.</p>	DL DP HO	07/02/2018	No Imp	Non-ISO		Joseph Ameen 2589		Unwtg	No impact on ISO's program.
MN	2018 Minn. Laws ____ (former H.B. 2899), effective August 1, 2018, in part, requires that an adjuster or insurer provide written notification, in the initial estimate relating to the claim, that residential contractors providing home repairs or improvement services paid by an insured from the proceeds of a property or casualty insurance policy shall not pay or commit to pay the insured's deductible or offer to compensate the insured as an inducement to the insured to hire a contractor; and, that if the contractor is in violation, the insurer is not obligated to consider the estimate prepared by the contractor.	HO	08/01/2018	No Imp	Non-ISO		Loni Labatta 3586		Unwtg	No impact on ISO's program.



## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
MN	In <i>Poehler v. Cincinnati Insurance Company</i> , 899 N.W.2d 135 (2017), the Supreme Court of Minnesota examined Minnesota Statutes § 549.09 subd. 1(b) and concluded in part that, absent contractual language explicitly precluding preaward interest, an insured can recover preaward interest on an insurance appraisal award without the existence of an underlying breach of contract or actionable wrongdoing.	COMB DP HO		Review			David Geller 2780			Under Review.
MO	The Missouri Department of Insurance is concerned with how some insurers may be applying the phrase "applicable sales tax" when addressing payment of loss with respect to physical damage coverage in light of MO. REV. STAT. § 144.027 addressing, in part, sales tax credit.	MT		Pend	Form	<a href="#">LI-MT-2015-163</a> 10/26/2015	Minelva Cintron 2622			Filing submitted on 11/18/2015. Implementation pending.
MO	2018 Mo. Laws ____ (Former S.B. 708), effective July 1, 2019, revises, in part, the minimum motor vehicle financial responsibility requirements from \$10,000 to \$25,000 "... because of injury to, or destruction of, property of others in any one accident."	MT	07/01/2019	Review	Form Loss Cost Rule	<a href="#">LI-MT-2018-068</a> 07/17/2018	Stefanie Morisi 2676		Other	Initial Drafting Stage. Under Review circular issued.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
MS	<p>2018 Mississippi Laws (Former S.B. 2465) expands mandatory windstorm mitigation premium discounts to any county located in the state of Mississippi. Based on previous legislation, enacted in 2012, windstorm mitigation credits were introduced for the following five (5) counties: Harrison, Hancock, Jackson, Stone, and Pearl.</p> <p>"Not later than July 1, 2019, insurance companies shall provide a premium discount or insurance rate reduction in an amount and manner as established in subsection (5) of this section and according to Section 83-75-5. In addition, insurance companies may also offer additional adjustments in deductible, other credit rate differentials, or a combination thereof, collectively referred to as adjustments. These adjustments shall be available under the terms specified in this section to any owner who builds or locates a new insurable property to resist loss due to tornado or other catastrophic windstorm events in any county located in the State of Mississippi."</p>	DP HO	07/01/2018	Prep	Rate		Daniel Holt 2557		Unwtg	Filing under preparation.
MU	Biggert-Waters Flood Insurance Reform Act of 2012, H.R. 4348, 112th Congress, generally provides a five-year reauthorization of the National Flood Insurance Program and, in part, includes a provision for the Secretary of Homeland security to establish, by rule, a standard formula (COASTAL Formula) to determine and allocate wind and flood losses for claims involving indeterminate losses.	DP HO PIM		Review	Form	<a href="#">LI-PM-2012-098</a> 08/30/2012 <a href="#">LI-HO-2012-236</a> 08/30/2012 <a href="#">LI-DP-2012-125</a> 08/30/2012	Joseph Ameen 2589			ISO will monitor activity related to the development of the COASTAL Formula and other requirements contained in the Act and, if warranted, will release an additional circular following reported substantive advancement by the federal government regarding initiatives addressed in the Act.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
#NH	<u>New Hampshire Bulletin Ins. 18-039-AB, issued July 18, 2018, withdraws the Informational Letter issued by the New Hampshire Insurance Department on December 14, 2015. Bulletin Ins. 18-039-AB further states that "walling off of books of business is not unfairly discriminatory as long as insurers permit insureds in the walled-off book of business the opportunity to move to the new rates/coverages upon request."</u>	ALL		No Imp			Kelly Quinn 2621			No impact on ISO's program.
NH	The State of New Hampshire Insurance Department provides guidance in regard to the proper interpretation of the After-Market Parts Law, RSA 407-D.	MT		No Imp			Larisa Wirth-Granlund 2711		Unwtg	No impact on ISO's program.
NH	2018 N.H. Laws ____ (former H.B. 1308), effective January 1, 2019, states that any licensed insurance company authorized to transact fire or casualty business in this state shall provide 120 days' notice to its appointed agents of record in New Hampshire of the insurance company's decision to cease writing an entire line of business.	COMB	01/01/2019	No Imp			David Geller 2780			No impact on ISO's program.
NJ	2016 N.J. Laws 35 (former S.B. 1155), in part, amends N.J. REV. STAT. 39:1-1, in part, to introduce a definition of autocycle and to revise the definition of motorcycle to include autocycles. N.J. REV. STAT. 39:3-10.34 is also amended to provide, in part, that an owner or registered owner of an autocycle registered or principally garaged in this State shall maintain motor vehicle liability insurance coverage, personal injury protection coverage, and uninsured motorist coverage.	MT	08/31/2016	Review			Jennifer Bernstein 2684		Other	Undergoing analysis.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
PA	In Toner v. The Travelers Home and Marine Insurance Company, 137 A.3d 583 (2016), Superior Court of PA held that an insurer was not required to provide the Named Insured with a new waiver of stacking form when the Named Insured adds cars to a single vehicle policy.	MT		Review			Gregory Nduthu 2698			No changes at this time. ISO plans to continue to monitor for subsequent developments and further evaluate for future action.
PR	Puerto Rico Office of the Commissioner of Insurance Ruling Letter No.: CN-2016-206-AP dated 11/07/2016, advises insurers of the Commissioner of Insurance's position to "clarify the standard that governs arbitration clauses for all insurance policies issued in Puerto Rico."	WT		Review	Form Rule	<a href="#">LI-WT-2016-021</a> 12/21/2016	Minelva Cintron 2622		Claims	Undergoing initial analysis. Under Review circular issued.
RI	2018 R.I. Pub. Laws ____ (Former S.B. 2444), states that no residential property insurance policy shall exclude coverage for vandalism or malicious mischief unless the dwelling has been vacant for more than sixty (60) consecutive days immediately before the loss.	DP HO	01/01/2019	No Imp	Non-ISO		Michael Hamilton 2720		Other	No impact on ISO's program.
RI	2018 R.I. Pub. Laws ____ (former S.B. 2426/H.B. 7607), effective January 1, 2019, amends R.I. GEN. LAWS § 31-47.4-3. (a) to provide, in part, each insurer shall provide weekly records of each motor vehicle insurance policy to the division of motor vehicles.	MT	01/01/2019	No Imp			Larisa Wirth-Granlund 2711		Unwtg	No impact on ISO's program.
RI	2018 R.I. Pub. Laws ____ (Former H.B. 8013) and 2018 R.I. Pub. Laws ____ (Former S.B. 2679) revises Chapter 27-10.2 relating to aftermarket parts/OEM parts and their timeframe guidelines. In addition, the insurer may not require the repairer to use procedures that are not in compliance with OEM recommendations.	MT	07/04/2018	No Imp	Non-ISO		Stefanie Morisi 2676			No impact on ISO's program.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
SD	The decision in <i>Streff v. State Farm Mut. Auto. Ins. Co.</i> , 2017 S.D. 83, states, in part, that “the [circuit] court ruled that the government vehicle exclusion in the auto policy violated South Dakota public policy and was unenforceable because SDCL § 58-11-9.4 required UIM coverage in “motor vehicle liability polic[ies].” The South Dakota Supreme Court’s decision in <i>Streff</i> generally recognized the public policy principles provided in the underlying court’s decision and stated in part that “SDCL 58-11-9.4 manifests South Dakota’s public policy as expressed by the Legislature to give insureds the opportunity for full compensation for injuries inflicted by financially irresponsible motorists.”	MT		Appvd	Form	<a href="#">LI-MT-2018-028</a> 03/09/2018 <a href="#">LI-MT-2018-027</a> 03/09/2018 <a href="#">LI-MT-2018-008</a> 01/26/2018	Stefanie Morisi 2676			Approved to become effective 10/01/2018.
TN	<i>Martin v. Powers</i> , 505 S.W.3d 512 (Tenn. 2016); the Tennessee Supreme Court found, when evaluating the term “self-insurer” under uninsured motorists coverage, that the policy’s failure to define “self-insurer” and its broad reference to “any applicable motor vehicle” rendered the provision both vague and indefinite and held that the provision at issue was ambiguous.	MT		Prep	Form	<a href="#">LI-MT-2017-019</a> 04/03/2017	Minelva Cintron 2622			Filing under preparation.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
UT	<p>2018 Utah Laws ____ (former S.B. 190), effective May 8, 2018, in part, amends:</p> <ul style="list-style-type: none"> <li>- UTAH CODE ANN. §§ 31A-22-305 and 31A-22-305.3 to state that uninsured and underinsured motorists coverage "does not cover any benefit paid or payable under Title 34A, Chapter 2, Workers' Compensation Act, except that the covered person is credited an amount described in Subsection 34A-2-106(5)."</li> <li>- UTAH CODE ANN. § 31A-22-305.3 (6) to state that "[a]n underinsured motorist insurer does not have a right of reimbursement against a person liable for the damages resulting from an injury-causing occurrence if the person's liability insurer has tendered the policy limit and the limits have been accepted by the claimant."</li> </ul> <p>Based on our initial review of 2018 Utah Laws ____ (former S.B. 190), we anticipate revising various Utah Commercial Auto, Personal Auto, and Motorcycle endorsements.</p>	MT	05/08/2018	Appvd	Form	<a href="#">LI-MT-2018-058</a> 06/14/2018 <a href="#">LI-MT-2018-037</a> 04/06/2018	Larisa Wirth-Granlund 2711		Unwtg	Implemented to become effective 11/01/2018.

## Personal Property and Specialty Programs Circular Summary

State	Item Description	LOB	Effective Date of Legislation	Status	Type	Circular Reference	Contact (201)469-xxxx	Support Forms	Rqmts	Comments
WA	2018 Wash. Laws ____ (former H.B. 2322) adds new sections to WASH REV. CODE ANN. § 48.18 RCW and 48.19 RCW, in part, to state that the legislature finds that allowing property insurers to assist their insureds with risk mitigation and/or prevention goods and/or services could help prevent or reduce the severity of claims and losses. The legislature further finds that assisting insureds with risk mitigation and prevention and providing disaster or emergency response activities are both useful in preventing economic loss and should be exempt from the prohibition against inducements under WASH REV. CODE ANN. § 48.30.140 and 48.30.150. With the prior approval of the commissioner, a property insurer may include certain goods or services, or both, listed in this legislation, intended to reduce either the probability of loss, or the extent of loss, or both, from a covered event as part of a policy of property insurance.	HO	06/07/2018	Review			Michael Hamilton 2720		Other	Under Review.