# SKI PROGRAM NEW YORK

# EXPLANATORY MEMO

# AIG-14-GL-11

The Companies are resubmitting their SKI Program previously submitted under State Tr Num: R2014004363, Company Tr Num: AIG-14-GL-11, SERFF Tracking Number: AGNY-129773234.

The purpose of this filing is to update a series of General Liability endorsements previously filed under our State Tr Num: R2010003232, Company Tr Num: CHS-10-GL-12, in part to ensure that various provisions are compatible with the 2013 ISO Commercial General Liability Coverage Form - CG 0001 and to introduce several new endorsements that are not currently available through ISO and that will modify the form CG 0001.

The Companies also wish to have form numbers 121869 and 117527 available for use with the general liability line of business in New York.

# MANDATORY ENDORSEMENTS

# Ski Operations General Liability Exclusion Endorsement - 102177

This mandatory endorsement has been revised to broaden coverage by eliminating the exclusion for miscellaneous activities. This endorsement modifies the ISO CGL CG0001 by excluding the following: performers at non-ski events except if BI/PD is caused by the negligence of the insured. Real estate agents or brokers errors or omissions are also excluded. There is no premium charge or credit for this exclusion.

# Ski Operations General Liability Enhancement Endorsement – 102178

This mandatory endorsement replaces endorsement 106354 (11-10) and has been revised to ensure it is compatible with the 2013 CG 0001 coverage form changes. This endorsement broadens coverage for Ski Operations. This form provides limited care, custody and control coverage subject to a sub limit and deductible. Supplementary Payments for bail bonds is increased to $2500 and daily expense related to investigation of claims is increased to $350. This form broadens the Knowledge of Occurrence Conditions. This form provides unintentional errors or omissions coverage as well as a Liberalization clause. It provides an exception to the pollution exclusion for bodily injury or property damage arising out of the perils of explosion, fire, smoke or fumes, heat, lightning, windstorm, vandalism or malicious mischief, collision or overturning of an “auto” or “mobile equipment”. There is no premium charge for this enhancement.

# Ski School and Ski Club General Liability Enhancement Endorsement - 102179

This mandatory endorsement replaces endorsement 106403 (11-10) and has been revised to ensure it is compatible with the 2013 CG 0001 coverage form changes. This endorsement broadens coverage for Ski Schools and Ski Clubs. This form provides limited care, custody and control coverage subject to a sub limit and deductible. Supplementary Payments for bail bonds is increased to $2500 and daily expense related to investigation of claims is increased to $350. This form broadens the Knowledge of Occurrence Conditions. This form provides unintentional errors or omissions coverage as well as a Liberalization clause. Discrimination is added under “Personal and advertising injury”. Coverage is also expanded to include several additional insureds common to ski schools and redefines several limits of insurance. There is no premium charge for this enhancement.

# Ski School and Ski Club General Liability Exclusion Endorsement - 102180

This mandatory endorsement replaces endorsement 106404 (11-10) and has been revised to ensure it is compatible with the 2013 CG 0001 coverage form changes. This form excludes miscellaneous activities such as hang gliding, parachuting, hot air ballooning, bungee cord jumping; tubing, sledding, tobogganing or lugeing. This form further excludes saddle animals for hire, off season operations, survival camps, overnight lodging of students, guests or members, alpine/Nordic ski equipment sales and rental with an exception for insured ski swaps, and ski racing. This form excludes operation, maintenance or use of “mobile equipment” for hire. This form also excludes “bodily injury” or “personal and advertising injury” due to refusal to employ, termination or employment related practices Ski Clubs have been added to the title of the endorsement to clarify our intent to cover these. There is no premium charge or credit for this exclusion.

# OTHER MANDATORY ENDORSEMENTS

# Composite Rating Plan Premium Endorsement - 117527

This mandatory endorsement attaches to all accounts that are rated on a composite basis and clarifies that the rating is computed on a composite rate based on revenue. There is no premium charge for this endorsement

**Amendment to Cancellation and Premium Conditions - Composite Rated Accts** - **121893**

This mandatory endorsement attaches to all accounts to which the Composite Rating Plan Premium Endorsement is attached and modifies the Common Condition endorsement, IL 0017 to amend the cancellation provision to determine the earned premium based on the rate used in the premium computation. There is no premium charge for this endorsement

**OPTIONAL ENDORSEMENTS**

**Ski Operations General Liability Enhancement (including dispensing of drugs) - 113678**

The endorsement is optional and may be used in place of 102178 Ski Operations GL Enhancement which is mandatory for all ski accounts. There are some ski resorts which also dispense drugs and for which we are clarifying that this enhanced coverage includes this operation with the additional provision providing coverage for “employees” and “volunteer workers” who are duly trained and licensed as physicians, nurses, physician assistants, paramedics, or emergency medical technician, to include dispensing of drugs. There is no premium charge for this endorsement which is available at the insured’s request.

# Broad Form Named Insured - 117526

# This endorsement serves to clarify the definition of “Named Insured” and who is included in that definition.

There is no premium charge for this endorsement which is available at the insured’s request.

# Exception for Mobile Equipment Exclusion - 117528

# This endorsement amends the exclusion to provide coverage for specified events held at the insured’s premises and attaches when a Ski resort holds a scheduled Ski event, and is only available after review of the operations and controls of each insured’s request to remove the ISO exclusion. This endorsement clarifies that our policy is excess over any other insurance listed on the form, if applicable, which is generally purchased by the promoters of or participants in the event. There is no premium charge for this endorsement which is available at the insured’s request.

# Amendment to BI Definition Endorsement - 102173

This form expands the definition of Bodily Injury to include sickness resulting from mental anguish or emotional distress. There is no premium charge for this endorsement which is available at the insured’s request.

# NY Aggregate Deductible Liability Endorsement - 121869

This optional endorsement allows the selection of an aggregate deductible option and clarifies application of deductibles and deductible provisions to apply to Bodily Injury and/or Property Damage and/or Bodily Injury and Property Damage combined and may include Liquor Liability. The deductible factors will apply to the GL rates and the Liquor Liability rates according to the deductible selection. This endorsement is rated based on rating methodology on file. This New York specific endorsement complies with all provisions of Department Regulation 107.

# MANUAL PAGES

The Companies also submit for approval the attached manual rule pages which include the forms included in this submission as well as previously approved optional endorsements, form numbers 102175, 102176, and 102183.

With this submission, the Companies are withdraw Ski Program Crisis Response Coverage Extension Endorsement – 102213.