**(the “Insurer”)**

**TEMPORARY MORATORIUM PROTOCOL RULE  
APPLIES TO COMMERCIAL AUTOMOBILE PHYSICAL DAMAGE, COMMERCIAL FARM, COMMERCIAL INLAND MARINE and COMMERCIAL PROPERTY LINES OF BUSINESS**

**(for policies issued pursuant to a Program Administrator Agreement only)**

**Temporary Moratorium Protocol**

1. The Insurer may initiate a temporary moratorium, which may not become effective until triggered by at least one of the following events or emergencies:

(1) The National Weather Service issues a hurricane or tropical storm watch, warning, or advisory for part of the State or the entire State. For the purpose of this subsection, the "National Weather Service" shall mean the National Weather Service, National Hurricane Center in Miami, Florida, and its regional National Weather Service Forecast Office covering a part of the State.

(2) The Governor or other governmental entity declares a state of emergency for part of the State or the entire State;

(3) The announcement of an evacuation, whether mandatory or voluntary, for part of the State or the entire State;

(4) The imposition of a special curfew for part of the State or the entire State; or

(5) The onset of an earthquake that is in an area within:

(a) 50 miles of the epicenter of an earthquake that measures 5.0 to 5.9 on the Richter scale; or

(b) 100 miles of the epicenter of an earthquake that measures greater than 5.9 on the Richter scale.

B. The temporary moratorium shall be limited to parts of the State:

1. For which the National Weather Service has issued a hurricane or tropical storm watch, warning or advisory;

(2) That are included within a government-declared state of emergency;

(3) That are under an evacuation order, whether mandatory or voluntary;

(4) That are under a special curfew; or

(5) That are within:

(a) 50 miles of the epicenter of an earthquake that measures 5.0 to 5.9 on the Richter scale; or

(b) 100 miles of the epicenter of an earthquake that measures greater than 5.9 on the Richter scale.

C. The temporary moratorium shall apply to the suspension of the following underwriting authorities:

1. Binding new policies; and/or
2. Adding additional locations to existing policies; and/or
3. Increasing the limit of liability (insurance) to existing policies; and/or
4. Adding perils or additional coverages to existing policies; and/or
5. Lowering deductibles to existing policies.

D. The following exceptions shall apply to a temporary moratorium:

1. Temporary moratoriums shall apply only to lines of insurance business listed above that are reasonably expected to be affected by the events or emergencies listed above that triggered the activation of the temporary moratorium.
2. The insurer will not utilize the activation of a temporary moratorium to deny binding authority or coverage for the following transactions:
3. Property insurance that was bound prior to the activation of the temporary moratorium;
4. Automobile liability insurance purchased in connection with the purchase of a new or used motor vehicle by a consumer,
5. Issuance of a policy for which the risk of loss is unrelated to the events or emergencies listed above; or
6. The purchase of additional coverages, endorsements, or limits for an existing policy during its renewal period, subject to any change becoming effective on the renewal date of the policy. For the purpose of section, "renewal period" means the 45-day period immediately prior to the renewal date of a policy

**Deactivating a Temporary Moratorium**

A. The Insurer shall regularly monitor a temporary moratorium once it is activated.

B. A temporary moratorium that is activated based on an event listed under **A.1.** above may not continue for more than 24 hours after the termination of the last hurricane or tropical storm watch, warning, or advisory issued by the National Weather Service for part of the State or the entire State.

C. Earthquake.

1. A temporary moratorium that is activated because of an earthquake shall be deactivated no later than 72 hours after the onset of the earthquake.
2. An aftershock that measures 5.0 or greater on the Richter scale that occurs during a temporary moratorium that was activated because of an earthquake may be treated as the onset of a new earthquake, resulting in the beginning of a new 72-hour period during which an insurer may continue to suspend binding authority.

D. A temporary moratorium that is activated based on a declaration of a State of Emergency by the Governor or other governmental entity for part of the State or the entire State ends at the expiration of the State of Emergency.

E. A temporary moratorium that is activated based on the announcement of an evacuation, whether mandatory or voluntary, for part of the State or the entire State ends at the expiration of the evacuation period.

F. A temporary moratorium that is activated based on the imposition of a special curfew for part of the State or the entire State ends at the expiration of the special curfew.

G. The Commissioner may order the end of a temporary moratorium before the expiration of a State of Emergency, evacuation period, or special curfew, if the Commissioner determines that there is no longer a need for the temporary moratorium for purposes of enforcing the Insurance Article.