

FILED
JUN 24 2021 *AM*
Department of Insurance
State of Idaho

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE
STATE OF IDAHO

In the Matter of:

SECTION 41-1216(1), IDAHO CODE

Docket No. 18-3665-19

**NOTICE OF INTENT TO ADOPT
ORDER DECLARING CLASSES OF
INSURANCE COVERAGE OR RISK
ELIGIBLE FOR EXPORT**

The Idaho Department of Insurance (“Department”), acting pursuant to the authority found in the Idaho Insurance Code, in particular sections 41-210(2) and 41-1216(1), hereby gives notice of its intent to declare classes of insurance coverage or risk eligible for export.

Idaho Code § 41-210(2) provides that the Director of the Department (“Director”) “shall have the powers and authority expressly conferred upon him by or reasonably implied from the provisions of [title 41, Idaho Code].”

Idaho Code § 41-1216(1) provides:

The director may by order or by rule declare eligible for export generally and without compliance with the provisions of sections 41-1214(2), 41-1214(3) and 41-1215, Idaho Code, any class or classes of insurance coverage or risk which he finds, consistent with the procedural requirements of chapter 52, title 67, Idaho Code, that there is no reasonable or adequate market among authorized insurers either as to acceptance of the risk, contract terms, or premium or premium rate. Any such order shall continue in effect during the existence of the conditions upon which predicated, but subject to earlier termination by the director.

The classes of insurance coverage eligible for export, as contemplated by Idaho Code § 41-1216(1) were formerly established by rule. Since July 1, 2019, they have been governed by the Emergency Temporary Order issued in this action on July 1, 2019.

The Surplus Lines Association of Idaho, Inc., (SLA) acting under contract to the Department, and at the request of the Department, met and considered the current list of proposed classes or export list. The SLA board and the Export List Task Force reviewed and on June 9, 2021, submitted for consideration recommend changes of the export list to the Director. The Director and the Department staff met on June 16th, 2021, to discuss the recommended changes. During this meeting, the Director and the Department staff reviewed SLA's explanation for the proposed changes and considered whether adequate markets existed for the lines of insurance recommended for export eligibility.

Therefore, having given the matter due consideration, the Director gives notice of his intent to adopt an order stating the following:

1. That there is no reasonable or adequate market among Idaho-authorized insurers either as to acceptance of the risk, contract terms, or premium or premium rates for the class or classes of insurance coverage or risk described in **Exhibit A**;
2. That the classes of insurance coverage or risk described in **Exhibit A** should be eligible for export in accordance with chapter 12, title 41, Idaho Code;
3. Such other and further relief as the Director deems just and necessary under the circumstances.

Any interested party may submit written comments or provide argument in support of or in opposition to the proposed Order by submitting them to the Assistant to the Director, Pamela Murray, Idaho Department of Insurance, P.O. Box 83720, Boise, Idaho 83720-0043, telephone (208) 334-4217, or email pamela.murray@doi.idaho.gov on or before July 19, 2021.

DATED this 24th day of June, 2021.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



DEAN L. CAMERON
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of June, 2021, I caused a true and correct copy of the foregoing **NOTICE OF INTENT TO ADOPT ORDER DECLARING CLASSES OF INSURANCE COVERAGE OR RISK ELIGIBLE FOR EXPORT** to be posted upon the Idaho Department of Insurance's web site and served upon the following by the designated means:

Surplus Line Association of Idaho, Inc. Wendy Tippetts, Manager 595 S. 14 th Street Boise, ID 83702 wendy@idahosurplusline.org	<input checked="" type="checkbox"/> first class mail <input type="checkbox"/> certified mail <input type="checkbox"/> hand delivery <input type="checkbox"/> facsimile <input checked="" type="checkbox"/> email
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Pamela Murray

06.16.21

EXPORT LIST PROPOSED CHANGES

ACCIDENT & HEALTH

AH-103	ACC & HEALTH - DILIGENT SEARCH APPLIES
AH-999	Exempt Commercial Purchaser
AH-001	Acc. death-high limit/hazardous occ
AH-002	Acc. death-world wide coverage
AH-003	Air crew personal accident
AH-004	Aviation accident, personal
AH-005	Dread disease
AH-006	24 hour acc.-high limits
AH-007	High limit disability-uninsurable & excess
AH-008	International travel medical

AUTO LIABILITY

AL-103	AUTO LIAB - DILIGENT SEARCH APPLIES
AL-999	Exempt Commercial Purchaser
AL-001	Ambulance service
AL-002	Automobile "Bobtail" liab.
AL-003	Automobile bus or livery
AL-004	Automobile driving schools
AL-005	Auto racing liab.
AL-007	Butane-Propane hauling
AL-008	Explosive hauling
AL-009	Gasoline distribution
AL-010	Go-karts
AL-014	Private patrol service
AL-015	Taxi cabs
AL-016	Used auto dealers
AL-017	Non-owned / hired auto monoline
AL-018	Auto excess liability

AUTO PHYSICAL DAMAGE

AP-103	AUTO PHY DMG - DILIGENT SEARCH APPLIES
AP-999	Exempt Commercial Purchaser
AP-003	Racing
AP-004	Logging trucks
AP-005	Long haul trucks
AP-006	Taxi cabs
AP-007	Emergency vehicles
AP-008	Tow truck operations
AP-009	Butane, propane hauling
AP-010	Fleet - monoline

AVIATION & AIRCRAFT

AV-103	AVIATION - DILIGENT SEARCH APPLIES
AV-999	Exempt Commercial Purchaser
AV-001	Air cargo
AV-005	Aircraft-excess passenger liab.
AV-010	Airmeet liab.
AV-012	Aviation-wrk-comp./employers liab.
AV-013	Hanger-keeper's legal liab.

FIRE & ALLIED LINES

FA-103	FIRE & ALLIED - DILIGENT SEARCH APPLIES
FA-999	Exempt Commercial Purchaser
FA-001	Amusement devices
FA-002	Amusement parks & carnivals
FA-003	Business interruption-valued excess
FA-004	Business interruption-contingent excess
FA-006	Chattel mortgages, non-filing or non-recording
FA-008	Crop Insurance-all weather hazards
FA-010	Earthquake
FA-011	Greenhouses-wind & hail
FA-012	Polyurethane insulated buildings
FA-014	Sawmills
FA-015	Valued business interruption

EXHIBIT

A

tabbles

	FA-016	Woodhandlers	
	FA-017	Distress fire - Unprot lodges, restaur. taverns	
	FA-019	Bars, taverns, private clubs	
	FA-020	Single fam dwellings \$75,000 & less, duplexes	
	FA-021	Builders risk PC 7-10 - course of construction	
	FA-022	Vacant buildings	
	FA-023	Nuclear energy property	
	FA-024	Buildings built prior to 1975	
	FA-025	Restaurants w/o auto fire suppression	
	FA-026	Commercial / Residential prot class 9 & 10	
	FA-027	Residential with water losses	
GENERAL LIABILITY	GL-103	GENL LIAB - DILIGENT SEARCH APPLIES	
	GL-999	Exempt Commercial Purchaser	
	GL-001	Amusement devices	
	GL-002	Amusement parks	
	GL-003	Anhydrous ammonia dealers & haulers	
	GL-004	Animal rides	
	GL-005	Carnivals	
	GL-007	Corporate officer, director & trustee liab.	
	GL-008	Demolition contractors liab.	
	GL-009	Dude ranch liab.	
	GL-010	Environmental impairment	
	GL-011	Excess limits liab.	
	GL-012	Exterminators liab.	
	GL-013	Fairgrounds, fairs, liab.	
	GL-014	False arrest, mun. or other public	
	GL-016	Ground applicators-chemical drift	
	GL-018	Residential / asstd Living / nursing homes	
	GL-020	Liquified petroleum dealers	
	GL-021	Liquor liab. & dram shop act liab.	
	GL-022	Loggers - All lines	
	GL-023	Non-acc. seepage & pollution	
	GL-025	Outfitters & guides	
	GL-027	Products liab.	
	GL-028	Radio & TV broadcasters / producers	
	GL-029	Rodeos & horse shows-liab.	
	GL-030	Equine liability	
	GL-031	Ski-lifts & tows liab.	
	GL-032	Snowmobile dealers	
	GL-033	Special schools	
	GL-034	Spectator liab.-special events	
	GL-035	Swimming pools	
	GL-036	Theatrical presentation	
	GL-038	Petroleum drilling/maint. on & off shore	
	GL-039	Social service agencies	
	GL-040	Non profit clubs, assoc, charitable organizations	
	GL-041	Gun dealers	
	GL-042	Bullet manufacturers	
	GL-043	Antique dealers / pawn shops	
	GL-044	Motorcycle dealerships	
	GL-045	Security services	
	GL-047	Used auto dealers	
	GL-049	Bars, taverns, private clubs	
	GL-051	Real estate developers	
	GL-052	Gas / fuel distributors	
	GL-053	Quarry / sand / gravel operations	
	GL-054	Garbage / refuse collection	
	GL-055	Irrigation systems	
	GL-057	RV & mobile home dealers	
	GL-059	Vacant buildings	

[illegible]

	OM-999	Exempt Commercial Purchaser	
	OM-001	Ocean marine	
PROF LIAB / MALPRACTICE	PL-103	PROF LIAB - DILIGENT SEARCH APPLIES	
	PL-999	Exempt Commercial Purchaser	
	PL-001	Abstractors	
	PL-002	Accountants	
	PL-003	Ambulance personnel	
	PL-004	Anesthetists	
	PL-005	Architects	
	PL-006	Attorneys & mediators	
	PL-007	Beauty & barber shops	
	PL-008	Beauty & barber schools	
	PL-009	Cemetaries	
	PL-010	Chiropodists	
	PL-011	Chiropractors	
	PL-013	Dentists	
	PL-014	Druggists	
	PL-015	Engineers	
	PL-016	Hospitals	
	PL-017	Insurance agents	
	PL-018	Consultants	
	PL-019	Nurses	
	PL-020	Opticians	
	PL-021	Optometrists	
	PL-022	Osteopaths	
	PL-023	Physicians & surgeons	
	PL-024	Psychologists & sociologists	
	PL-026	Real estate agents	
	PL-027	Surveyors	
	PL-028	Title insurance company & agents	
	PL-029	X-ray specialists	
	PL-030	Seedsmen	
	PL-031	Employment practices	
	PL-032	Computer technology	
	PL-033	Law enforcement	
	PL-034	Appraisers	
	PL-035	Social services	
	PL-036	Actuaries	
	PL-037	Clinical labs	
	PL-038	Drug testing	
	PL-039	Foster care agencies	
	PL-040	Property management	
	PL-041	Public officials	
	PL-042	Residential home inspectors	
	PL-043	Insurance companies	
NEW ADDITIONS			
		Dwelling - Wood stove as sole heat	
		E&O Billing specialists	
REMOVED			
	AL-13	Midget autos	
	FA-9	Drought insurance	
	GL-50	Products liability monoline (Duplicate of GL-27)	
	GL-56	Pawn shops (Duplicate of GL-43)	
	GL-62	Bridges	
	MS-4	Twin insurance	
	PL-12	County clerks	