

STATE OF VERMONT
INSURANCE DIVISION

COMMERCIAL LINES PROPERTY & CASUALTY CERTIFICATION CHECKLIST

Policy Provision	REFERENCE	COMMENTS	Requirement Satisfied
Cancellation, Non-Renewal, Renewal	Title 8 , § 3879 – 3883 and 4711 – 4715.	Applicable to all lines except “Special Events” (i.e. Hole-in-One) Travel, or other single term non-renewable policies of limited duration.	Satisfied in current filing <input type="checkbox"/> Satisfied in previous filing* <input type="checkbox"/> *State Tracking # _____ Not Applicable to this Filing <input type="checkbox"/>
Defense Within Limits	Department requirement.	Not permitted for any Liability lines. Department will consider separate defense limit equal to the limit of liability.	Satisfied in current filing <input type="checkbox"/> Satisfied in previous filing* <input type="checkbox"/> *State Tracking # _____ Not Applicable to this Filing <input type="checkbox"/>
Defense Within Deductible / Insured Retention	Department requirement.	Not permitted for any Liability lines. Exception: where the deductible or retention does not contribute to reducing the available policy limit.	Satisfied in current filing <input type="checkbox"/> Satisfied in previous filing* <input type="checkbox"/> *State Tracking # _____ Not Applicable to this Filing <input type="checkbox"/>
Pollution Liability	Insurance Bulletin 111 .	Pollution liability exclusions prohibited per Bulletin 111. This requirement is applicable to all liability lines, including but not limited to coverage such as, asbestos, lead, silica, MBTE, etc. Exceptions available based on approval of individual risk “consent to rate” filings as outlined in Bulletin 111.	Satisfied in current filing <input type="checkbox"/> Satisfied in previous filing* <input type="checkbox"/> *State Tracking # _____ Not Applicable to this Filing <input type="checkbox"/>
Binding Arbitration / Binding Appraisal	Department requirement.	Prohibited for all lines. Binding arbitration is not permitted if the process can be demanded unilaterally, as it may deprive the insured of access to the court. Binding arbitration is approvable only if both parties agree to the arbitration process.	Satisfied in current filing <input type="checkbox"/> Satisfied in previous filing* <input type="checkbox"/> *State Tracking # _____ Not Applicable to this Filing <input type="checkbox"/>
Misrepresentation & Fraud Policy Language – Voiding Policy	Title 8 , § 3879 and § 4711.	Applicable to all lines. If an Insured obtains a policy through fraud or material misrepresentation, that policy may be voided. For fraud or material misrepresentation in the presentation of a claim, the claim may be denied and the policy may be cancelled but not voided.	Satisfied in current filing <input type="checkbox"/> Satisfied in previous filing* <input type="checkbox"/> *State Tracking # _____ Not Applicable to this Filing <input type="checkbox"/>
Fraud Warning in Applications	Title 8 , § 4205 and § 4711.	Applicable to all lines. Vermont does not allow a fraud warning to state that a person who makes false statements on an application "commits" a fraudulent insurance act since the question of guilt is a determination for a court. As an alternative, it would be acceptable to use: "Any person who knowingly presents a false statement in an application for insurance may be guilty of a criminal offense and subject to penalties under state law."	Satisfied in current filing <input type="checkbox"/> Satisfied in previous filing* <input type="checkbox"/> *State Tracking # _____ Not Applicable to this Filing <input type="checkbox"/>
Insured - Civil Union Requirements	Regulation IH-2000-01 and Bulletin 127 .	Applicable to all lines. Where the terms “spouse” or “family member” appear in the forms, please confirm that a Vermont “Civil Union” endorsement will be attached to the policies. Note: inclusion of “Domestic Partner” is not a substitute for our “Civil Union” coverage requirement	Satisfied in current filing <input type="checkbox"/> Satisfied in previous filing* <input type="checkbox"/> *State Tracking # _____ Not Applicable to this Filing <input type="checkbox"/>
Optional Extended Reporting Periods	Department requirement.	Applicable to Claims-Made Liability lines. The Optional Extended Reporting Period must either reinstate the policy limit or must have a separate limit of liability equal to that of the expiring or expired policy.	Satisfied in current filing <input type="checkbox"/> Satisfied in previous filing* <input type="checkbox"/> *State Tracking # _____ Not Applicable to this Filing <input type="checkbox"/>

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Uninsured/Underinsured Motorist	Title 23 , § 941.	Mandatory on all policies providing auto liability coverage, including Commercial Umbrella. Regardless of insured's UM/UIM limits choices on the underlying policy, the umbrella must provide either the umbrella policy limit or reduced limit option down to a minimum requirement of \$50,000/\$100,000 BI limit.	Satisfied in current filing <input type="checkbox"/> Satisfied in previous filing* <input type="checkbox"/> *State Tracking # _____ Not Applicable to this Filing <input type="checkbox"/>
(a) Rates	Title 8 , § 4688 (a).	(a) Rates – Unsupported (a) rates not allowed. At a minimum, company must furnish rating guidelines and methodology. Simply indicating that (a) rating applies is not acceptable.	Satisfied in current filing <input type="checkbox"/> Satisfied in previous filing* <input type="checkbox"/> *State Tracking # _____ Not Applicable to this Filing <input type="checkbox"/>
Vermont Amendatory Endorsement(s)	Regulation I-2010-03, Section 7(I)	If the requirement is satisfied in a previous filing and that filing contains an amendatory endorsement please provide a copy of the endorsement.	Satisfied in current filing <input type="checkbox"/> Satisfied in previous filing* <input type="checkbox"/> *State Tracking # _____ Not Applicable to this Filing <input type="checkbox"/>

***The checklist requirement, if applicable, must be satisfied in the submitted filing itself or satisfied in a previous filing that will be used with the submitted filing (e.g., a Vermont amendatory endorsement). If the requirement is satisfied in a previous filing that will be used with the submitted filing, you must provide the state tracking number and approval date of the previous filing. (Source: Regulation I-2010-3, Property and Casualty Insurance Filing Procedures, Section 6(G)(2)(e) and Section 7(I)).**

This new checklist is being promulgated coincidentally with the Regulation I-2010-03 effective May 15, 2011.