



RICARDO LARA
CALIFORNIA INSURANCE COMMISSIONER

NOTICE OF EXPORT LIST PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the California Insurance Commissioner will hold a public hearing, as set forth below, concerning the renewal of the export list in the surplus lines area:

July 16, 2024 – 10:00 a.m. P.D.T.
California Department of Insurance

The Department will use a videoconferencing format (Zoom) for this hearing*

TO ATTEND THE HEARING VIA VIDEOCONFERENCE
Link to Register:

https://us06web.zoom.us/webinar/register/WN_1-Hb3DA_S4CWFyficUN8Ow

Meeting Name: 2024 Export List Hearing

TO ATTEND THE HEARING BY TELEPHONE
To join by telephone dial:

USA 215 446 3649
USA 888 557 8511 (US Toll Free)
Conference code: 832767

Participants will be given instructions on how to provide testimony once they have accessed the hearing. The hearing will continue on the date noted above until all testimony is submitted or until 5:00 p.m., P.D.T., whichever is earlier.

ACCESS TO PUBLIC HEARING VIDEOCONFERENCE

This hearing will be open to the public. To make it possible to view and participate in the public hearing videoconference, register with the videoconferencing application identified above, using a valid e-mail address. We request that you provide your name(s), the name of the organization you represent, your email address, and whether you plan to speak at the hearing. Providing personally identifiable information is not required to attend the hearing telephonically and all attendees are invited to participate regardless of whether such information has been provided.

Alternatively, you may attend and participate telephonically by using the number above. If you wish to provide oral comments telephonically, please notify ExportListHearing@insurance.ca.gov either in advance of or at the time of the hearing and provide the telephone number you will use at the hearing.

The videoconference to be used for the public hearing is accessible to persons with mobility impairment. Persons with sight or hearing impairments are requested to notify ExportListHearing@insurance.ca.gov in order to make specific arrangements.

EXPORT LIST

Pursuant to California Insurance Code (CIC) §1763.1, the Commissioner by order, may declare permissible for placement for a California home state insured with a non-admitted insurer and exempt from all the requirements of §1763, except the filing of a confidential written report, any type of insurance coverage or risk for which he or she finds, after a public hearing, that there is not a reasonable or adequate market among admitted insurers or that the type of coverage is for new, innovative products for which a reasonable or adequate market among admitted insurers has not had time to develop. (Cal. Ins. Code § 1763.1, subd. (a).)

RENEWAL

Pursuant to CIC §1763.1, a public hearing shall be held annually regarding the export list. The current export list is attached. The above noticed hearing is being set to take testimony on the export list to determine if any items should be added or removed.

In preparing your comments and/or testimony, please be aware that items not appearing on the export list will still be exportable, if compliant with applicable requirements, but subject to the full documentation of the search performed pursuant to CIC §1763.

HEARING AND CHANGES UNDER CONSIDERATION

This hearing is public and interested parties may testify while the record is open. Those who register in advance to speak will be given priority. If you wish to register in advance to speak, please register with the videoconferencing application identified above, or submit your written request to ExportListHearing@insurance.ca.gov by 5:00 p.m., P.D.T., July 12, 2024.

Based on suggestions received in response to CDI's May 15, 2024, Pre-Hearing Notice, there may be requests to add the following coverage items, and/or variations, to the Export List (worded as suggested):

1. 6200 Cyber Liability
2. Excess Cyber Where Part of the Underlying is Admitted
3. Private, Primary, Residential Flood Insurance
4. Energy Risks – All Types of Both Renewable and Fossil Fuel
5. Mining Risks – All Types
6. Cannabidiol (CBD) and Cannabis Operations
7. Animal Liability – Personal Lines
8. Herbicide and Pesticide Applicators
9. Bail Enforcement

EVIDENCE REQUIRED

Please be aware that in order for the Commissioner to consider adding a risk or coverage to the export list, the Commissioner *must have* evidence that there is not an adequate or reasonable market for the risk or coverage, as suggested, in the admitted market (such as copies of SL-2 forms) or that the type of coverage is for new, innovative products for which a reasonable or adequate market among admitted insurers has not had time to develop. The Department does not provide legal advice and interested parties are encouraged to seek legal counsel for guidance. Submission of a statement simply requesting a risk or coverage to be added to the list without supporting evidence of the lack of an adequate or reasonable admitted market or that the type of coverage is for new, innovative insurance products for which a reasonable or adequate market among admitted insurers has not had time to develop will *not* be sufficient for the Commissioner to add a risk or coverage to the Export list.

All written testimony, comments, or documents must be sent to CDI via email and received by CDI at the email address below, no later than 5:00 p.m., P.D.T., on July 16, 2024. All written testimony received at

the hearing will be considered part of the hearing record. CDI will not accept any written testimony, comments, or documents transmitted by facsimile.

Please direct any questions regarding this notice, opportunities to testify, and written submissions for the record, to: ExportListHearing@insurance.ca.gov.

* If the manner in which the hearing will be conducted changes, CDI will provide notice regarding the change(s) in advance of the hearing.

DATED: June 14, 2024.

RICARDO LARA
Insurance Commissioner

A handwritten signature in blue ink, appearing to read "Libio Latimer".

By _____
Libio Latimer
Deputy General Counsel for Regulatory and Legal
Services

EXPORT LIST 2024

ACCIDENT/DISABILITY

HIGH LIMITS DISABILITY **
INTERNATIONAL MAJOR MEDICAL

AUTOMOBILES

EXOTIC/CLASSIC/ANTIQUE AUTOS WITH A VALUE IN EXCESS OF \$100,000

AVIATION

AVIATION EXCESS LIABILITY
SHORT TERM MEDIA/ENTERTAINMENT NON-OWNED CONTINGENT AIRCRAFT
LIABILITY (FILM/ENTERTAINMENT PRODUCTIONS)

CRIME

EXCESS CRIME
KIDNAP & RANSOM

DRONE

COMMERCIAL THIRD-PARTY LIABILITY AND OPTIONAL PHYSICAL DAMAGE INSURANCE FOR
UNMANNED AERIAL VEHICLES AND SYSTEMS WITH 'EPISODIC FLIGHT COVERAGE.' ***

FIRE & ALLIED LINES

AMUSEMENT PARKS/CARNIVALS AND AMUSEMENT DEVICES
COMMERCIAL DIC/STAND ALONE EARTHQUAKE FOR POLICIES WITH COVERAGE
LIMITS OVER \$10,000,000
DISASTER INCOME PROTECTION
EXCESS FLOOD
EXPLOSIVE MANUFACTURING/SALES/STORAGE
HAY IN THE OPEN
HOMEOWNERS EARTHQUAKE/EXCESS LIMITS OR DEDUCTIBLE BUYBACK
INDIVIDUAL INSURED WITH LARGE SCHEDULES WHERE THE TIV (TOTAL INSURED VALUES)
ARE IN EXCESS OF \$500 MILLION
SAWMILLS

VACANT BUILDINGS

GENERAL LIABILITY

AMBULANCE SERVICES INCLUDING PROFESSIONAL LIABILITY

AMUSEMENT PARKS/CARNIVALS/SERVICES

BLASTING CONTRACTORS

BUILDING MOVING

CLINICAL AND SIMILAR TESTS OF PHARMACEUTICAL, MEDICAL, BIOLOGICAL & OTHER
SIMILAR PRODUCTS

CONTRACTORS ENGAGED IN CONSTRUCTION OF NEW TRACT HOMES AND/OR
NEW CONDOMINIUMS

CRANE & RIGGING CONTRACTORS

DEMOLITION CONTRACTORS

EMPLOYMENT PRACTICES LIABILITY

ENVIRONMENTAL IMPAIRMENT REMEDIATION AND POLLUTION LIABILITY

EXCESS LIABILITY WHERE PART OF UNDERLYING IS NONADMITTED

EXPLOSIVES INCLUDING MANUFACTURING/SALES/STORAGE

FIREWORKS DISPLAYS

FOSTER FAMILY (OCCURRENCE BASED ONLY)

HOT AIR BALLOON

LIMITS THAT ATTACH IN EXCESS OF \$150 MILLION

OILFIELD CONTRACTORS

OUTFITTERS AND GUIDES

PATENT/TRADEMARK/COPYRIGHT INFRINGEMENT

PRODUCTS RECALL

PRODUCTS/COMPLETED OPERATIONS (WRITTEN ON A STANDALONE BASIS)

SEASONAL OR MOBILE FAIRS, CONCESSIONARIES, VENDORS AND FAIRS, WITH
OR WITHOUT LIQUOR LIABILITY

SECURITY GUARD SERVICES

SHORT TERM MEDIA/ENTERTAINMENT RAILROAD PROTECTIVE LIABILITY
(FILM/ENTERTAINMENT PRODUCTIONS)

SHORT TERM SPECIAL EVENTS (EXCLUDING HOLE-IN-ONE)

TATTOO AND BODY PIERCING SHOPS

SCAFFOLD/SCAFFOLD CONTRACTOR

INLAND MARINE

ALL VESSELS IN EXCESS OF 30 FEET AND RATED WITH A MAXIMUM SPEED OF 45 MPH

ANY VESSEL/WITH A MAXIMUM RATED SPEED IN EXCESS OF 55 MPH

EXCESS MOTOR TRUCK CARGO

PERSONAL ARTICLES FLOATERS WRITTEN ON A STAND ALONE BASIS WHERE THE VALUE OF THE SCHEDULE IS IN EXCESS OF \$1M OR CONTAINS A SINGLE ITEM(S) OVER \$100,000

MISCELLANEOUS

EVENT CANCELLATION

POLITICAL RISKS INCLUDING EXPROPRIATION, CONFISCATION, UNFAIR CALLING

PRIZE INDEMNIFICATION (EXCLUDING HOLE-IN-ONE COVERAGE)

SHORT TERM MEDIA/ENTERTAINMENT FAILURE TO SURVIVE FOR \$5 MILLION AND OVER (FILM/ENTERTAINMENT PRODUCTIONS)

PROFESSIONAL LIABILITY/ERRORS & OMISSION

ARCHITECTS & ENGINEERS/CONDO COVERAGE ONLY

CAMPAIGN TREASURERS

CREDITORS' COMMITTEES

PHYSICIAN/MEDICAL GROUP/HOSPITAL BILLING E/O

TATTOO & BODY PIERCING SHOPS E/O

** 'High Limits Disability' is coverage that offers benefit amounts over the admitted market maximum issue and participation limits and/or includes occupations which are not eligible.

*** 'Episodic flight coverage' insures claims involving unmanned aerial vehicles or systems while in flight, with incremental coverage periods up to one year (not annual), and a coverage territory that lacks radius restrictions.