

§ 91.3. Imports—coverage.

Imports may be covered wherever the property may be and without restriction as to time, provided the coverage of the issuing companies includes the hazards of transportation.

Authority

The provisions of this § 91.3 issued under The Insurance Department Act of 1921 (40 P. S. §§ 1—321); The Insurance Company Law of 1921 (40 P. S. §§ 341—991); sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411, and 412); and The Fire, Marine and Inland Marine Rate Regulatory Act (40 P. S. §§ 1221—1238).

Source

The provisions of this § 91.3 amended September 4, 1981, effective December 4, 1981, 11 Pa.B. 3046. Immediately preceding text appears at serial page (14250).

§ 91.4. Imports—character.

An import, as a proper subject of marine or transportation insurance, shall be deemed to maintain its character as such so long as the property remains segregated in such a way that it may be identified and has not become incorporated and mixed with the general mass of property in the United States, and shall be deemed to have been completed if any of the following occurs:

- (1) The property is sold and delivered by the importer, factor, or consignee.
- (2) The property is removed from the place of storage and placed on sale as part of the importer's stock in trade at a point of sale distribution.
- (3) The property is delivered for manufacture, processing, or change in form to the premises of the importer or of another used for any such purposes.

Authority

The provisions of this § 91.4 issued under The Insurance Department Act of 1921 (40 P. S. §§ 1—321); The Insurance Company Law of 1921 (40 P. S. §§ 341—991); sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412); and The Fire, Marine and Inland Marine Rate Regulatory Act (40 P. S. §§ 1221—1238).

Source

The provisions of this § 91.4 amended September 4, 1981, effective December 4, 1981, 11 Pa.B. 3046. Immediately preceding text appears at serial page (14250).

§ 91.5. Exports.

(a) Exports may be covered by marine and transportation insurance wherever the property may be without restriction as to time, provided the coverage of the issuing companies includes the hazards of transportation.

(b) An export, as a proper subject of marine or transportation insurance, shall be deemed to acquire its character as such when designated or while being prepared for export and retain that character unless diverted for domestic trade, and if so diverted, the provisions set forth in § 91.6 (relating to domestic shipments)

shall apply, provided, however, that this section shall not apply to long-established methods of insuring certain commodities, for example, cotton.

§ 91.6. Domestic shipments.

(a) Domestic shipments on consignment for sale or distribution, exhibit, trial, or approval or auction—while in transit in the custody of others, and while being returned—may be covered by marine and transportation insurance provided that in no event shall the policy cover shipments on premises owned, leased, or operated by the consignor.

(b) Domestic shipments not on consignment may be covered by marine or transportation insurance provided that the coverage of the issuing companies includes the hazards of transportation beginning and ending within the United States and that such shipments shall not be covered at manufacturing premises nor after arrival at premises owned, leased, or operated by assured or purchaser.

Authority

The provisions of this § 91.6 issued under The Insurance Department Act of 1921 (40 P. S. §§ 1—321); The Insurance Company Law of 1921 (40 P. S. §§ 341—991); sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412); and The Fire, Marine and Inland Marine Rate Regulatory Act (40 P. S. §§ 1221—1238).

Source

The provisions of this § 91.6 amended September 4, 1981, effective December 4, 1981, 11 Pa.B. 3046. Immediately preceding text appears at serial page (7768).

Cross References

This section cited in 31 Pa. Code § 91.5 (relating to exports).

§ 91.7. Bridges, tunnels, and other instrumentalities of transportation and communication.

(a) Bridges, tunnels, and other instrumentalities of transportation and communication excluding buildings, their improvements and betterments, their furniture and furnishings, their fixed contents, and their supplies held in storage may be covered by marine and transportation insurance.

(b) The insurance coverage set forth in subsection (a) shall include all of the following:

- (1) Bridges, tunnels, and other similar instrumentalities, including auxiliary facilities and equipment attendant thereto.
- (2) Piers, wharves, docks, slips, dry docks and marine railways.
- (3) Pipelines, including on-line propulsion, regulating, and other equipment appurtenant to such pipelines, but excluding all property at manufacturing, producing, refining, converting, treating, or conditioning plants.

(4) Power transmission and telephone and telegraph lines excluding all property at generating, converting, or transforming station, substations, and exchanges.

(5) Radio and television communication equipment in commercial use as such, including towers and antennae with auxiliary equipment and appurtenant electrical operating and control apparatus.

(6) Outdoor cranes, loading bridges, and similar equipment used to load, unload, and transport.

Authority

The provisions of this § 91.7 issued under The Insurance Department Act of 1921 (40 P. S. §§ 1—321); The Insurance Company Law of 1921 (40 P. S. §§ 341—991); sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412); and The Fire, Marine and Inland Marine Rate Regulatory Act (40 P. S. §§ 1221—1238).

Source

The provisions of this § 91.7 amended September 4, 1981, effective December 4, 1981, 11 Pa.B. 3046. Immediately preceding text appears at serial page (7769).

§ 91.8. Property floater risks.

(a) Personal property floater policies may cover any of the following, individually or generally:

- (1) Personal effects floater policies.
- (2) The personal property floater.
- (3) Government service floaters.
- (4) Personal fur floaters.
- (5) Personal jewelry floaters.
- (6) Wedding present floaters for not exceeding 90 days after the date of the wedding.
- (7) Silverware floaters.
- (8) Fine arts floaters covering paintings; etchings; pictures; tapestries; art glass windows; and other *bona fide* works of art of rarity, historical value, or artistic merit.
- (9) Stamp and coin floaters.
- (10) Musical instrument floaters. Radios, televisions, record players, and combinations thereof are not deemed musical instruments.
- (11) Mobile articles, machinery, and equipment floaters—excluding motor vehicles designed for highway use, and auto homes, trailers, and semitrailers except when hauled by tractors not designed for highway use—covering identified property of a mobile or floating nature pertaining to or usual to a household. Such policies shall not cover furniture and fixtures not customarily used away from premises where such property is usually kept.
- (12) Live animal floaters.

(b) Commercial property floater policies covering property pertaining to a business, profession, or occupation may cover any of the following:

(1) Radium floaters.

(2) Physicians' and surgeons' instrument floaters. Such policies may include coverage of such furniture, fixtures, and tenant assured's interest in such improvements and betterments of buildings as are located in the portion of the premises occupied by the assured in the practice of his profession.

(3) Pattern and die floaters.

(4) Theatrical floaters, excluding buildings and their improvements and betterments, and furniture and fixtures which do not travel about with theatrical troupes.

(5) Film floaters, including builders' risk during the production and coverage on completed negatives and positives and sound records.

(6) Salesmen's samples floaters.

(7) Exhibition policies on property while on exhibitions and in transit to or from such exhibitions.

(8) Live animal floaters.

(9) Builders' risks and installation risks covering interest of owner, seller, or contractor against loss or damage to machinery, equipment, building materials, or supplies being used with, and during the course of installation, testing, building, renovating, or repairing. Such policies may cover at points or places where work is being performed, while in transit and during temporary storage or deposit, property designated for and awaiting specific installation, building, renovating, or repairing. Such coverage shall be limited to builders' risks or installation risks where perils in addition to fire and extended coverage are to be insured. If written for account of owner, the coverage shall cease upon completion and acceptance thereof; or, if written for account of a seller or contractor, the coverage shall terminate when the interest of the seller or contractor ceases.

(10) Mobile articles, machinery and equipment floaters (excluding motor vehicles designed for highway use and auto homes, trailers, and semitrailers, except when hauled by tractors not designed for highway use and snow plows constructed exclusively for highway use) covering identified property of a mobile or floating nature, not on sale or consignment, or in course of manufacture, which has come into the custody or control of parties who intend to use such property for the purpose for which it was manufactured or created. Such policies shall not cover furniture and fixtures not customarily used away from premises where such property is usually kept.

(11) Property in transit to or from and in the custody of bailees not owned, controlled, or operated by the bailor. Such policies shall not cover the property of the bailee at his premises.

(12) Installment sales and leased property. Policies may cover property sold under conditional contract of sale, partial payment contract, or installment sales

contract or property leased but may not cover motor vehicles designed for highway use. Such policies shall cover in transit but shall not extend beyond the termination of the seller's or lessor's interest. This paragraph is not intended to include machinery and equipment under certain "lease-back" contracts.

(13) Garment contractors floaters.

(14) Furriers or fur storer's customer's policies, that is policies under which certificates or receipts are issued by furriers or fur storers, covering specified articles which are the property of the customers.

(15) Accounts receivable policies, valuable papers and records policies.

(16) Floor plan policies, covering property for sale while in the possession of dealers under a floor plan or any similar plan under which the dealer borrows money from a bank or lending institution with which to pay the manufacturer, provided all of the following apply:

(i) Such merchandise is specifically identifiable as encumbered to the bank or lending institution.

(ii) The right of the dealer to sell or otherwise dispose of such merchandise is conditioned upon its being released from encumbrance by the bank or lending institution.

(iii) Such policies cover in transit and do not extend beyond the termination of the interest of the dealer.

(iv) Such policies shall not cover automobiles or motor vehicles, merchandise for which the collateral of the dealer is the stock or inventory as distinguished from merchandise specifically identifiable as encumbered to the lending institution.

(17) Sign and street clock policies, covering neon signs, automatic or mechanical signs, and street clocks, while in use as such.

(18) Fine arts policies covering paintings, etchings, pictures, tapestries, art glass windows, and other *bona fide* works of art of rarity, historical value, or artistic merit for account of museums, galleries, universities, businesses, municipalities, and other similar interests.

(19) Policies covering property which, when sold to the ultimate purchaser, may be covered specifically by the owner under inland marine policies.

(i) Such policies include the following:

(A) Musical instrument dealers policies, covering property consisting principally of musical instruments and their accessories. Radios, televisions, record players, and combinations thereof are not deemed musical instruments.

(B) Camera dealers policies, covering property consisting principally of cameras and their accessories.

(C) Furrier's dealers policies, covering property consisting principally of furs and fur garments.

(D) Equipment dealers policies, covering mobile equipment consisting of binders, reapers, tractors, harvesters, harrows, tedders, and other similar agricultural equipment and accessories therefor; construction equipment consisting of bulldozers, road scrapers, tractors, compressors, pneumatic tools, and similar equipment and accessories therefor; but excluding motor vehicles designed for highway use.

(E) Stamp and coin dealers policies covering property of philatelic and numismatic nature.

(F) Jewelers' block policies.

(G) Fine arts dealers policies.

(ii) Such policies may include coverage of money in locked safes or vaults on the assured's premises. Such policies also may include coverage of furniture, fixtures, tools, machinery, patterns, molds, dies, and tenant insured's interest in improvements of buildings.

(20) Wool growers floaters.

(21) Domestic bulk liquids policies, covering tanks and domestic bulk liquids stored therein.

(22) Difference in conditions coverage excluding fire and extended coverage perils.

(23) Electronic data processing policies.

(c) Unless otherwise permitted, nothing set forth in subsection (b) shall be construed to permit marine or transportation policies to cover any of the following:

(1) Storage of assured's merchandise, except as otherwise provided.

(2) Merchandise in the course of manufacture, the property of and on the premises of the manufacturer.

(3) Furniture and fixtures and improvements and betterments to buildings.

(4) Moneys and securities in safes, vaults, safety deposit vaults, banks, or assured's premises, except while in the course of transportation.

Authority

The provisions of this § 91.8 issued under The Insurance Department Act of 1921 (40 P. S. §§ 1—321); The Insurance Company Law of 1921 (40 P. S. §§ 341—991); sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. § 66, 186, 411 and 412); and The Fire, Marine and Inland Marine Rate Regulatory Act (40 P. S. §§ 1221—1238).

Source

The provisions of this § 91.8 amended September 4, 1981, effective December 4, 1981, 11 Pa.B. 3046. Immediately preceding text appears at serial pages (7769), (14251), (14252), (48132), and (48133).

Cross References

This section cited in 31 Pa. Code § 112.3 (relating to explanation of submission of rates).

§ 91.9. [Reserved].

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