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DIVISION OF INSURANCE

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*Frank H. Murkowski, Governor*

**ORDER NO. R 04-11**

**SURPLUS LINES PLACEMENT LIST**

On December 1, 2004, the director of the Division of Insurance held a hearing pursuant to AS 21.06.180 – 21.06.230 to receive testimony concerning the kinds of insurance for which insureds generally are unable to secure coverage from admitted insurers. Based on this testimony, the director has decided what types of insurance coverage to include on the surplus lines placement list.

Findings of Fact

1. The director finds that types of coverage listed on the attached surplus lines placement list are currently unavailable from the admitted market. The following are **additions** to the previous placement list.

Building inspectors – Professional liability/E&O  
Churches – Abuse and molestation  
Custodial care as previously listed – Abuse and molestation  
Real estate management – Professional liability/E&O  
Travel agents – Professional liability/E&O

2. The director finds that the following types of coverage are generally available to insureds from the admitted market and therefore **has not** added them to the placement list.

D&O on a general basis. (Some specific types of risks are listed for D&O.)  
Professional liability/E&O on a general basis. (Some specific types of risks are listed for E&O.)

Conclusions of Law

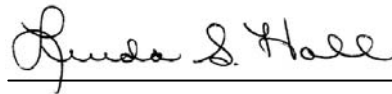
1. The hearing held on December 1, 2004, met the requirements of AS 21.06.180 – 21.06.230 and 3 AAC 25.040.

2. The surplus lines list is amended to include only those kinds of insurance that are currently unavailable from admitted insurers as enumerated in the above Findings of Fact.
3. Under AS 21.34.020(3) and 3 AAC 25.030, producing brokers must use due diligence to determine whether the insurance is available from an admitted insurer. Due diligence will be presumed if the producing broker affirms that the coverage is on this list.
4. A producing broker may apply for an exception under AS 21.34.020(4) when coverage is available in the admitted market.

IT IS ORDERED that the list that follows is the surplus lines placement list to be used until a replacement order is issued. This order replaces Order R 04-01, issued January 9, 2004.

This order is effective December 22, 2004.

Dated this 22nd day of December, 2004, at Anchorage, Alaska.



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Linda S. Hall  
Director

<b>Class of Business or Type of Risk</b>	<b>Line of Coverage</b>
Adult entertainment	All lines except workers' compensation
Aircraft - antique	All lines except workers' compensation
Aircraft - chartered	All lines except workers' compensation
Aircraft - ground operations at a fixed base	All lines except workers' compensation
Aircraft - passenger liability	Excess liability
Aircraft applicators - liability including crop damage and chemical drift	Liability
Airport liability	Liability
Airport repair operations	Excess liability
Alarm companies	General liability
Amusement rides	General liability
Animal rides, saddle horses, rodeos and horse shows	General liability
Apartment buildings - pre-1980, or wood frame, or nonsprinklered	All lines except workers' compensation
Architects & engineers	E&O
Armored car services	All lines except workers' compensation
Assisted living homes or centers	All lines except workers' compensation
ATM operators	E&O
Attorneys professional liability	Professional liability
Auto rental firms - short term	Auto physical damage
Automobile - commercial	Physical damage
Aviation	Monoline products liability
Aviation maintenance vehicles	All lines except workers' compensation
Aviation/aircraft	Excess liability
Balloon - hot air/gas	All lines except workers' compensation
Bars	Liquor liability
Boat manufacturing/repair	General liability
Bridges and tunnels	Inland marine
Builder's risk - frame construction	Inland marine
Builder's risk - remote locations	Inland marine
Building inspectors	Professional liability/E&O
Buildings - on pilings	Fire and allied lines
Buildings - pre-1980	Fire and allied lines
Business interruption	Monoline
Cameras	Inland marine
Cargo - see Motor truck cargo	
Churches	Abuse & molestation
Classic/antique autos	Auto physical damage
Coin dealers	Inland marine
Coin-operated devices	Inland marine
Commercial risks	Excess liability
Computer programmers	General liability, professional liability
Computer repair/service	General liability
Construction management	Professional liability
Consultants	General liability, professional liability
Contact lenses	Inland marine
Contractors of the following types:	
Demolition	Liability
Environmental	Liability
Fire suppression - including service and sales	Liability

General	Liability
Pile driving	All lines except workers' compensation
Residential	Liability
Counseling - see Residential counseling services	
CPAs	E&O
Custodial care - licensed for under 25, which includes:	General liability, abuse & molestation
Adult day care centers	
Child day care centers	
Developmentally disabled	
Homes for the aged	
In-home day care	
Residential care centers	
DIC	Inland marine
Divers	General liability
Docks, piers, and wharves - wood frame	Inland marine
Drought	Fire and allied lines
Earthquake	Monoline (may be combined with flood)
Employment practices liability	Monoline liability
Environmental consulting	Professional liability
Environmental impairment	Liability
Excess coverage - personal or commercial	Excess liability
Explosion	Monoline liability
Explosive manufacturing, storage, or sales	General liability, fire & allied lines
Exterminators - pest control	General liability
Financial advisors	Professional liability
Fine arts	Inland marine
Fire extinguisher sales/service	General liability
Fire suppression contractors	Professional liability
Flood	Monoline (may be combined with quake)
Food-borne illness	General liability
Furs	Inland marine
Garage keepers legal liability	GKLL
Gold mines	Crime
Greenhouses	Fire and allied lines (wind & hail)
Guide, lodge, or outfitter - airstrips	All lines except workers' compensation
Guides, lodges, or outfitters - aircraft hull or liability	Liability & hull
Guides, outfitters, or lodges - remote	General liability
Habitational	Fire and allied lines
Hanger keepers	Monoline liability
Hay in the open or barns - when value exceeds \$25,000 in each stack or barn.	Fire and allied lines
Hazardous materials hauling	All lines except workers' compensation
Helicopters	All lines except workers' compensation
Hired & nonowned auto	Monoline
Home health care	Liability
Homeowners - valued at \$2 million or higher	Homeowners
Homeowners - with past losses	Homeowners
In-home bed and breakfast	General liability
In-home day care	General liability
Internet services	E&O

Jewelry	Inland marine
Kidnap/ransom	Crime
Leased motor homes	Auto physical damage
Liquor liability	Monoline liability
Luxury autos	Auto physical damage
Marine surveyors	General liability, professional liability
Medical malpractice	Liability
Mining	General liability
Mold consultants	Liability
Mortgage protection/impairment	General liability
Motor truck cargo - values \$100,000 or more	Inland marine
Motor truck cargo - haul road or trans Canada	Inland marine
Motor truck cargo - contractors equipment or perishables	Inland marine
New ventures - less than three years experience	General liability, professional, D&O
Nonprofit - financially distressed	Professional liability, D&O
Nonprofit - public media	Professional liability, D&O
Nursing homes	General liability
Oil or gas field services	General liability
Personal lines	Excess liability
Plastic manufacturers and sales	Fire and allied lines
Police professional liability	Professional liability
Police protective liability- false arrest, personal injury	Monoline liability
Pollution/contamination	Monoline liability
Polyurethane-insulated buildings	Fire and allied lines
Products and completed operations	Monoline liability
Property management	Professional liability
Public officials	Professional liability
Racing autos	Auto physical damage
Railroad protective	Monoline liability
Railroads	General liability, fire & allied lines
Real estate appraisers	E&O
Real estate managers	Professional liability/E&O
Remote sites accessible only by air or water	Fire and allied lines, inland marine (BR/COC only), package policy
Residential counseling services (i.e., alcohol abuse counseling)	General liability, professional liability
RV (incl ATVs and boats) dealers	Garage, general liability
Sawmills	Fire and allied lines
School boards	Professional liability
Security guards	Monoline liability
Ski-lifts and tows	Monoline liability
Snowmobile dealers	Monoline liability
Special auto bodies	Auto physical damage
Spectator liability	General liability
Taverns	Liquor liability
Travel agents	Professional liability/E&O
Unprotected risks (class 8, 9, or 10) - over \$1 million	Fire and allied lines, inland marine
Village corporations	Professional liability, D&O
Welding shops	General liability, fire & allied lines
Wood handlers	Fire and allied lines