

## PUBLIC NOTICE

INSURANCE  
DEPARTMENT OF BANKING AND INSURANCE  
DIVISION OF PROPERTY AND CASUALTY

Public Notice  
List of Special Risks

**Take notice** that effective June 20, 2005, Acting Commissioner of Banking and Insurance Donald Bryan, pursuant to the authority of the Commercial Insurance Deregulation Act of 1982 (N.J.S.A. 17:29AA-1 et seq.), hereby promulgates the list of special risks described in N.J.S.A. 17:29AA-3k. This list was last published April 3, 1995 at 27 N.J.R. 1485(a).

The following commercial lines insurance risks are special risks:

1. Risks which are written on an excess or umbrella basis;
2. Risks which are eligible for export as set forth on any current Exportable List promulgated by the Commissioner under N.J.S.A. 17:22-6.43 and N.J.A.C. 11:1-34; or
3. Those commercial lines insurance risks, or portions thereof which: (a) do not appear in any of the following manuals, rating plans or schedules below; (b) are excepted below from such manuals, rating plans or schedules; or (c) are specifically designated special risks below, are found to be special risks which are of an unusual nature or high loss hazard or are difficult to place or rate.

I. RATING ORGANIZATION MANUALS, RATING PLANS, OR SCHEDULE AND EXCEPTIONS

A. INSURANCE SERVICES OFFICE

1. COMMERCIAL LINES MANUAL (including Commercial Automobile Supplementary Rating Procedures)

Except risks which are designated as:

- (a) "a" rated
- (b) "refer to company" either exclusively or in the alternative
- (c) "Submit to company"
- (d) Property owned by the Federal government
- (e) Railroad property
- (f) Computer fraud risks
- (g) Extortion risks

2. COMMERCIAL AUTOMOBILE SUPPLEMENTARY RATING PROCEDURES

B. MUTUAL SERVICE OFFICE SPECIAL MULTI PERIL MANUAL, BURGLARY AND THEFT MANUAL FIRE AND ALLIED LINES MANUAL

Except risks designated as:

1. "a" rated
2. "refer to company" either exclusively or in the alternative
3. "submit to company"

C. CROP-HAIL INSURANCE ACTUARIAL ASSOCIATION MANUAL

D. AMERICAN ASSOCIATION OF INSURANCE SERVICES GENERAL LIABILITY MANUAL

1. "a" rated
2. "refer to company" either exclusively or in the alternative
3. "Submit to company"

E. MILL AND ELEVATOR RATING BUREAU MANUAL

F. SPECIAL RISK EXCEPTIONS

Notwithstanding anything aforesaid, the following risks are not special risks and are specifically excepted from the special risks list:

1. Legal malpractice liability
2. Medical malpractice liability
3. Hospitals professional liability
4. Physicians and surgeons professional liability
5. Dentist professional liability
6. Employees professional liability
7. Nurses professional liability
8. Optometrists professional liability
9. Physiotherapists professional liability
10. Chiropodists professional liability

II. SPECIFICALLY DESIGNATED SPECIAL RISKS

A. INSURANCE SERVICES OFFICE

1. Risks rated under any of the following schedules are special risks:
  - (a) Petroleum properties
  - (b) Petrochemicals plans

- (c) Electric generating stations
- (d) Natural gas pumping stations
- (e) Coal, oil and water gas plants
- (f) Electric traction properties

2. Risks insured under the provisions of the Highly Protected Risks Rating Plan are special risks.

B. Preferred risk properties insured and rated as showing in the rules and rating schedules of the FACTORY MUTUAL SERVICE BUREAU are special risks.

C. All commercial insurance aviation risks (including those rates from the AVIATION INSURANCE RATING BUREAU Schedule of Rates) are special risks.

D. All nuclear insurance risks are special risks.

E. All Animal Mortality risks are special risks.

F. All Credit Insurance risks are special risks.

G. All Boiler and Machinery risks are special risks.

H. All Healthcare Provider Stop Loss Insurance risks are special risks.

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