



AUTO BULLETIN NO. 32

TO: ALL PROPERTY & CASUALTY INSURERS WRITING PRIVATE PASSENGER AUTOMOBILE (PPA) LIABILITY COVERAGE

RE: COMMERCIAL USE EXCLUSION IN PPA INSURANCE POLICIES

DATED: APRIL 1, 2020

On March 12, 2020, Governor John F. Carney declared a State of Emergency for the State of Delaware as a result of the COVID-19 virus. As a result of this event, the lives and livelihoods of Delaware residents have been adversely affected. In many cases, residents of the State have lost jobs and income streams. Some State residents have chosen to take on new jobs providing delivery services for food, medicine and other household essentials using their personal automobiles.

Private passenger automobile (“PPA”) policies typically contain language that eliminates or limits liability coverage for an insured’s commercial use of their vehicle(s). One major market share PPA insurer group in Delaware has informed the Department of Insurance (the Department) of its desire to temporarily waive the commercial use exclusion for the duration of the COVID-19 emergency. This will allow its insureds to be protected to the full extent of their liability coverage limits when using their vehicle(s) to deliver goods to residents of Delaware for pay. These citizens will be able to restore income streams without undue insurance worries.

The Department applauds this action and strongly encourages other PPA insurers operating in Delaware to follow suit. Accordingly:

- Insurers may make an endorsement form filing that temporarily suspends the commercial use exclusionary language in their contracts until such time as the Governor lifts the state of emergency;
- The Department will waive the fee for such filings and will review and approve the filing, if possible, within 24 hours of submission; and
- Providing coverage in this manner may begin immediately.

Questions concerning Auto Bulletin No. 32 should be emailed to consumer@delaware.gov.

This Bulletin shall be effective immediately and shall remain in effect unless withdrawn or superseded by subsequent law, regulation or bulletin.

Trinidad Navarro

Trinidad Navarro
Delaware Insurance Commissioner

NOTE: This Bulletin is intended solely for informational purposes. It is not intended to set forth legal rights, duties, or privileges, nor is it intended to provide legal advice. Readers should consult applicable statutes and rules and contact the Delaware Department of Insurance if additional information is needed.

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