

# NEW MEXICO PUBLIC REGULATION COMMISSION

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## Division of Insurance

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*Superintendent of Insurance*  
*Morris J. Chavez*

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## INSURANCE DIVISION BULLETIN No. 2008-002

March 18, 2008

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**TO: PROPERTY/CASUALTY COMMERCIAL LINES INSURERS**

**RE: TRIPRA FILING PROCEDURES**

**THE FOLLOWING BULLETIN** is issued pursuant to Insurance Division Rule 13.1.2 NMAC.

The purpose of this bulletin is to set forth the Insurance Division's position with regard to filing procedures for compliance with the Terrorism Risk Insurance Program Reauthorization Act of 2007 (the Act), which went into effect December 26, 2007. Please refer to the Act for background information, definitions, affected lines of business, policyholder disclosure requirements and all other pertinent general information.

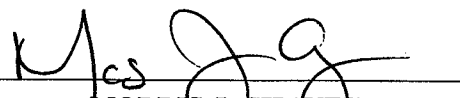
For lines other than workers compensation, New Mexico does not require insurers to file rates and rules for certified acts of terrorism. For workers compensation, insurers are required to file only if they wish to deviate from approved workers compensation terrorism loss costs filed by the National Council on Compensation Insurance, in which case such filings shall be submitted under the prior approval requirements of Paragraph A, Item (2)(c) of 59A-17-9 NMSA 1978.

Insurers must submit the terrorism-related policy language that they intend to use in New Mexico. The policy should define *acts of terrorism* in ways that are consistent with the Act, state law and the guidance provided in this bulletin. The definitions, terms and conditions should be complete and accurately describe the coverage that will be provided in the policy. Insurers may conclude that current filings are in compliance with the Act, state law and the requirements of this bulletin. However, if policy forms make a distinction between acts of a foreign person and a domestic person or domestic interest, it is likely that a filing is required.

Insurers should also file, for informational purposes, the disclosure notices required by the Act. The disclosures should comply with the requirements of the Act and should be consistent with the policy language and rates used by the insurer.

All filings related to the Act shall be accompanied by the current edition of the "Expedited Filing Transmittal Document for Terrorism Risk Insurance Forms and Pricing" promulgated by the National Association of Insurance Commissioners. Any questions regarding this bulletin may be directed to Sider Esquibel at [isidro.esquibel@state.nm.us](mailto:isidro.esquibel@state.nm.us). This bulletin shall take immediate effect and shall expire on December 31, 2014 unless Congress extends the duration of the Act.

**DONE AND ORDERED** this 18<sup>th</sup> day of March, 2008.

  
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**MORRIS J. CHAVEZ**  
Superintendent of Insurance