

**NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES
TWELFTH AMENDMENT TO 11 NYCRR PART 62
(INSURANCE REGULATION 96)**

**SUBPART 62-2
REPORTS TO CENTRAL ORGANIZATION**

I, Benjamin M. Lawsky, Superintendent of Financial Services, pursuant to the authority granted by Sections 202 and 302 of the Financial Services Law and Sections 201, 301, 318, 319, 403, 2601, 3403, 3413, and 3432 of the Insurance Law, do hereby promulgate the following Twelfth Amendment to Part 62 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation 96), to take effect upon publication in the State Register.

(NEW MATTER UNDERLINED; DELETED MATTER IN BRACKETS)

Section 62-2.2 is amended as follows:

(a) [The central organization is hereby designated to be the Property Insurance Loss Register, as administered by the American Insurance Association, hereinafter referred to as PILR.] In order to comply with this Subpart, [all insurers] every insurer licensed to write fire insurance in this State [are] is hereby required to become a subscriber[s] to [PILR] the central organization designated by the superintendent and shall be bound by all of the terms and conditions of subscribership [to PILR] thereto.

(b) Reporting and follow-up requirements. Insurers shall report all fire losses in excess of \$1,000 involving applicable property, except losses to vehicles registered for use on public highways, to [PILR] the central organization within five business days following receipt of notice of loss. If the insurer has not received a response from [PILR] the central organization within 15 calendar days following its submission of the fire loss report [to PILR], the insurer shall continue to complete the adjustment of the loss.

(c) Verification procedures required prior to paying a fire claim. An insurer shall comply with the [PILR] central organization reporting procedures prior to [its payment of] paying a fire claim, subject to the rules provided for in this Subpart.

(1) The insurer shall not complete adjustment of the loss until expiration of 15 calendar days from the date of the submission of the fire loss report to [PILR] the central organization.

(2) If the [PILR] central organization's response indicates insurance coverage by more than one insurer or of a previous fire loss, the insurers shall promptly investigate and resolve such circumstance [and/or] or confirm information related to prior losses.

(3) Subject to the provisions of section 62-1.2 of this Part, if the [insurer suspects from the PILR] central organization report or other information indicates to the insurer that the fire claim may be fraudulent, the insurer shall suspend processing of the claim pursuant to the provisions of Insurance Law section 2601 [of the Insurance Law].

Section 62-2.4 is amended as follows:

In accordance with the provisions of Insurance Law section 318 [of the Insurance Law], information reported to [PILR] the central organization pursuant to this Subpart shall be made available to law enforcement agencies, tax districts [which] that have, pursuant to the provisions of section 22 of the General Municipal Law, filed with the superintendent a notice of intention to claim against the proceeds of a policy of fire insurance, and governmental agencies charged with the responsibility of demolition of structures. [Requests for fire insurance loss information shall be submitted to the Insurance Frauds Bureau. The Insurance Frauds Bureau shall transmit all such requests to PILR for processing. PILR shall furnish all available information compiled from reports required to be made by this Subpart, to the Insurance Frauds Bureau, which in turn will make such information available to the requesting agency.]



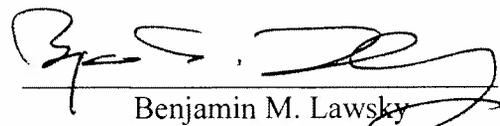
NEW YORK STATE
DEPARTMENT *of*
FINANCIAL SERVICES

Andrew M. Cuomo
Governor

Benjamin M. Lawsky
Superintendent

I, Benjamin M. Lawsky, Superintendent of Financial Services, do hereby certify that the foregoing is the Twelfth Amendment to Part 62 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Insurance Regulation 96), promulgated by me on June 18, 2014, pursuant to the authority granted by Sections 202 and 302 of the Financial Services Law and Sections 201, 301, 318, 319, 403, 2601, 3403, 3413, and 3432 of the Insurance Law, to take effect upon publication in the State Register.

Pursuant to the provisions in the State Administrative Procedure Act, prior notice of the proposed regulation was published in the State Register on April 2, 2014. No other publication or prior notice is required by statute.


Benjamin M. Lawsky
Superintendent of Financial Services

Date: June 18, 2014