

CHAPTER 07 - STATE PROPERTY FIRE INSURANCE FUND DIVISION

SECTION .0100 - GENERAL PROVISIONS

11 NCAC 07 .0101 DEFINITIONS

The following definitions shall apply for this division:

- (1) "Agent of Record" shall mean that insurance agent or agents authorized to represent the North Carolina Department of Insurance in procurement of insurance for North Carolina agencies.
- (2) "Self-liquidating buildings" shall mean buildings using their own revenues to retire their obligations.
- (3) "Special Fund Agencies" shall mean departments or agencies that receive their operating revenue from sources other than the general fund.

History Note: Authority G.S. 58-2-40; 58-31-10;
Eff. February 1, 1976;
Readopted Eff. May 12, 1978;
Amended Eff. October 1, 1988;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 19, 2019.

11 NCAC 07 .0102 PURPOSE OF DIVISION

11 NCAC 07 .0103 DEPUTY COMMISSIONER

11 NCAC 07 .0104 DIVISION PERSONNEL

History Note: Authority G.S. 58-7.3; 58-9; 58-189 through 58-194;
Eff. February 1, 1976;
Readopted Eff. May 12, 1978;
Repealed Eff. July 1, 1988.

11 NCAC 07 .0105 BILLING

A charge will be made by the State Property Fire Insurance Fund for fire coverage provided to special fund agencies, self-liquidating buildings, special fund buildings, and buildings utilizing funds from revenue-producing endeavors connected therewith, for operation or maintenance. Rates for said coverages shall be fixed by the Commissioner of Insurance.

Charges will be levied to agencies for requested extended coverage, sprinkler leakage, business interruption, or other property insurance. All checks must be made payable to the North Carolina Department of Insurance. Rates for said coverages shall be fixed by the Commissioner of Insurance.

History Note: Authority G.S. 58-2-40; 58-31-5; 58-31-15; 58-31-20; 58-31-55;
Eff. February 1, 1976;
Readopted Eff. May 12, 1978;
Amended Eff. October 1, 1988;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 19, 2019.

11 NCAC 07 .0106 REPORT AND PROOF OF LOSS FORM

All forms for submission of loss claims and other forms necessary for daily operation of the division in fulfilling its purpose shall be supplied by the division. The form entitled "Report and Proof of Loss Form" shall require the claimant to provide information including, but not limited to, the name of the department or agency, division, building name, location, date of loss, description of loss, amount requested to repair building and supporting information to aid the division in making a recommendation for amount of payment to the Council of State.

History Note: Authority G.S. 58-2-40; 58-31-55;
Eff. February 1, 1976;
Readopted Eff. May 12, 1978;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 19, 2019.

SECTION .0200 - PLAN APPROVAL FOR STATE BUILDINGS

11 NCAC 07 .0201 PLAN REVIEW

*History Note: Authority G.S. 58-2-40; 58-31-40;
Eff. February 1, 1976;
Readopted Eff. May 12, 1978;
Amended Eff. October 1, 1988;
Expired Eff. February 1, 2019 pursuant to G.S. 150B-21.3A.*

11 NCAC 07 .0202 SUBMISSION OF PLANS 11 NCAC 07 .0203 CORRECTION OF PLANS

*History Note: Authority G.S. 58-193;
Eff. February 1, 1976;
Readopted Eff. May 12, 1978;
Repealed Eff. October 1, 1988.*

SECTION .0300 - STATE PROPERTY FIRE INSURANCE FUND

11 NCAC 07 .0301 STATE PROPERTY FIRE INSURANCE FUND: PURPOSE AND FUNDING 11 NCAC 07 .0302 REINSURANCE

*History Note: Authority G.S. 58-189 to 58-191.2; S.L. 1975, Ch. 875;
Eff. February 1, 1976;
Readopted Eff. May 12, 1978;
Repealed Eff. October 1, 1988.*

11 NCAC 07 .0303 LOSS ADJUSTMENT

The staff of the state property division shall investigate all losses reported to the department. The Commissioner of Insurance shall make recommendations to the Governor and Council of State for any loss. The claimant shall submit a "Report and Proof of Loss Form" in accordance with division procedures. Said form must be signed by an authorized representative of the agency and include data in support of the claim.

*History Note: Authority G.S. 58-2-40; 58-31-10; 58-31-15; 58-31-20;
Eff. February 1, 1976;
Readopted Eff. May 12, 1978;
Amended Eff. October 1, 1988;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 19, 2019.*

11 NCAC 07 .0304 INSURANCE PLACEMENT OTHER THAN UNDER THE FUND

Insurance coverage which is requested by agencies, but which is not available under the State Property Fire Insurance Fund, is placed by the division through the Agent of Record. The Agent of Record shall acquire coverage from companies authorized to do business in North Carolina.

*History Note: Authority G.S. 58-2-40; 58-31-45; 58-31-50; 58-31-55;
Eff. February 1, 1976;
Readopted Eff. May 12, 1978;
Amended Eff. October 1, 1988;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 19, 2019.*

11 NCAC 07 .0305 REVALUATION OF PROPERTY

In the revaluation of property, the division shall use recognized standards and methods for computing replacement costs of real and personal property. Such methods may include, but are not limited to, factors of inflation and current construction indices.

History Note: Authority G.S. 58-2-40; 58-31-10; 58-31-15; 58-31-20;
Eff. February 1, 1976;
Readopted Eff. May 12, 1978;
Amended Eff. October 1, 1988;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 19, 2019.

11 NCAC 07 .0306 INSPECTION OF STATE-OWNED BUILDINGS

To insure the safety of the buildings and occupants therein, on-site inspections of state-owned buildings are made as required by statute to determine property conditions.

Upon completion of its inspection and evaluation of fire and other safety hazards, the division will report, verbally or in writing or both to the authority in charge of the agency, institution or department. Said authority is responsible for correction of any deficiencies which may have been found by the division in accordance with the applicable General Statutes.

History Note: Authority G.S. 58-2-40; 58-31-40;
Eff. February 1, 1976;
Readopted Eff. May 12, 1978;
Amended Eff. October 1, 1988;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 19, 2019.

SECTION .0400 - AERIAL ADVENTURE PARK FINANCIAL RESPONSIBILITY

11 NCAC 07 .0401 DEFINITIONS

The definitions contained in G.S. 66-455 are incorporated in this Section by reference. In addition to those definitions, the following definitions apply to this Section:

- (1) "Proof of Insurance" shall mean a Certificate of Insurance (COI) from an acceptable insurer.
- (2) "Acceptable Insurer" shall mean any insurance company licensed under G.S. 58-6-7.

History Note: Authority G.S. 66-458;
Eff. January 1, 2019.

11 NCAC 07.0402 PROOF OF INSURANCE COVERAGE

(a) A person operating a challenge course, zip line, or other similar device subject to the provisions of G.S. 66-455 through G.S. 66-458 shall file with the Commissioner, on an annual basis, proof that it has obtained liability insurance satisfying the requirements of G.S. 66-456 from an acceptable insurer.

(b) Proof of Insurance shall be filed with the Director of Risk Management, North Carolina Department of Insurance, 1201 Mail Service Center, Raleigh, NC 27699 or may be filed electronically by e-mailing challengcoursecoi@ncdoi.gov.

History Note: Authority G.S. 66-458;
Eff. January 1, 2019.