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Bulletin 398

Hurricane Deductibles – Forecast Zones and Civil Divisions

The Property Insurance Cancellation Control Act (PICCA) requires that the Superintendent of Insurance adopt rules establishing procedures and standards for insurers that use hurricane deductibles.¹ The Superintendent of Insurance has adopted Rule 960, effective April 1, 2015, to implement Section 3061. The Rule provides in part that an insurer may apply a hurricane deductible “only during the period that starts when the National Weather Service issues a hurricane warning for a forecast zone that includes any part of the municipality in which the insured property is located and ends twenty-four (24) hours after the National Weather Service terminates the last hurricane warning for that forecast zone.”² The Rule defines “forecast zone” as “a forecast area published by the National Weather Service for the State of Maine.”³

The National Weather Service has published an image of the Maine Public Forecast Zone Boundaries map at http://www.nws.noaa.gov/mirs/public/prods/maps/map_images/state-maps/zone/me_zone.pdf⁴ this image does not include civil divisions. However, in 2012 the Maine Department of Transportation (MDOT) prepared a map that does show forecast zones and civil divisions. The map is available on the Bureau’s website at <https://www.maine.gov/pfr/insurance/legal/bulletins>. Insurers issuing policies subject to PICCA and including hurricane deductibles should follow the MDOT map in determining whether a hurricane warning, as defined in the Rule,⁵ applies to properties that they insure.

In making these determinations, insurers should note that the forecast zones on the MDOT map do not always coincide with civil divisions. For purposes of Rule 960, the following towns are located as shown on the next page.

¹ 24-A M.R.S. § 3061 (enacted by P.L. 2013 c. 38, § 1, eff. Oct. 9, 2013)

² 02-031 Code Me. Rules ch. 960, § 4(A)(1)

³ *Id.* § 3(A)

⁴ The Bureau will update this Bulletin if this link is discontinued or if the map currently posted on the Bureau’s web site is no longer consistent with the National Weather Service map.

⁵ *Id.* § 4(D)



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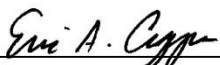
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- Berwick, Sanford, Alfred, Lyman, and Buxton are entirely in Zone 18, Interior York County.
- Windham is entirely in Zone 19, Interior Cumberland County.
- Belmont is entirely in Zone 28, Coastal Waldo County.
- Concord and Mayfield Townships are entirely in Zone 9, Central Somerset County.
- Barnard Township is entirely in Zone 31, Southern Piscataquis County.
- TA R10 WELS is entirely in Zone 10, Central Piscataquis County.
- Cedar Lake Township and T2 R9 NWP are entirely in Zone 11, Central Penobscot County.
- T4 R14 WELS and Rainbow Township are entirely in Zone 4, Northern Piscataquis County.
- T8 R5 WELS and St. Croix Township are entirely in Zone 6, Southeast Aroostook County.
- TD R 2 WELS and Bridgewater are entirely in Zone 2, Northeast Aroostook County.

Insurers should review their hurricane deductible provisions and take steps, if necessary, to conform them to Rule 960 by April 1, 2015. Insurers using forms filed by a designated advisory organization on behalf of members and subscribers pursuant to 24-A M.R.S. § 2412(1)(C) may rely on conforming policies or endorsements.

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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 Bureau of Insurance if additional information is needed.