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PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 836
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE REGULATION

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ARCHIVES DIVISION
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FILING CAPTION: Language used for co-insureds in personal property and casualty policies

EFFECTIVE DATE: 03/01/2023

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RULES:

836-080-0900, 836-080-0905

ADOPT: 836-080-0900

NOTICE FILED DATE: 11/29/2022

RULE SUMMARY: To define covered loss and innocent person.

CHANGES TO RULE:

836-080-0900

Definitions

As used in OAR 836-080-0900 to 836-080-0905:

(1) "Covered loss" means any loss, damage, or injury that would be covered by a property and casualty personal lines policy unless arising out of an act or omission of a person insured under such policy.

(2) "Innocent person" means, with respect to any covered loss, a person:

(a) Who did not cause such covered loss;

(b) Who did not materially contribute to such covered loss; and

(c) Who did not know that such covered loss was reasonably likely to occur or undertook reasonable efforts to prevent or limit such covered loss.

Statutory/Other Authority: ORS 742.005

Statutes/Other Implemented: ORS 731.244

ADOPT: 836-080-0905

NOTICE FILED DATE: 11/29/2022

RULE SUMMARY: Language used for co-insureds in personal property and casualty policies.

CHANGES TO RULE:

836-080-0905

Language used for co-insureds on property and casualty personal lines policies

No property and casualty personal lines policy may contain any provision or other language that would deny coverage to any innocent person insured under such policy for any covered loss arising out of any act or omission of any other person insured under such policy.

Statutory/Other Authority: ORS 742.005

Statutes/Other Implemented: ORS 731.244