

THE SURPLUS LINE ASSOCIATION

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BULLETIN TO ALL MEMBERS

RE: Uniform Policy Inception Time

For your information, Section 460 of the California Insurance Code, the new uniform insurance policy inception hour statute, became effective on and after January 1, 1972.

The new section is as follows:

Article 5. Inception Hours
(Article 5 added by Stats. 1967, Ch. 1002)

460. On and after January 1, 1972, every printed form of an insurance contract, including every policy, endorsement, rider or any amendment thereof issued in this state by any insurer or issued for delivery in this state by any insurer shall state an inception hour for coverage of 12:01 a.m. of the date upon which it is to be dated. Unless a specific provision of this code otherwise prescribes or permits, the hour prescribed shall be standard time at the residence within this state, or the principal place of business within this state, of the insured.

This section shall not prohibit an insurer, directly or through an agent, from issuing a binder, whether it be oral or typed by insertions in blanks in a printed form, specifying an inception or termination hour other than 12:01 a.m. on the date upon which the coverage is to commence, or end, as specified in the standard form or forms issued as the normal policy. Such binder shall not be subject to Section 382 nor have the technical meaning therein ascribed to "covering notes".

This section shall not prohibit an insurer from issuing any policy or contract on a normal printed form which contains a provision extending the period of coverage for either 12 hours preceding, or following, the effective hour otherwise required by this section.

This section shall not apply to:

- (1) Life insurance as defined in Section 101 or such supplemental disability insurance as is defined in Sections 10271 and 10292.
- (2) Marine insurance as defined in Section 103.
- (3) Title insurance as defined in Section 104.
- (4) Mortgage insurance as defined in Section 107.
- (5) Mortgage guarantee insurance as defined in Section 119.
- (6) Surety insurance, as defined in Section 105 or disability insurance, as defined in Section 106, unless, until, and to the extent following:

The commissioner, on or after the effective date of the amendment of this section at the 1969 Regular Session of the Legislature, from time to time, as to specific types, classes, or categories of such insurance, declares, by rules and regulations promulgated as provided by law, that this section shall apply. Such rules or regulations shall provide that no policy or other form required by law to be approved by the commissioner need be refiled for approval if the only change from a previously approved form is the inclusion or change of the inception or termination hour.

(Added by Stats. 1967, Ch. 1002; amended by Stats. 1969, Ch. 859.)



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