

**State of Rhode Island and Providence Plantations**  
**DEPARTMENT OF BUSINESS REGULATION**  
*Division of Insurance*  
**1511 Pontiac Avenue, Bldg. 69-2**  
**Cranston, Rhode Island 02920**

**CONCISE EXPLANATORY STATEMENT**  
**INSURANCE REGULATION 11 – SURPLUS LINE BROKERS**

The Department of Business Regulation (“Department”) hereby adopts amendments to Insurance Regulation 11 effective December 15, 2008 and makes this statement in accordance with R.I. Gen. Laws § 42-35-2.3. The Department makes these amendments in order bring the regulation into compliance with amendment to R.I. Gen. Laws § 27-3-38, clarify that fees may be set by other regulations, amend the form requirements to allow for electronic processing and remove duplicative requirements. There are four differences between the text of the proposed rule as published in accordance with R.I. Gen. Laws § 42-35-3 and the rule as adopted. Those differences are:

- Section 6(b)(3) has been amended to remove the proposal that the line of business be identified in accordance with the NAIC state page and add a proposal that the line of business be identified as automobile, homeowner, commercial property, medical malpractice, workers compensation, other personal or other commercial.
- Section 6(c) (which was 6(d) in the earlier version of the regulation) has been amended to clarify that record retention is to be accomplished in accordance with Insurance Regulation 67.
- Section 6(e) (previously section 6(e)) has been amended to remove the phrase “and entities” to reflect the fact that the Department no longer licenses nonresident business entities.
- Exhibit C has been amended to provide that the line of authority should be identified as automobile, homeowner, commercial property, medical malpractice, workers compensation, other personal or other commercial.

Comments made at the hearing with regard to two sections were considered and rejected. Those sections are:

- The Department recognizes the language change to section 6(c)(1) (previously section 6(b)(1)) as something which should be considered, however, this was not an item noticed for amendment and, therefore, the Department will take this as a suggestion for future amendment of the regulation.
- The Department declined to amend section 9 noting that section 7 provides that the new annual reports do not have to be filed until 2010 for calendar year 2009. No annual report is required for calendar year 2008.