§ 3425. Certain property/casualty insurance policies; cancellation and renewal provisions; agents' contracts and brokers' accounts. (a) This section shall apply to covered policies of insurance as defined in paragraphs one, two and three hereof.

(1) "Covered policy" means a contract of insurance, referred to in this section as "automobile insurance", issued or issued for delivery in this state, on a risk located or resident in this state, insuring against losses or liabilities arising out of the ownership, operation, or use of a motor vehicle, predominantly used for non-business purposes, when a natural person is the named insured under the policy of automobile insurance; provided, however, that the use or operation of the motor vehicle by a transportation network company driver as a TNC vehicle in accordance with article forty-four-B of the vehicle and traffic law or the use or operation of the motor vehicle through a peer-to-peer car sharing program in accordance with article forty of the general business law, shall not be included in determining whether the motor vehicle is being used predominantly for non-business purposes.

(2) "Covered policy" also means a contract of insurance, referred to in this section as "personal lines insurance", other than a contract of insurance defined in paragraph one hereof, issued or issued for delivery in this state, on a risk located or resident in this state, insuring any of the following contingencies:

(A) loss of or damage to real property used predominantly for residential purposes and that consists of not more than four dwelling units, other than hotels and motels;

(B) loss of or damage to personal property in which natural persons have an insurable interest, except personal property used in the conduct of a business;

(C) other liabilities for loss of, damage to, or injury to persons or property, not arising from the conduct of a business, when a natural person is the named insured under the policy; and

(D) parametric insurance, as defined in paragraph thirty-four of subsection (a) of section one thousand one hundred thirteen of this chapter.

(3) A personal umbrella liability policy shall be considered a "covered policy" under paragraph two, and not paragraph one, of this subsection.

(4) A contract which insures any of the foregoing contingencies described in paragraph one or two hereof as well as other contingencies shall be a covered policy if that portion of the annual premium attributable to such foregoing contingencies exceeds that portion attributable to other contingencies.

(5) A covered policy shall not include a policy issued pursuant to any plan established under article fifty-three or fifty-four of this chapter or legal services insurance.

(6) "Renewal" or "to renew" means the issuance and delivery by an insurer, at the end of the policy period, of a policy superseding a policy previously issued and delivered by the same insurer, or the issuance and delivery of a certificate or notice extending the term of a policy beyond its policy period or term; provided, however, that any policy with a policy period or term of less than one year shall, for the purpose of this section, be considered as if written for a policy period or term of one year, or any policy with no fixed expiration date, shall, for the purpose of this section, be considered as if written for successive policy periods or terms of one year.

(7) With respect to personal lines insurance, "required policy period" means a period of three years from the date as of which a covered policy is first issued or is voluntarily renewed.

(8) With respect to automobile insurance, "required policy period" means a period of one year from the date as of which a covered policy becomes effective after first issuance or voluntary renewal.

(9) With respect to automobile insurance, "voluntary renewal" means the renewal of a covered policy which has completed the required policy period pursuant to this section.

(10) "Nonpayment of premium" means the failure of the named insured to discharge any obligation in connection with the payment of premiums on a policy of insurance or any installment of such premium, whether the premium is payable directly to the insurer or its agent, or indirectly under any premium finance plan or extension of credit. Payment to the insurer, or to an agent or broker authorized to receive such payment, shall be timely, if made within fifteen days after the mailing to the insured of a notice of cancellation for nonpayment of premium.

(11) "Administrative suspension" means a temporary suspension of a driver's license pending a hearing, prosecution or investigation or an

indefinite suspension of a driver's license because of the failure of the person suspended to perform an act, which suspension will be terminated by the performance of the act by the person suspended.

(b) During the first sixty days a covered policy is in effect, no notice of cancellation shall be issued or be effective unless it states or is accompanied by a statement of the specific reason or reasons for such cancellation.

(c) After a covered policy has been in effect for sixty days, or upon the effective date if the policy is a renewal, no notice of cancellation shall be issued to become effective unless required pursuant to a program approved by the superintendent as necessary because a continuation of the present premium volume would be hazardous to the interests of policyholders of the insurer, its creditors or the public, or unless it is based on one or more of the following:

(1) With respect to automobile insurance policies:

(A) nonpayment of premium, provided, however, that a notice of cancellation on this ground shall inform the insured of the amount due;

(B) suspension or revocation during the required policy period of the driver's license of the named insured or any other person who customarily operates an automobile insured under the policy, other than a suspension issued pursuant to subdivision one of section five hundred ten-b of the vehicle and traffic law or one or more administrative suspensions arising from the same incident which has or have been terminated prior to the effective date of cancellation; or

(C) discovery of fraud or material mis-representation in obtaining the policy or in the presentation of a claim thereunder.

(2) With respect to personal lines insurance policies:

(A) nonpayment of premium, provided, however, that a notice of cancellation on this ground shall inform the insured of the amount due;

(B) conviction of a crime arising out of acts increasing the hazard insured against;

(C) discovery of fraud or material misrepresentation in obtaining the policy or in the presentation of a claim thereunder;

(D) discovery of willful or reckless acts or omissions increasing the hazard insured against;

(E) physical changes in the property insured occurring after issuance or last annual anniversary date of the policy which result in the

property becoming uninsurable in accordance with the insurer's objective, uniformly applied underwriting standards in effect at the time the policy was issued or last voluntarily renewed; or

(F) a determination by the superintendent that the continuation of the policy would violate or would place the insurer in violation of this chapter.

(3) The provisions of this subsection shall apply to each and every coverage or limit afforded under the policy.

(d) (1) Unless the insurer, at least forty-five but not more than sixty days in advance of the end of the policy period, mails or delivers to the named insured, at the address shown in the policy, a written notice of its intention not to renew a covered policy, or to condition its renewal upon change of limits or elimination of any coverages, the named insured shall be entitled to renew the policy upon timely payment of the premium billed to the insured for the renewal. The specific reason or reasons for nonrenewal or conditioned renewal shall be stated in or shall accompany the notice. This paragraph shall not apply when the named insured, an agent or broker authorized by the named insured, or an insurer of the named insured, has mailed or delivered written notice to the insurer that the policy has been replaced or is no longer desired.

(2) If an insurer has the right to cancel a policy it may, in lieu of cancellation, condition continuation of such policy upon change of limits or elimination of any coverage not required by law, if written notice of such intention is mailed or delivered to the insured at the address shown in the policy at least twenty days prior to the effective date of such action.

(3) At its discretion, the insurer may, in lieu of renewing the policy in the form as last issued, substitute at the annual renewal date another approved policy form which contains at least substantially equivalent value in the aggregate of benefits, as determined by the superintendent. Notice of intention to substitute a different policy form on a renewal shall be made in the same manner as is prescribed in paragraph one of this subsection for a conditioned renewal but with respect to automobile insurance policies shall not be subject to the percentage limitations contained in subsection (f) of this section applicable to a conditioned renewal. Notice of intention to substitute a

different policy form shall be accompanied by a full and clear comparison of the differences between the policy form as last issued and the substitute policy form.

(e) With respect to personal lines insurance policies, no notice of nonrenewal or conditional renewal of a covered policy shall be issued to become effective during the required policy period unless it is based upon a ground for which the policy could have been cancelled. With respect to homeowners' policies as defined in section two thousand three hundred fifty-one of this chapter, on properties located in areas served by a market assistance program established by the superintendent for the purpose of facilitating placement of homeowners' insurance, notices of cancellation, nonrenewal or conditional renewal shall conform with standards established by the superintendent in regulation. Such standards shall require that the notice include, at a minimum: notification of the possibility of eligibility for coverage through a market assistance program or the New York property insurance underwriting association; information on how to apply; and such other information as required by the superintendent.

(f) (1) With respect to automobile insurance policies, the total number (rounded to the nearest whole number) of notices of intention not to renew a covered policy, and of notices of intention to condition renewal upon reduction of limits or elimination of any coverages, which an insurer may issue shall be limited for each calendar year to two percent of the total number of covered policies of the insurer in force at last year-end in each such insurer's rating territory in use in this state which have completed their required policy period under this section, except as set forth in subsection (r) of this section. However, the insurer may non-renew or conditionally renew one policy in any such insurer's rating territory in use in this state, if the applicable percentage limitation results in less than one policy. Cancellations made pursuant to subsection (b) or (c) of this section shall be independent of and in addition to the number of notices of intention not to renew or to condition renewal upon reduction of limits or elimination of any coverages not required by law, permitted under this subsection.

(2) For every two new automobile policies which the insurer voluntarily writes in each such territory, such insurer shall be permitted to non-renew or conditionally renew one additional automobile

policy in that territory in excess of the two percent limit established in paragraph one of this subsection, subject to a fair and nondiscriminatory formula developed by the superintendent, which shall consider the number of automobile policies written less cancellations initiated by the insurer within the first sixty days of the policy period.

(3) The superintendent shall revoke the rights of any insurer or group of insurers under paragraph two of this subsection, upon a determination, after a public hearing, that such an insurer or group of insurers has utilized such rights to the detriment of any class or group of classes within a rating territory.

(g) Notwithstanding any of the provisions and limitations of this section, any property/casualty insurance company organized for the sole and exclusive purpose of providing insurance policies to members of an organization, and providing such insurance policies on risks in New York, may refuse to renew automobile liability policies of persons who fail to meet the requirements contained in the by-laws of such company prohibiting the sale of policies to non-members of the organization, provided that such company shall continue to participate in any assigned risk plans established pursuant to article fifty-three of this chapter.

(h) (1) Proof of mailing of a notice of cancellation, reduction of limits, substitution of policy form, elimination of coverages, conditioned renewal or of intention not to renew, or proof of the mailing of the reasons therefor, to the named insured at the address shown in the policy, shall be sufficient proof of the giving of notice and the giving of reasons required by this section.

(2) No notice of cancellation, reduction of limits, substitution of policy form, elimination of coverages, conditioned renewal or of intention not to renew, or notice of the reasons therefor, that fails to include a provision required by this section shall be an effective notice for purposes of this section.

(3) A copy of every notice of cancellation, reduction of limits, substitution of policy form, elimination of coverages, conditioned renewal or of intention not to renew, including the reasons therefor, or a summary of such notice, shall be mailed, delivered or transmitted to the insured's authorized agent or broker within seven days of the time such notice is mailed to the named insured. Electronic transmission or

any other means of delivery or transmission of information commonly used by the insurer to communicate with agents or brokers shall be deemed sufficient for compliance with this paragraph. Failure to mail, deliver or transmit a copy of such notice to the insured's authorized agent or broker pursuant to this paragraph shall not render any such notice ineffective, provided that all of the other requirements of this section are met and shall not be considered failure to include a provision required by this section for purposes of paragraph two of this subsection.

(i) No insurer shall refuse to issue or renew a covered policy solely on the ground of the advanced age of the applicant or insured.

(j) (1) Where an insurer or an agent who is authorized by such insurer to accept lines of insurance from licensed agents or brokers notifies a licensed agent or broker that its contract or account shall be terminated:

(A) with respect to a personal lines insurance policy required to be continued by this section, the insurer shall offer to continue the policy for any remaining part of the required policy period and any statutory extension and the insurer shall offer to continue the policy through the terminated agent or broker for at least its next one year policy period which commences within one year following the date of mailing or delivery to the terminated agent or broker of written notice of termination of such contract or account, and thereafter, at the specific request of the insured, shall offer to continue the policy through such terminated agent or broker for any remaining part of the required policy period including statutory extension;

(B) with respect to an automobile insurance policy subject to this section, the insurer shall offer to continue the policy for any remaining part of the required policy period and, unless the policy is cancelled or non-renewed in accordance with the provisions of either subsection (b), (c) or (f) of this section, it shall, at the specific request of the insured, offer to continue the policy through the terminated agent or broker for three successive one year policy periods which commence within the year following the date of mailing or delivery to the terminated agent or broker of written notice of termination of such contract or account;

(C) with respect to all new personal lines and automobile insurance

business offered by such terminated agent or broker which is subject to the provisions of this section, the insurer shall accept all such business meeting the insurer's then current underwriting standards during the period of one hundred twenty days next following the date of mailing or delivery to the agent or broker of written notification of such termination;

(D) the terminated agent or broker shall be entitled to receive commissions on account of all business continued or written pursuant to this paragraph at the insurer's prevailing commission rate for such lines of insurance; and

(E) the provisions of subparagraph (B) hereof in relation to continuation of coverage for three successive one year policy periods are subject to the rights of the insurer pursuant to subsection (b), (c) or (f) of this section to cancel or non-renew. The provisions of subparagraph (D) hereof in relation to commissions shall not be mandatory after completion of the three one year policy periods provided for in subparagraph (B) hereof.

(2) This subsection shall not apply to an agent who agrees to represent exclusively one insurer or a group of insurers under common management or an agent or broker whose license has been revoked by the superintendent or whose contract or account has been terminated for insolvency, abandonment, gross and willful misconduct, or failure to pay over to the insurer moneys due to the insurer after receipt of a written demand therefor.

(k) The superintendent may, after public hearing, promulgate rules and regulations implementing and coordinating the provisions of this section and article fifty-three of this chapter.

(l) (1) The superintendent shall monitor the operation of this section. Every insurer subject to the provisions of this section shall file in the office of the superintendent periodic reports in such form as the superintendent may prescribe.

(2) The superintendent shall collect, analyze and compile such reports with regard to the number of new insureds, non-renewed insureds and business written by each insurer in each rating territory of each such insurer and, in each case, the class of insureds (including age and sex) affected so that a statistical analysis of the results obtained pursuant to subsections (f) and (m) of this section, and the reasons in the

aggregate for the non-renewal of policies shall be provided to the speaker of the assembly, the temporary president of the senate, the chair of the assembly insurance committee, and the chair of the senate insurance committee on or before June thirtieth, two thousand twenty and every two years thereafter.

(m) (1) Paragraphs eight and nine of subsection (a), subsection (f) and subparagraphs (B) and (E) of paragraph one of subsection (j) of this section shall not apply to any new covered policy of automobile insurance voluntarily written on or after August first, nineteen hundred eighty-five and prior to January first, nineteen hundred eighty-six, and on or after August second, two thousand one and prior to the effective date of the property/casualty insurance availability act, and on or after June thirtieth, two thousand twenty-nine, but the legal rights granted to insurers or policyholders under such provisions shall not be extinguished or impaired thereby.

(2) In lieu of such provisions, paragraph seven of subsection (a), subparagraph (A) of paragraph one of subsection (j) of this section and paragraph three of this subsection shall apply to such automobile insurance policies that are newly and voluntarily written to have an effective date on or after August first, nineteen hundred eighty-five and prior to January first, nineteen hundred eighty-six, and on or after August second, two thousand one and prior to the effective date of the property/casualty insurance availability act, and on or after June thirtieth, two thousand twenty-nine.

(3) On and after August first, nineteen hundred eighty-five and prior to January first, nineteen hundred eighty-six, and on or after August second, two thousand one and prior to the effective date of the property/casualty insurance availability act, and on or after June thirtieth, two thousand twenty-nine, no notice of nonrenewal or conditional renewal of such covered automobile insurance policies referred to in this subsection shall be issued to become effective during the required policy period unless it is based upon a ground for which the policy could have been cancelled or unless it is based upon one or more of the following grounds that occurred during the thirty-six month period ending on the last day of the fourth month preceding the month of the effective date of such notice of nonrenewal or conditional renewal:

(A) Where a named insured and/or any other person who customarily operates an automobile insured under the policy is convicted of any of the following:

(i) operating a motor vehicle while intoxicated or impaired by the consumption of alcohol; or

(ii) operating a motor vehicle while impaired by the use of a drug (within the meaning of section eleven hundred ninety-two of the vehicle and traffic law); or

(iii) homicide or assault arising out of the use or operation of a motor vehicle, or criminal negligence in the use or operation of a motor vehicle resulting in the injury or death of another person, or use or operation of a motor vehicle directly or indirectly in the commission of a felony; or

(iv) operating a motor vehicle in excess of the speed limit, or in a reckless manner, where injury or death results therefrom; or

(v) operating a motor vehicle in excess of the speed limit, or reckless driving, or any combination thereof, on three or more occasions; or

(vi) operating a motor vehicle insured under the policy without a valid license or registration in effect (except when the person convicted had possessed a valid license or registration which had expired and was subsequently renewed), or during a period of revocation or suspension thereof, or in violation of the limitations applicable to a license issued pursuant to article twenty-one or article twenty-one-A of the vehicle and traffic law; or

(vii) operating a motor vehicle while seeking to avoid apprehension or arrest by a law enforcement officer; or

(viii) filing or attempting to file a false or fraudulent automobile insurance claim, or knowingly aiding or abetting in the filing or attempted filing of any such claim; or

(ix) leaving the scene of an incident without reporting; or

(x) filing a false document with the department of motor vehicles, or using a license or registration obtained by filing a false document with the department of motor vehicles; or

(xi) operating a motor vehicle in a race or speed test; or

(xii) knowingly permitting or authorizing an unlicensed driver to operate a motor vehicle insured under the policy.

(B) Where a named insured or any other person who operates a motor vehicle insured under the policy is individually or are aggregately involved in three or more vehicle accidents while operating a motor vehicle insured under the policy, resulting in either personal injury, or in property damage in excess of two hundred dollars. For the purpose of this paragraph any of the following occurrences involving a motor vehicle operated by a named insured or such other person shall not be considered an accident:

(i) such motor vehicle was struck in rear; or

(ii) such motor vehicle was struck while legally parked; or

(iii) only the operator of another motor vehicle involved in the accident was convicted of a crime, offense or violation contributing to the accident; or

(iv) the named insured or other operator of the motor vehicle insured under the policy, or the insurer thereof, was reimbursed by or on behalf of a person responsible for the accident or has a judgment against such person.

Where more than one motor vehicle in a household is insured by the same insurer, the number of accidents which would permit conditional renewal or non-renewal shall, as for the aggregate, be increased by two for each additional motor vehicle insured. For the purposes of this paragraph accidents occurring as a result of the use or operation of a motor vehicle in response to an emergency, where the operator was responding to a call of duty as a paid or volunteer member of any police or fire department, first aid squad, or of any law enforcement agency; or was performing any other governmental function in a public emergency, shall not be accidents which afford an insurer the right to cancel or to refuse to renew.

(C) Where there is a material change in the type of motor vehicle insured which so substantially increases the hazard insured against as to render the motor vehicle uninsurable in accordance with the insurer's objective, uniformly applied underwriting standards in effect at the time the policy was issued or last voluntarily renewed and which are currently in effect; provided, however, that if the insured motor vehicle is uninsurable for physical damage coverages only, the insurer must offer to renew the policy without the physical damage coverages.

(D) Where such other objective, uniformly applied standards for cancellation or non-renewal exists, as may be prescribed by regulation promulgated by the superintendent.

* (n) Notice of cancellation/real property escrow accounts. With respect to all covered policies for which the insurer submits bills for real property insurance premiums directly to a mortgage investing institution, or such other institution or agent as designated in writing by the mortgage investing institution, under a real property insurance escrow account, the insurer must send copies of a notice of cancellation for nonpayment of premiums to both (i) the insured mortgagor of the real property and (ii) the mortgage investing institution, or such other designated institution or agent. Failure to send this notice to both parties in paragraph (i) and paragraph (ii) shall render the notice of no force and effect.

* NB There are 2 sb§(n)'s

* (n) Withdrawal from writing automobile and homeowners' insurance. In the event of a determination by the superintendent that an insurer's elimination of premium installment plans, reduction in commission, or any other marketing action was implemented to effectuate a withdrawal or substantial withdrawal from writing automobile insurance:

(1) an agent shall be permitted to terminate its contract with the insurer, or that portion of the contract authorizing the agent to accept automobile insurance, and the insurer shall be required to accept new business and issue renewals in accordance with paragraph one of subsection (j) of this section;

(2) notwithstanding the provisions of subparagraph (D) of paragraph one of subsection (j) of this section, where an agent's contract is terminated or a portion thereof is terminated pursuant to this subsection, commissions for automobile insurance shall be paid at the rate in effect applicable to the agent for the longest duration during the twelve-month period immediately preceding the action which is determined by the superintendent to have been implemented to effectuate a withdrawal or substantial withdrawal from writing automobile insurance;

(3) premium payment installment options shall be maintained in a manner substantially similar to options offered by the automobile insurance plan established pursuant to article fifty-three of this

chapter;

(4) paragraphs one and two of this subsection shall not apply to an agent who agrees to represent exclusively one insurer or group of insurers; and

(5) with respect to homeowners' insurance, in the event that an insurer intends to materially reduce the volume of policies written pursuant to paragraph two of subsection (o) of this section, any commissions payable pursuant to an agent contract shall be mandatory for an additional one year period beyond the completion of the required policy period specified in paragraph seven of subsection (a) of this section. The provisions of this paragraph shall not apply to policies cancelled or nonrenewed by the insured or policies not renewed or cancelled pursuant to subparagraph (A), (B), (C), (D) or (E) of paragraph two of subsection (c) of this section.

* NB There are 2 sb§(n)'s

(o) (1) An insurer that intends to materially reduce its volume of policies written, covered by this section, shall submit to the superintendent, at least thirty days in advance of implementing such actions, a plan for orderly reduction that: (i) describes the contemplated actions; (ii) sets forth the reasons for such actions; (iii) describes the measures such insurer intends to take in order to minimize market disruption; and (iv) provides such other information as the superintendent may require.

(2) (A) An insurer that writes homeowners insurance policies as defined in subsection (a) of section two thousand three hundred fifty-one of this chapter, who intends to materially reduce its volume of such policies written, shall submit to the superintendent, at least sixty days in advance of implementing such actions, a plan for the orderly reduction of the number of policies written. Such plan shall: (i) describe the contemplated actions; (ii) set forth the reasons for such actions; (iii) describe the measures such insurer intends to take in order to minimize market disruption; and (iv) provide such other information as the superintendent may require.

(B) The superintendent after receiving such plan shall have thirty days in which to approve it or disapprove it. The superintendent shall approve such plan if the applicant demonstrates that such material reduction is accomplished in a manner that minimizes market disruption

in areas of material reduction. In the review of each plan submitted prior to the submission of the report required by subparagraph (E) of this paragraph, the superintendent shall assess the impact of the planned withdrawal in the counties of Nassau and Suffolk; areas within one mile of a saltwater shoreline, canal or bay in the counties of Queens, Kings, Richmond, Bronx or Westchester; and areas where policies issued by the New York property insurance underwriting association have increased by an amount deemed significant by the superintendent since January first, nineteen hundred ninety-two. For plans filed subsequent to the submission of the report required by subparagraph (E) of this paragraph, the superintendent shall assess the impact of the planned withdrawal on such areas as the superintendent may identify pursuant to subparagraph (E) of this paragraph. In the event that the plan is disapproved, the superintendent shall state the points of objection with such plan and any amendments to such plan that the superintendent may require consistent with the provisions of this section, including, but not limited to, amendments designed to accomplish such material reduction in a manner that minimizes market disruption. The insurer shall file an amended plan within fifteen days from the date of return. Any intended withdrawal pursuant to the plan is prohibited until such time as the original or any amended plan is approved by the superintendent.

(C) The superintendent shall promulgate rules and regulations to establish standards for the definition of "materially reduce its volume of policies" as used in this paragraph. Such definition shall require that a plan be filed with the superintendent if the insurer plans to reduce the net number of homeowners insurance policies as defined in subsection (a) of section twenty-three hundred fifty-one of this chapter by twenty percent or more, or plans to reduce the net number of such policies it writes by five hundred, whichever is greater, within a five year period of time; provided, however, that if an insurer is not otherwise required to file a plan pursuant to this subparagraph, a plan shall be filed if the insurer plans to reduce the net number of such policies it has in force in a twelve month period by four percent or more or the net number of such policies it writes by one hundred, whichever is greater.

The provisions of this subparagraph shall not apply to policies cancelled or nonrenewed by the insured or policies not renewed or cancelled pursuant to subparagraph (A), (B), (C), (D) or (E) of paragraph two of subsection (c) of this section.

(D) The superintendent shall promulgate rules and regulations to establish standards to approve such an application and to define "minimizes market disruption."

(E) The superintendent shall conduct a study of market dynamics and homeowners insurance policies written as defined in subsection (a) of section twenty-three hundred fifty-one of this chapter, cancelled or nonrenewed in geographic regions as he designates, including but not limited to coastal regions, urban regions and rural areas and shall report such findings to the governor and legislature on or before February fifteenth, nineteen hundred ninety-eight.

(p) Notwithstanding the provisions and limitations of this section or any other provision of law, the superintendent may, for a stated period not to exceed three months (which the superintendent may thereafter extend another three months), declare a moratorium precluding policy termination, or suspend or otherwise adjust the provisions and limitations of this section, for any area of the state that has been declared by the president of the United States or by the governor to be in a state of emergency due to disaster or catastrophe.

(q)(1) Notwithstanding any other provision of this section, a covered policy shall not be subject to a required policy period if the policy is:

(A) a policy issued to an insured for a seasonal purpose;

(B) a policy issued to cover a specific event or particular project that will be performed in less than one year;

(C) a new policy where the specific term is made to coincide with the term of an insured's already existing covered policy with the same insurer; with any insurer, at the insured's written request; or, in the case of a personal umbrella policy, with different insurers. The new policy shall have the same required policy period as that of the existing policy, except where one policy is an automobile insurance policy and the other policy is a personal lines insurance policy; or

(D) a new policy issued pursuant to a mass merchandising program where the specific term is made to coincide with the term of all other

policies in the program.

(2) In regard to a policy subject to subparagraphs (A) and (B) of paragraph one of this subsection, the insurer shall not be required to give the notice of nonrenewal or conditional renewal required by subsection (d) of this section if:

(A) the policy provides coverage for sixty days or less;

(B) the policy contains a prominent and explicit notice of expiration, specifying the date the policy will expire and stating that no notice of nonrenewal will be issued; and

(C) the policy is accompanied by a conspicuous notice in bold type, explaining that the policy provides short-term coverage for the policy period as specified on the declarations page.

(3) Subsection (f) of this section shall not apply to an automobile insurance policy subject to subparagraphs (A) and (B) of paragraph one of this subsection.

(r) An insurer that has no more than seven hundred fifty automobile insurance policies in-force at last year-end and intends to non-renew all of the policies shall submit to the superintendent a plan for the orderly nonrenewal of the policies. The proposed plan shall not become effective without the approval of the superintendent. The plan shall:

(1) describe the contemplated action;

(2) set forth the reasons for the action;

(3) describe the measures the insurer will take or has taken to minimize market disruption as set forth in subsection (o) of this section;

(4) explain why the action would not be detrimental to the interests of the people of this state; and

(5) provide any other information as the superintendent may require.

(s) With respect to automobile insurance, no insurer shall refuse to issue or renew a covered individually-owned private passenger policy solely on the ground that the motor vehicle to be insured under such policy shall be used for volunteer firefighting.