§ 3452. Group property travel insurance policies. (a)(1) A group property travel insurance policy, and certificates thereunder, may be issued or delivered in this state only in accordance with the provisions of this section.

(2) A group property travel insurance policy, and certificates thereunder, may be issued only by an authorized insurer.

(3) The policy may be issued to:

(A) any railroad company, steamship company, carrier by air, public bus carrier, or other common carrier of passengers, which shall be deemed the policyholder, where the policy insures its passengers;

(B) an institution of higher education as provided in paragraph two of subsection (a) of section three thousand two hundred forty of this chapter; or

(C) any other group where the superintendent has determined in a regulation that the members are engaged in a common enterprise, or have an economic or social affinity or relationship, and that the issuance of the policy would not be contrary to the best interests of the public.

(4) (A) Except as provided in subparagraph (B) of paragraph one of subsection (a) of section three thousand two hundred forty of this chapter, the policy may provide coverage for trip cancellation, trip interruption, baggage, and personal effects when limited to a specific trip. The policy shall be sold in connection with transportation provided by the common carrier or, with respect to other groups as permitted by the superintendent in accordance with subparagraph (C) of paragraph three of this subsection, subject to such limitations provided in the regulation promulgated by the superintendent.

(B) A policy issued to an institution of higher education shall comply with clause (V) of item (iv) of subparagraph (B) of paragraph one of subsection (a) of section three thousand two hundred forty of this chapter.

(5) Coverage under the policy shall be limited to the group member's risks with respect to a particular trip, except a policy issued to an institution of higher education shall comply with item (iv) of subparagraph (B) of paragraph one of subsection (a) of section three thousand two hundred forty of this chapter.

(6) A person shall not be required to purchase any product or service to be eligible for group property travel insurance coverage, or required

to purchase coverage as a condition of becoming a passenger or a group member.

(b) An insurer shall treat in a like manner all eligible group members of the same class.

(c) A group travel insurance policy or certificate issued thereunder, shall not be subject to section three thousand four hundred twenty-five or section three thousand four hundred twenty-six of this article. The following requirements shall apply with regard to cancellation, nonrenewal, or conditional renewal of coverage:

(1) Unless the group policy provides for a longer policy period, the policy shall be issued or renewed for a one-year policy period, except a policy issued to an institution of higher education shall be issued or renewed for a period consistent with item (iv) of subparagraph (B) of paragraph one of subsection (a) of section three thousand two hundred forty of this chapter.

(2) An insurer may cancel a group policy, only if cancellation is based upon one or more of the reasons set forth in paragraph one of subsection (c) of section three thousand four hundred twenty-six of this article, provided, however, that an act or omission by a group member shall not constitute the basis for cancellation of the policy.

(3) An insurer's cancellation, nonrenewal, or conditional renewal of a group policy shall not become effective until at least sixty days after the insurer mails or delivers written notice of the cancellation, nonrenewal, or conditional renewal to the group policyholder at the mailing address shown in the policy. For purposes of this section, the term "conditional renewal" shall mean a renewal that is conditioned upon change of limits, change in type of coverage, reduction or elimination of coverage, increased deductible or addition of exclusion, or an increase in premiums in excess of ten percent per group member.

(4) Every notice of cancellation, nonrenewal, or conditional renewal shall set forth the specific reason or reasons for cancellation, nonrenewal, or conditional renewal.

(5) A group policyholder may cancel the group policy for any reason upon thirty days written notice to the insurer.

(6) Any certificate in effect when the group policy is cancelled, nonrenewed or otherwise terminated shall continue to be in effect for the period of coverage specified in the certificate.

(7) (A) An insurer may terminate a certificate upon fifteen days notice for:

(i) nonpayment of premium; or

(ii) discovery of fraud or material misrepresentation in obtaining the certificate or in the presentation of a claim thereunder.

(B) The coverage shall terminate as provided in the certificate, which shall in no event be later than the conclusion of the trip, except coverage under a policy issued to an institution of higher education as provided in item (iv) of subparagraph (B) of paragraph one of subsection (a) of section three thousand two hundred forty of this chapter shall terminate in accordance with the provisions of that section.

(d) The superintendent may promulgate regulations pertaining to group property travel insurance, including regulations regarding: payments of dividends or retrospective premium refunds; minimum provisions; minimum number of group members; and other reasonable limitations.