PUBLIC PROTECTION CABINET

Andy Beshear
Governor

Department of Insurance
P.O. Box 517
Frankfort, Kentucky 40602-0517
1-800-595-6053
http://insurance.ky.gov

Kerry B. Harvey
Secretary

Ray A. Perry
Deputy Secretary

Sharon P. Clark
Commissioner

The following guidance is to advise the reader of the current position of the Kentucky Department of Insurance ("the Department") on the specified issue.

FROM: SHARON P. CLARK, COMMISSIONER

RE: PERSONAL AUTOMOBILE POLICY COVERAGE/DELIVERY SERVICES – **AMENDED**

DATE: MARCH 30, 2020

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The Kentucky Department of Insurance ("Department") issues this guidance pursuant to Executive Order 2020-220, State of Emergency Relating to Insurance.

On March 16, 2020, Governor Andy Beshear issued an Executive Order to close all restaurants and bars to in-person traffic. These facilities may remain open for drive-through, delivery, and in some instances, take out. **On March 25, 2020, Executive Order 2020-257 was issued closing all businesses that are not life-sustaining and requiring business that remain open to follow guidance issued by the CDC and Kentucky Department of Public Health related to social distancing and hygiene.** As a result, in order to maintain their business operations, businesses that do not normally offer delivery may begin to offer such services, and employees may be providing delivery services temporarily using their own insured personal vehicles.

Personal automobile insurance policies do not typically provide coverage for vehicles used for commercial purposes. To ensure that those providing temporary delivery services have coverage under their personal automobile insurance policies, insurers shall not deny a claim under a personal automobile insurance policy solely because the insured was engaged in delivery services on behalf of a business impacted by the closures necessitated by the Governor's Executive Order.

This guidance shall apply to all personal automobile insurance policies in effect on or after March 16, 2020, and shall remain in effect until the Governor's Executive Order is lifted, in whole or in part, to permit businesses to resume normal operations. This guidance does not apply to drivers working for a transportation network company or similar delivery company.

Insurers may submit changes to their filings in accordance with this guidance, but are not required to do so.

__/s/ Sharon P. Clark_____
Sharon P. Clark, Commissioner
Department of Insurance