

NATIONAL COUNCIL OF INSURANCE LEGISLATORS
PROPERTY & CASUALTY INSURANCE COMMITTEE
INTERIM COMMITTEE MEETING – JUNE 8, 2026
DRAFT MINUTES

The National Council of Insurance Legislators (NCOIL) Property & Casualty Insurance Committee held an interim meeting via Zoom on Monday, June 8, 2026, at 1:00 P.M. (EST).

Senator Lana Theis of Michigan, Chair of the Committee, presided.

Other members of the Committee present were:

Rep. Naquetta Ricks (CO)	Sen. Walter Michel (MS)
Sen. Larry Walker (GA)	Asm. Jarett Gandolfo (NY)
Rep. Matt Lehman (IN)	Asw. Pam Hunter (NY)
Rep. Peggy Mayfield (IN)	Rep. Meredith Craig (OH)
Rep. Mike Meredith (KY)	Rep. Brian Lampton (OH)
Rep. Michael Sarge Pollock (KY)	Rep. Carl Anderson (SC)
Rep. Rita Mayfield (IL)	Rep. Dennis Paul (TX)
Rep. Edmond Jordan (LA)	Rep. Jim Dunnigan (UT)
Rep. David LeBoeuf (MA)	Sen. Mary Felzkowski (WI)
Rep. Bob Foley (ME)	Rep. Barbara Dittrich (WI)
Sen. Paul Utke (MN)	Del. Walter Hall (WV)
Rep. Brenda Carter (MI)	

Other legislators present were:

Rep. Carolyn Hall (AK)
Sen. Jesse Bjorkman (AK)
Rep. Richard McGrew (AR)
Rep. Rod Furniss (ID)
Rep. Dan Vollmer (ND)
Sen. Jeff Barta (ND)
Rep. Elyn Hefner (OK)
Sen. Cale Case (WY)

Also in attendance were:

Will Melofchik, NCOIL CEO
Christa Rapoport, NCOIL General Counsel
Pat Gilbert, Director of Policy, Administration & Member Services, NCOIL Support Services, LLC

QUORUM

Upon a Motion made by Sen. Walter Michel (MS) and seconded by Rep. Brenda Carter (MI), NCOIL Secretary, the Committee voted without objection by way of a voice vote to waive the quorum requirement.

INTRODUCTORY REMARKS

Sen. Lana Theis stated that the purpose of this meeting is to conduct some business before our summer meeting in Boston next month. I knew there was going to be a lot to do and that we wouldn't be able to get it all done at the July meeting so I appreciate you all taking the time to do this interim meeting. Today, we're going to be

continuing a discussion the proposed amendments on the NCOIL Model Act to regulate insurance requirements for transportation network companies (TNC) and transportation network drivers. We're also going to have a discussion the NCOIL Model Act regarding insurer use of aerial images. And we're going to be taking any comments on the models scheduled for re-adoption in Boston. Again, this meeting will be to help ensure we move through the agenda in a timely manner this summer.

CONTINUED DISCUSSION ON PROPOSED AMENDMENTS TO NCOIL MODEL ACT TO REGULATE INSURANCE REQUIREMENTS FOR TRANSPORTATION NETWORK COMPANIES AND TRANSPORTATION NETWORK DRIVERS

We're going to start with a continued discussion on the proposed amendments to the NCOIL TNC Model Act. There's been significant dialogue and comments on the amendments and the goal of today's meeting is to take final comments on the amendments so that the committee is prepared to vote on them at our summer meeting. Both I and the sponsor, Sen. Walter Michel (MS), believe that they can be ready for a vote in Boston. Today will be a good opportunity to gather final thoughts on the issue and use them to guide our discussions in advance of Boston.

Sen. Michel stated that the TNC Model that we have before us has been one of NCOIL's most successful models. And since the TNC model was adopted approximately 10 years ago, these amendments are proposed to address changes in the TNC landscape and to update our model. And we've seen bills introduced in states that include many of these amendments that you see before you. These proposed amendments clarify the liability of the TNC and the TNC driver, and I appreciate the time that the committee has devoted to this issue. NCOIL has a practice of amending and approving our models and these become a framework for states to amplify as they deem best for their state. I look forward to the discussion and hopefully bringing this model to the finish line at our meeting next month in Boston.

Brad Nail, on behalf of Uber, stated that Sen. Michel recapped the committee activity on this TNC Model so far. As we came out of the last hearing that we had the American Property Casualty Insurance Association (APCIA) had noted some discomfort with the period two amendments. I'm going to go through each of the amendments just quickly for the committee again, but we know that APCIA had noted some discomfort with the period two changes. And there'd been some concern from the trial lawyers around the vicarious liability language. So, I want to spend just a little bit of time on that. And then coming out of that committee hearing, there were some questions from a couple of members on the committee just around the safety programs that are in place and how those work beyond just imposition of liability. And so I did prepare a few slides to cover that for the members. But to review the proposed amendments, and I think Sen. Michel touched on this, these reflect changes that have already been made in several states and are included in these proposed amendments.

The first one is a change in the definition that clarifies that the application is not a product subject to product liability laws, which is consistent with the laws in almost every state. The second amendment is around the period two limits. And just as a reminder for the folks that don't deal with this every day, there are three periods of operation as defined in the model and defined in state statutes. Period one is when the driver has logged onto the app and made him or herself available to provide a ride but have not received that ride request or accepted that ride request yet. Period two is when they've accepted the ride request and are on the way to pick someone up and that's the period that's the subject of discussion here. Period three is when

they have rider or riders in the vehicle. And the model and most of the state laws right now tie the limits required for period two to be the same as those required for period three, which in the model is \$1 million dollars. The proposed amendment would tie it to the period one limit, which is the \$50,000/\$100,000/\$25,000 split limits. We believe that because there are no passengers in the vehicle, the risk profile is more akin to the period one, and that's appropriate.

The third amendment is an addition of an independent contractor test which does reflect what several of the states have now and clarifies that standard. And then the fourth amendment is around vicarious liability. The intent of this amendment is to address vicarious liability for auto accident claims in situations where the company is sued, not because of its own negligence or misconduct, but simply because it operates the app and is viewed as the deepest pocket. And also joining us today is Scott Jalowiec, Director of Complex Litigation for Uber, who deals with this issue in litigation all the time and I was hoping we could give him a minute or two to discuss that experience there.

Mr. Jalowiec stated that an entire cottage industry has developed across the nation in suing TNCs and it's really a national problem meriting national consistency. It's impossible to miss the billboards. If you're coming to Philadelphia, Atlanta or Los Angeles, if you step off the plane, you're going to see billboards saying sue Uber and we'll give you a \$5,000 cash advance. So, we at Uber see almost 1,000 lawsuits a year, and the vast majority of those don't allege that Uber did anything wrong and that's what this amendment is really aiming to address. It's a proliferation of unnecessary and abusive lawsuits that are ultimately driving up costs for consumers because we maintain at least \$1 million in liability coverage for every trip. It's even more in places like New York and New Jersey, yet we're regularly sued and have to defend cases that ultimately settle well within that limit. So, we have plenty of examples where we're going to spend \$100,000 to defend a case that settles for \$15,000 out of the insurance policy. It's completely unnecessary.

We'll be sued when a driver wasn't even on the app at time of the accident. We'll be sued just because a driver has an Uber sticker on the back of the car. A case in Philadelphia is a perfect example of the sort of meritless litigation that we're seeing. A drunk driver was speeding over 100 mph, running multiple red lights before finally slamming into the back of an Uber. Uber got sued for vicarious liability in that case. And these costs are not trivial. Abusive litigation is driving up insurance costs, which means higher trip costs for consumers and higher trip costs for consumers ultimately mean less earning opportunities for drivers because people are going to take fewer trips. And so this amendment is a targeted solve for a widespread problem. And I want to be very clear that the amendment does not affect a TNC's own independent negligence. If a TNC contributed to somebody's injuries, it will still be fully accountable. And I want to reiterate what Mr. Nail said about the intent of the amendment is to address relationship-based liability for auto accident claims in situations where the company is not sued because of our own negligence or misconduct, but because we're operating an app and viewed as the deep pocket.

Mr. Nail stated there were some questions around the broader safety programs and I think a couple of members thought it would be helpful to have a quick overview of the safety programs associated with TNCs. I prepared a few slides here just to demonstrate some of these. What I want to briefly show is how we invest in innovative technologies, robust policies and expert partnerships that prioritize safety throughout the journey. The goal is to keep users safe and our safety features and our services are informed by our users, by expert safety partners, and developed by a robust internal team dedicated to keeping riders and drivers safe. Now, this slide

will probably be the most interesting in that it shows a bit of a timeline on how this is developed, and it continues to develop. If you look at the far left, driver background screenings are required. Every driver has to pass a background screening. It's both criminal and driver history. And I think in every case, the requirements of that are set forth in state statutes. That was part of the process that we went through in passing the TNC bills in each state where you, the legislature, laid out that these are going to be the minimum qualifications for someone to drive on one of these apps. And then there's an annual background check rerun and continuous monitoring for any new incidents, convictions, anything like that that would put their eligibility into question. So, that's the very bedrock of this is that the drivers are screened in advance.

Then, as we look at the second column around the different features that have developed over time, since the very beginning, the GPS tracking I think has been one of the most profound. Because if you think about it, I remember having these discussions 12 years ago, and it was a comparison to a taxi where you just raise your hand on the street, and you just get in. Nobody knows who you are, who the driver is, what car it is, where you're going, where you are, anything like that. And GPS allows us to know who the driver is, what the vehicle is, who the passenger is and where you are at any point in time. And that alone provides a substantial amount of safety. The two-way ratings and feedback system have proven themselves to be influential in driving behavior among the participants. If we look at 2016 trip sharing for riders and drivers, it is a very good feature. Anytime you're a rider, you can share the trip with anyone you want, and they can follow you along the way and see where you are at any given point in time.

And if you look at 2018, the addition of the emergency button in the app to immediately address any issues that might arise during the trip. The rapid SOS integration, that's a third party vendor, that integrates and allows communication with law enforcement in real time. The ride check function, which is, if there's any deviation from what's expected on the ride, they essentially send a message to make sure everything's okay. The address anonymization is an excellent tool for maintaining privacy. If we look at 2019, the check your ride notifications and the pin verification, these are ways to make sure people are getting in the right car and not getting in the wrong car. We see incidents sometimes where someone gets in a car that is not even an Uber, but they thought it was. And the pin is an excellent way to do it. If you haven't used that yet, you can set that up. Basically, you have to tell the driver your four digit pin and they enter it into their app. And that's how you know that you're connected with the right person. The text to 911 feature was added later.

In 2021, you can have the entire trip audio recorded for your safety. And then in 2022, the Record My Ride feature, which expands to both audio and video for the driver and audio for the rider. And the live help from ADP safety agents was added. And then last year, we were able to add the women preferences where women riders can select and can match with women drivers because I think that's something that there's enough of a population there that feels that that's important that we want to make that available. The 24/7 support is available. There are ten different ways to report incidents that are happening both live and after the fact. The safety toolkit in your app, it's prominently displayed while you're on the trip. A big blue badge right there, and that's how you access all of these tools in one place. So, you can set up either in advance or you can access these tools while you are on the ride. It is largely customizable. You can pick what is most important for you. You can choose to automatically turn on features based on time or location, such as turning on a pin in the evenings. You can set up safety preferences through your settings on the app at any time. And the feedback and reporting, if help is needed, the live assistance is available easily within the app. And that continues to improve over time as well. And

then lastly, we note that globally nearly one in three women will experience physical or sexual violence in their lifetime. It is not an issue that is limited to TNCs, but we try to implement programs to ensure safety. These are just a few of them. There is a lot more to talk about, but I know time is valuable. And anyone who wants a lot more details can go to uber.com/safety for greater detail. So, I would just say, to close, we feel confident that the proposed amendments are positive changes. They've already been adopted in several states: Texas, Florida, Georgia among others. And the model language should be amended to reflect them as well.

Bob Passmore, Department Vice President, Personal Lines, at APCIA, stated that I was with you all in Louisville and I'm going to reiterate what our comments were there. Most of the proposed changes we're fine with. We still have concerns about the changes to the activity periods. I'm going to correct my friend Mr. Nail as no state has implemented changes to the activity periods. There have been some bills introduced in a couple of states, but no state has implemented that yet. As we talked about in Louisville, our association was part of the original stakeholders to develop this, and we've worked very closely with the TNCs to get it developed and rolled out in the states. And I would definitely agree with the Sen. Michel who said up front this has been one of the most successful models that NCOIL has, and it's primary goal was to make sure that we had a clear set of insurance requirements to separate the commercial exposure of carrying passengers for hire and avoid gaps in coverage that could result in disputes. And it's been very successful in doing that.

As I talked about in Louisville, there is a big difference in how drivers behave when they're actually engaged to heading to pick up a passenger who could cancel that ride at any time within those first five minutes. And insurance companies also currently offer endorsements that sort of wrap around the coverage that's provided by the TNC. I know Mr. Nail just put something in the chat about North Dakota did change the names of each period and how they're described, but North Dakota didn't change the actual limits. Insurance companies that offer those endorsements to wrap around, obviously that would have to change or amend those endorsements. We understand the reason for the proposed change. We would agree that TNCs have become a prime target for legal system abuse, and we will work closely with Uber in particular on those efforts. But that also contributes to the uncertainty around changing the limits that are applicable to those activity periods, and probably make some target for disputes, which is the whole point of the model is to avoid those disputes. So, we're happy to support all the changes, except for the change in the limits applicable to the different time periods. But we also want to continue to talk with Uber and Lyft to better understand their exposure in this period, and of course, work with them on addressing legal system issues as well.

Sen. Theis noted that Rep. Brenda Carter (MI), NCOIL Secretary, put something in the chat stating with no-fault systems like Michigan, is there anything in this model that could affect personal injury protection (PIP) priority? Sen. Theis stated that I would say yes. Actually, there's a prohibition from changing the priority in the way that I see that Michigan should, but obviously, it's a model act, and we can discuss that separately.

Mr. Nail stated I think the answer is that the changes here do not affect no fault priority. Mr. Passmore stated I would agree. Sen. Theis stated that the way the language is written is fairly generic, and it could be interpreted to mean that you can't list someone's individual insurance as the top in the priority as opposed to somebody's personal auto insurance. So, the way that it's written is not clear enough. I've specifically asked some of our insurers that are very familiar with the no fault

system to take a look at it and see if there's something we ought to look at differently on that.

Rep. Michael Sarge Pollock (KY) stated that in regards to the limits of PIP, I'll go ahead and take it an extra step and ask if any of these amendments affect uninsured or underinsured limits, particularly in period three? Mr. Nail stated no. The only limit that is changed by the proposed amendments is the period two liability limit.

Rep. Edmond Jordan (LA), NCOIL Vice President, stated I think I heard in the discussion someone saying that the TNC was going to be held responsible for their negligence but I remember the amendments spoke of gross negligence. They didn't speak of negligence itself. Mr. Nail stated after our discussion at the last NCOIL meeting, we've been bouncing that issue around and I think we have a better way of explaining it and also some potential language that we can run by you that we would include. But I'd like to have an offline discussion with you to make sure it does what you want it to do. Rep. Jordan stated yes, we can have that offline conversation.

Sen. Theis stated that I just want to clarify that the comments I made were not with respect to the amendments that are being proposed, but rather existing language already in the model about order of priority.

Hearing no further questions or comments, Sen. Michel stated that I would just say that I think the limited number of changes that we've proposed on this are going to keep the model simple. States can also always amend the model to suit their needs, should they desire. I want to thank the members of committee for the time you put forward on this.

Sen. Theis thanked everyone for their comments and stated that I'm confident we'll be able to end this in a good place and we'll be ready for this in Boston.

DISCUSSION ON NCOIL MODEL ACT REGARDING INSURERS' USE OF AERIAL IMAGES

Sen. Theis stated that next on our agenda is a continued discussion of the NCOIL Model Act regarding insurers use of aerial images, sponsored by Rep. Matt Lehman (IN) and Rep. Brian Lampton (OH) and co-sponsored by Rep. Matt Morgan (TX). As a reminder, the committee has discussed this topic extensively for over a year. Ultimately, the model that we were working on was narrowly voted down. However, after that happened, several legislators expressed interest in taking another go at this issue. We agreed that it's a very important one and that it's not going away. Bills continue to be introduced across the country, and two of them were recently signed into law. One of those bills is from Indiana. At our spring meeting, Rep. Lehman announced his intent to introduce a new model based on the Indiana law he sponsored. So today, we'll get some initial feedback on the model before discussing it further at our Boston meeting.

Rep. Lehman thanked Reps. Lampton and Morgan for joining me on this. I also want to give a shout out to Rep. David LeBoeuf (MA). He kind of got this thing started and led our effort last year. We just couldn't get it across finish line. I think this is such an emerging issue that I think carriers are going to begin to use it more and more. So I'm proud to sponsor this model and I think it's a very important issue and it's worth our committee continuing discussion.

As I mentioned in our April meeting, this model is based off of what we passed in Indiana. And it was pretty straightforward there. It took the NCOIL model, made a few

changes to it and got it to where everybody could be on board with passing it. I know that everybody here is not in the same place and opinions are changing and there's some things we need to continue to look at but I think that we do have an opportunity again to bring this back and have a robust discussion because I do think there's a couple things around the time periods or age of photos that we can address. I know there's some that are concerned about the "sole" reason for the non-renewal language and I think there's other pieces as well. I know an entity brought forth some questions about the quality of the photographs. So I think that there's a lot of stuff out there that we're going to get a good start on. I know Georgia just recently passed a law that went a little farther than Indiana. I like what they did. Hopefully, we can have a good discussion today about some of these pieces that maybe still need some tweaking or some changing and then we'll see where we're at in Boston, and if we can get it across the finish line, great. If not, we'll aim to get it done by the fall meeting.

Amy Bach, Executive Directors of United Policyholders, thanked the committee for the opportunity to contribute to this work stream. We were very pleased to work with your membership over the last couple of years and disappointed that it didn't get to the finish line, and we're happy to keep helping. So, in the interim since our discussions as Rep. Lehman just mentioned, there have been a couple more state laws passed. There's one that seems like it's on the edge of possibly passing in California, and then there have been by my count, 14 bulletins issued. So things do seem to be continuing to move. The quality of the images seems to consistently be getting much better, especially with the manned drones. The age of the images continues to be a point of some disagreement but I think it really seems logical that it'd either be no older than 12 months or no older than six months. As the technology becomes cheaper for insurers to buy, it's clear that more and more, if not all insurers, are eventually going to be using this technology. But we still have this goal that I would love to see the membership pursue of establishing a model that gives the consumer the information that they need to know if there's a flaw on their property and then gives them an opportunity to correct it so that they can hold on to their insurance. So, with that said, I am available to your members and I look forward to participating in the meeting in July.

Sen. Theis thanked Ms. Bach and stated that I appreciate your concerns about the time frame. My concerns and my pushback in the prior model was that we have an area and the entire northern part of Michigan has very low population and would thereby receive very few flyovers and I would hate to limit an insurance company beyond what is available to them. And so until we get to a point where that is more ubiquitous, I'm going to push back on that although I appreciate your thoughts.

Mr. Passmore stated that APCA sent some comments on the model earlier. We think you've taken some positive steps on the model, and we offered some suggestions that we think will help address any of the remaining issues that we had. If you have any questions about it, I'm happy to get my colleagues involved and make sure we get the right information to you.

Wes Bisset, Senior Counsel of Government Affairs at the Independent Insurance Agents and Brokers of America (IIABA) stated that we appreciate the committee and NCOIL in general for continuing to consider this issue. We think this is a very timely and necessary proposal. I'm going to talk a little bit towards the end about what we view as a small but fatal flaw in this particular new draft, but for the most part from a big picture perspective, we appreciate the work you're doing. The use of aerial images obviously has tremendous benefits, but what we've seen in the marketplace is that their use has been bumpy at times. We've seen insurers reach conclusions

that are frankly faulty. And as a result, as Ms. Bach I think accurately noted, we have seen state policymakers begin to act in this area. Indiana acted. Georgia acted. What we need and I think what NCOIL can provide is greater guidance and promote interstate consistency. I think from our perspective, what we would hope to get out of a model in this area are three things.

First, the notion that if images are going to be used in whole or in part to cancel or to non-renew someone's insurance, that policy issuer and homeowner have the ability to access those images. It's important for the homeowner to be able to actually see the problem that's been alleged and ensure that the photos are accurate. So, for example, being able to make sure that the photos were of the correct property in its current state. Second, there ought to be an ability to challenge an insurer's allegations if they're not correct, or there is some sort of misunderstanding. You ought to be able to make your case, that seems like common sense. And third, there ought to be an opportunity to address and remedy the problems that the insurer has identified. So, if a company is about to non-renew your homeowner's insurance for a particular reason, then the consumer ought to have a reasonable period of time, not an unlimited period of time, but a reasonable period of time to remedy that issue.

And so we appreciate you taking this up again. I know during the consideration and discussion of this issue last year, there were lots of changes and revisions that were made along the way. I think the big issue though that hung this up at the end when you considered it was this question of whether insurers in every instance in which someone is non renewed because of their use of their aerial image, whether the insurer would have to proactively share that with them in every instance or whether the insurer would only have to provide it if that homeowner was interested and requested a copy of it. That was ultimately the linchpin and what our view is, in an effort to get this over the finish line, we would not object to moving towards an upon policyholder request type of framework. I think Rep. Lampton had an amendment to that effect last year that wasn't considered, but this updated proposal would put that kind of framework in place, and we don't object to that if it helps push this over the finish line.

We are troubled though by one small change that has been incorporated into this draft, potentially inadvertently. And that's a provision that says that the requirements and protections that are now in this draft would only apply when the use of aerial imagery is the "sole reason" for the non-renewal. And the reality is that insurers weigh a variety of factors anytime they make any kind of this decision. We all weigh a bunch of factors anytime we make any decision. And so, it's hard to think up a scenario in which an aerial image would be the absolute only reason why an action was taken. So our fear is that you'd have a model if it included such a limitation, that in practical terms would never apply any of its requirements because no insurers ever make a determination 100% based only on the aerial image. So we would urge NCOIL to kind of clean that particular issue up so that the requirements would apply if the non-renewal was based in whole or in part on the review of an aerial image or to say it in a different way - that the non-renewal would not have occurred but for the review and consideration of the aerial image. I suspect that's what the sponsors actually intended and it's a far more not just appropriate and fair approach but also an objective approach to take.

So, in conclusion, I'll mention three things. I want to emphasize our support for NCOIL continuing to look at this issue and our appreciation of this committee. Second, express our continued willingness to not oppose reasonable revisions to this proposal, including the move to a framework where homeowners would actually have to request their images which was the major topic of discussion in the fall. And then

third, express our strong opposition to this sort of subtle tweak that was this sole reason language. In our view it's such a poison pill that we would almost urge you to adopt no model before you adopted a model that included that text in there because it would just be an empty proposal at that point.

Rep. Lampton stated that I don't have too much to add to what Rep. Lehman communicated. I feel this is an important issue and that's why I was a sponsor of the original model. Ultimately, I just ended up not being comfortable with last year's model. I think it would have had some unintended consequences and I'm quite pleased with the new version that Rep. Lehman has put together. It eases a lot of my concerns. And so, once again, it's something that I would like to see NCOIL continue discussion about and move forward on.

Paul Martin, VP of State Affairs at the National Association of Mutual Insurance Companies (NAMIC), stated that we're still socializing the draft and getting feedback from members. We will have feedback for NCOIL later this month, or certainly well in advance of the Boston meeting. Let me say I want to appreciate and let Rep. Lehman know that we really appreciate the changes to the model. The version we are looking at today is a significant change and improvement we think over last year's version. So, this has come a long way, and we really appreciate a lot of the changes we've seen. There still remains some tension in the current version between subsections D and E, where the insurer is permitted to inspect the work to cure the defects identified in the image. But then in subsection E, the policy can only be non-renewed for reasons unrelated to the defects found in the images. We think that can be solved with some very minor word tweaking to get that piece resolved. And then the other piece of this stems from situations where things are just not curable. You have incurable things you find that's completely outside the policyholder's control. And that really comes in this space of where you have wildfire concerns, where areas beyond the property line of the policyholder for whatever reason are unmanaged fuel for wildfires, things like that. And we can have some conversations about that. I don't know if that was intended when you have a situation where the problem is not curable by the policyholder, but we think that needs to be addressed somewhere along the way. So, we'll be providing some feedback on this. And we really appreciate the work on this because we think this is a vastly improved version from what we saw last year.

Sen. Theis stated that she had a question for Mr. Martin. The model's language states that if they've proven they cured the issue that you were canceling them over, then you have to have another issue if you're going to cancel them. So, can you help me understand why that's not how that reads? Mr. Martin stated subsection E states you must offer a renewal policy to the named insured who submits proof that they have cured the defects or condition. The question is whether or not they cure it to the satisfaction of the insurance company. If I cure the defect but I didn't do a workmanlike job, did I really cure the defect? I think that's the distinction. The language in D, in theory, I think infers that, but we just want to make it clear that if the insurance company says you need to put on a new roof and they put on a new roof and roof is done well, then the problem is solved. And I think we would all agree on that. The problem comes when there's not any language in E that suggests that the workmanship has to be done in a correct manner, although you are giving them the ability to review that in subsection D.

Sen. Theis stated that my concerns with language that required some sort of professional to do the job is that there are many of us do it yourselves who do at least as good a job as the professionals, and language to that effect was problematic. Mr. Martin stated that it doesn't necessarily have to be done by a certified

professional, depending on what the thing is. If the matter is cutting your trees back from your property. Well, a lot of people can do that. So, it's just a matter of did the work get done in a way that the insurance company has requested it be done? I think in terms of who does the work or how it's done, I don't know that we have to be that specific, but at the end of the day, there needs to be some sort of assurances that if you do the repairs, that they are done in a way that meet requirements for underwriting.

Sen. Larry Walker (GA) stated I want to commend Rep. Lehman for continuing the discussion on this and for trying to move this forward. We have passed I think a good and fair and balanced and strong aerial imagery bill in Georgia that I carried in the Senate. This technology is changing our industry, whether it be artificial intelligence or aerial imagery or things I probably don't even know is happening. And I'm all for the industry having these kind of tools at their disposal to be more efficient and cost effective and hopefully be able to provide better coverage, better rates, and take care of our policyholders. I've been an independent agent for 30 years and this issue with aerial imagery started popping up in Georgia about four years ago and it became a real crisis in certain parts of our state where just big swaths and big portions of carriers' books of business was being non-renewed. Homeowners insurance being non-renewed and using aerial imagery as the basis for the non-renewal and not providing the policyholder with any further information. Really, if policyholders would call and ask, they'd say, well, your roof is discolored, or you are missing some shingles, or you've got a tree limb growing over your roof. And in Georgia anyway, the insurance market has been so hard and tight and difficult after Hurricanes and severe weather that a non-renewal on your homeowner's insurance is incredibly serious. I mean, you can't just run out there and easily replace the coverage. So, it puts the policyholder or my constituent in a really tough financial predicament where they may end up having to just pay the mortgage company for whatever coverage they can get through the mortgage company, which is only really protecting the mortgage company.

So, we did pass some very strong tort reform in Georgia in 2025. We're already starting to see positive results from that. We did a lot of the things that insurance companies have asked us to do, but at the same time, I expect insurance companies to be transparent and be fair with our policyholders and consumers and not hide the ball or move the goalposts when they say you need to replace your roof and the policyholder replaces the roof and they have another reason to non-renew them. I think our bill is strong in aerial imagery as it has to be "a basis" for the non-renewal. It doesn't have to be the sole basis. And then it provides a mechanism for the policyholder to remedy the situation and provide documentation with the carrier and hopefully be reinstated. But I think you're going to see these bills pass in states across the country and if NCOIL is going to continue to be relevant, and we don't address this emerging issue with some sort of uniformity or a model bill, then I think we're missing an opportunity to give some uniformity to this legislation as it's rolled out across the country. And I think that's kind of one of the main points of NCOIL. Obviously, each state can make changes and regarding the timeframe, we decided on 12 months so that the image has to be within 12 months and it's got to be date stamped. And the insurance company by statute in Georgia has to send a non-renewal to the policyholder and when they send the non-renewal, they're supposed to now provide either a copy of the image that they're using as the basis for the non-renewal or information on how the policyholder can access the image online. I don't think that's too big of a burden to put on the insurance companies. So I just think we need NCOIL to get something in a model form that states can use. And in Michigan, you can make it 18 months if you wanted to or two years if you want to if you've got a lot of rural area and they only pass over those properties every two years. Obviously

each state's going to modify it to their particular situation, but I would love to see NCOIL move on this.

Sen. Theis thanked Sen. Walker and stated that I don't think anybody disagrees that this is extremely important and we should be passing model legislation. It's just there are points of conflict we want to make sure we get it right.

Rep. LeBoeuf thanked everyone for their comments and thanked Rep. Lehman for bringing this forward. I just want to add some quick commentary on this. I'm very pleased that we're still discussing the issue. It's something that we've been dealing with in my state. A bill that I introduced has advanced to the next stage that was more similar to the earlier model that we had introduced. And I just want to add one commentary particularly around the photos. I don't want to say it's a concern but just my observation is we want to make sure that for consumers that the process of accessing those photos is consistent. And because if it isn't and there isn't a clear process created, it's going to cause a lot of complaints and burden on our divisions of insurance. So, the example I want to give is in Massachusetts, there are some companies that give the photos right away when they have the non-renewals. And then there are others that don't. And so the burden is on the consumer to get access to the image. And especially in states that have the shorter periods of non-renewal where it's only 30 days, if you get the non-renewal notice, you call within a day, or you call within five days of the non-renewal, then you don't get the photos until day 25. You're not going to be able to actually cure anything within 25 days or actually identify those issues if it's the incorrect information. So, just something to consider as we're moving forward is whether it's allowing our insurance commissioners to set up a process to make sure that it's consistent given that they are likely to be getting those complaints or some rulemaking process to make sure that that's done. But I think that it's great that we're continuing this conversation and really appreciate the comments of the rest of my colleagues on this call.

Ms. Bach stated that Rep. LeBoeuf raised one of the two points I wanted to make and I think there was sort of a parallel effort at NCOIL to encourage all states that are still at a 30-day non-renewal notice to go to 60 days. But I think the reason that my organization keeps pushing on making it that if the insurer has the image in a digital form is that it should just provide it with the notice of adverse action. So, it's just right there and the person has it. If there's a way to give them the either-or option, it's not the end of the world. But I think Rep. LeBoeuf's point about giving this information to them in a quick enough time that it's going to actually be useful is a really good point. I also want to echo what Mr. Bissett said which is if we're going to have that loophole that this only applies if it's the sole reason, really I don't think it's worth the effort of trying to get this model through because as he said, it's never going to be solely on that anyway. So I appreciate that comment and I really do hope that we can put something together that addresses concerns about the age of photos, but also is realistic that at the end of the day, we want the property owner to have access to whatever information is relevant to their property and the condition of their property, so that they can actually do something about it. And I do appreciate all the continued attention on this matter so that we don't end up with 51 different versions.

Rep. Lehman thanked everyone for their comments and stated that we have a lot of work to do but I think we're going to get there. I like everybody's opinions, and I think this technology is one that we've really got to get a handle on. I'm looking forward to working with everyone on this going forward.

OPPORTUNITY FOR COMMENT/DISCUSSION ON MODEL LAWS SCHEDULED FOR RE-ADOPTION BY THE COMMITTEE AT UPCOMING SUMMER MEETING IN JULY

Next, we have an opportunity for comment and discussion on the model laws scheduled for re-adoption in this upcoming summer meeting. As a reminder, per NCOIL bylaws, all NCOIL models are scheduled to be considered for re-adoption every five years. If a model is not re-adopted, it sunsets. These models will not be voted on for re-adoption today. My plan is for us to do that in Boston and merely for us to discuss them today if there are any concerns or questions or changes anyone would like to make.

Let's start with the Post Assessment Property and Liability Insurance Guaranty Association Model Act. Amendments to the model have been proposed by Rep. Lehman that focus on cybersecurity and the insurance around that.

Rep. Lehman stated that we made similar changes to our law in Indiana and it resulted from the insurance department coming to us and saying the National Association of Insurance Commissioners (NAIC) is changing some things with their guaranty model related to cyber insurance being within its scope. So since we our NCOIL model out there, I'm just proposing that we bring it up-to-speed with what we want to do around the policy safeguards and making cyber insurance claims part of the guaranty fund scope.

Sen. Theis stated that sounds reasonable to me. Hearing no questions or comments on the amendments, Sen. Theis stated that if anybody has any questions or comments or concerns or the proposed changes, please reach out to myself, Rep. Lehman or the NCOIL staff.

Sen. Theis stated that next up is the Peer-to-Peer Car Sharing Program Model Act. Ethan Wilson stated on behalf of the Open Road Foundation and peer-to-peer car sharing communities across the country, I will keep this quick. First, I want to thank NCOIL for its leadership on the now very successful peer-to-peer car sharing model. More than 30 states have adopted this model since it was adopted at the fall meeting back in 2019. I think probably a number of us on this call were there. And second, peer-to-peer car sharing communities, both hosts and guests, your constituents, are real beneficiaries of this model. Consumer protections, regulatory surety and clarity in ensuring no gaps in coverage have all allowed peer-to-peer car sharing to grow, bringing new opportunities and options of mobility and transportation to urban, suburban and importantly rural areas across the country. And lastly, many of the issues that spurred growth in peer-to-peer car sharing over a decade ago are just as relevant and important now, which makes this a great time to re-adopt this model. And really these issues are more important now than ever, including the cost of personal vehicle ownership, flexible transportation options and earning a living.

These are issues and obstacles to personal financial success that millions of people face every single day. You all know that. The average price of a new car in 2026 is now a staggering \$50,000. I remember highlighting facts and figures when we were first discussing peer-to-peer car sharing in this committee back in 2019 and at that time, the average price of a new car was about \$38,000. So, that was roughly seven years ago and \$38,000 is a huge sum of money but unfortunately, now we are in a whole new world when it comes to cost of ownership of a personal vehicle. And as such, peer-to-peer car sharing is more important for more people now than ever. The Open Road Foundation and our nation's peer to peer car sharing communities support the re-adoption and continued success of this model. Thank you to NCOIL

and members of this committee for continuing to support this smart policy. I look forward to re-adopting this in Boston in July.

Mr. Nail, representing Enterprise Mobility, stated I just want to point out that when the model was passed, there were quite a few peer-to-peer companies out there, including one that was owned and operated by an insurer. The landscape has changed quite a bit between that initial adoption and now. I think we have a better understanding of the operations and risks associated with peer-to-peer car rental than we did then and we think it's worth a discussion over what else the model should address or what should be addressed differently. I am informed that the agenda for the summer meeting is pretty well packed and so I would maybe just plant the seed that this is a model that might be ripe for re-adoption until the fall meeting when we can carve out some time to flesh out the current state of operations and how the model has performed in actuality and what else maybe should be considered in that.

Laura Manno, Sr. Director of Government Relations at Turo, thanked the committee for the opportunity to address you all in support of the current model. We look forward to working together towards its re- adoption. We believe it has been serving its goal extremely well since its initial passage in 2019 and its update in 2021. To reiterate some of what Mr. Wilson already shared, from what I understand, it's one of the most successful models from NCOIL and has been adopted in some form in over 30 states which includes adoptions as recently as this year in the 2026 legislative session. So, we believe that broad acceptance and its effectiveness in providing consumer protections, appropriate coverage, and certainty for our industry signal that the model is working and should be continued. We haven't seen any language or thoughts about anything specific that might need to be updated, but as the representative of the industry that the model covers, I would just say that we don't believe that there are any changes that need to be made and we haven't heard of any specific problems that would need to be addressed. And the fact that it's passed in all of these states at this point in some form without being revisited year after year for changes or anything of this sort, I think is a good signal that the model is working and is effectively regulating the industry.

Sen. Theis stated that the other Models scheduled for re-adoption are the Distracted Driving Model Act, the Coronavirus Limited Immunity Model Act, the Property/Casualty Insurance Modernization Act, and the Property/Casualty Flex-Rating Regulatory Improvement Model Act. No comments or questions were offered on the Models by legislators or interested parties.

ADJOURNMENT

Hearing no further business, upon a Motion made by Rep. Pollock and seconded by Rep. Carter, the Committee adjourned at 2:00 p.m.