

Final Rule
LSA Document #15-1(F)

DIGEST

Amends [355 IAC 4-3-2](#) to reduce the amount of liability insurance required for a pesticide business license. Amends [355 IAC 4-3-4](#) to simplify the acceptable proof of insurance form requirement. Repeals [355 IAC 4-3-3](#). Effective 30 days after filing with the Publisher.

[355 IAC 4-3-2](#); [355 IAC 4-3-3](#); [355 IAC 4-3-4](#)

SECTION 1. [355 IAC 4-3-2](#) IS AMENDED TO READ AS FOLLOWS:

[355 IAC 4-3-2](#) Minimum coverage amounts

Authority: [IC 15-16-5-44](#); [IC 15-16-5-45](#)

Affected: [IC 15-16-5-48](#); [IC 15-16-5-58](#)

Sec. 2. (a) The minimum coverage requirements for a pesticide application business shall be
(1) ~~five~~ **three** hundred thousand dollars (~~\$500,000~~) (**\$300,000**) general liability combined single limit of liability for bodily injury and property damage. ~~and~~
(2) ~~three hundred thousand dollars (\$300,000) limit per accident or occurrence.~~

(b) The minimum coverage requirements for a category 12 wood destroying pest inspection business shall be three hundred thousand dollars (\$300,000) ~~errors and omissions~~ **general liability** combined single limit of liability **for property damage**.

(State Chemist of the State of Indiana; Pesticide Use & Application Reg 3, Sec 2; filed Aug 3, 1976, 4:10 p.m.: Rules and Regs. 1977, p. 444; filed Jan 10, 1995, 8:45 a.m.: 18 IR 1239; readopted filed Nov 21, 2001, 10:17 a.m.: 25 IR 1269; readopted filed Sep 20, 2007, 1:46 p.m.: [20071010-IR-355070484RFA](#); filed Nov 28, 2012, 2:38 p.m.: [20121226-IR-355120134FRA](#); readopted filed Sep 25, 2013, 11:08 a.m.: [20131023-IR-355130361RFA](#); filed Apr 8, 2015, 12:36 p.m.: [20150506-IR-355150001FRA](#))

SECTION 2. [355 IAC 4-3-4](#) IS AMENDED TO READ AS FOLLOWS:

[355 IAC 4-3-4](#) Acceptable proof of insurance form

Authority: [IC 15-16-5-44](#); [IC 15-16-5-45](#)

Affected: [IC 15-16-5-48](#); [IC 15-16-5-58](#)

Sec. 4. (a) Proof of liability insurance shall be provided by the issuing insurance company on a certificate of insurance.

(b) ~~The certificate of insurance for general liability must include specific reference to any endorsements or exclusions that impact the coverage of pesticide activities by the business, including, but not limited to, the pesticide or herbicide endorsement on Insurance Services Office (ISO) form number CG2264, or its equivalent.~~

(~~e~~) **(b)** The state chemist may be listed as a certificate holder on the certificate of insurance.

(State Chemist of the State of Indiana; Pesticide Use & Application Reg 3, Sec 4; filed Aug 3, 1976, 4:10 p.m.: Rules and Regs. 1977, p. 444; filed Jan 10, 1995, 8:45 a.m.: 18 IR 1239; readopted filed Nov 21, 2001, 10:17 a.m.: 25 IR 1269; readopted filed Sep 20, 2007, 1:46 p.m.: [20071010-IR-355070484RFA](#); filed Nov 28, 2012, 2:38 p.m.: [20121226-IR-355120134FRA](#); readopted filed Sep 25, 2013, 11:08 a.m.: [20131023-IR-355130361RFA](#); filed Apr 8, 2015, 12:36 p.m.: [20150506-IR-355150001FRA](#))

SECTION 3. [355 IAC 4-3-3](#) IS REPEALED.

LSA Document #15-1(F)

Notice of Intent: [20150107-IR-355150001NIA](#)

Proposed Rule: [20150304-IR-355150001PRA](#)

Hearing Held: March 26, 2015

Approved by Attorney General: April 1, 2015

Approved by Governor: April 7, 2015

Filed with Publisher: April 8, 2015, 12:36 p.m.

Documents Incorporated by Reference: None Received by Publisher

Small Business Regulatory Coordinator: David Scott, Pesticide Administrator, Office of the Indiana State Chemist,
175 South University Street, West Lafayette, IN 47907-2063, (765) 494-1593, scottde@purdue.edu

Posted: 05/06/2015 by Legislative Services Agency

An [html](#) version of this document.