



**SURPLUS LINE AFFIDAVIT**  
 NORTH DAKOTA INSURANCE DEPARTMENT  
 COMMISSIONER OF INSURANCE  
 SFN 4818 (12-2006)

STATE OF \_\_\_\_\_ )  
 )  
 COUNTY OF \_\_\_\_\_ )

Name of Surplus Lines Producer

I, being first duly sworn on oath, depose and say:

THAT I am an insurance producer currently licensed under the North Dakota statutes for the kind of insurance required;

THAT the insured is unable, after diligent search, to procure the insurance from a company authorized to do business in this state; and

THAT in order to procure the required insurance for the insured, it has been necessary to place part/all of same in a company/companies not licensed in this state.

1. Name of Insured			
2. Address of Insured	City	State	Zip Code
3. D.B.A. - Name (If Different From Above)			
Address (If Different From Above)	City	State	Zip Code
4. Location and Description of Risk			
5. Amount of Coverage or Limit of Liability	6. Date of Application	7. Effective Date of Policy	
8. Term of Policy	9. Premium	10. Fees (if applicable)	
11. Surplus Lines Category Number. (If no category applicable, describe the risk in greater detail providing justification for the use of an unauthorized carrier. The description and justification should be set out on a separate sheet of paper attached to and incorporated into the affidavit if there is insufficient room below).			
12. Producer (If the Business is Placed With You by Someone Else)			
13. Name of Unauthorized Carrier Used			
Address	City	State	Zip Code
Signature of Surplus Lines Producer			

Subscribed and Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 Notary Public

## APPENDIX I

### Categories of Acceptable Surplus Lines Coverage

The following categories of surplus lines coverage are not the only lines which may be written in North Dakota. Other lines of coverage not on this list may be acceptable because of special underwriting considerations. Any exceptions must be fully explained on the surplus lines affidavit and approved by the insurance commissioner.

There is a presumption that the insured is unable, after diligent search, to procure the insurance, indemnity contract, or surety bond desired from a company authorized to do business in this state if the coverage written is in an approved category.

These categories may be changed from time to time at the discretion of the insurance commissioner subject to provisions of North Dakota Century Code chapter 28-32, the Administrative Agencies Practice Act.

1. Fiduciary liability.
2. Professional liability (E & O) except for hospitals.
3. Directors and officers.
4. Ocean marine cargo, liability and hull.
5. Hazardous cargo and short-term trip transit.
6. Bridges (large).
7. Heavy woodworking property (unprotected, high-value sawmills).
8. Product liability (hazardous).
9. Ski lifts and tows' liability.
10. Fireworks, ammunition, fuse, cartridges, power, nitroglycerine, explosive gases.
11. Environmental impairment - pollution.
12. Kidnap ransom.
13. Oil and gas liability and marine.
14. Livestock mortality (high values and unusual).

15. Short tail (hole-in-one, 300 bowling score, etc.).
16. Large utilities (generation, transmission).
17. Building demolition and moving.
18. Mono line liquor legal liability.
19. Surcharged fire and allied lines excluding uncontrolled marine.
20. High-value substandard private passenger automobile.
21. Commercial automobile physical damage coverage in excess of rating organizations' filed rates.
22. Any excess liability coverages.
23. Day care liability insurance coverages.

**History:** Amended effective February 1, 1983; November 1, 1987; December 1, 2001; January 1, 2008.

**General Authority:** NDCC 26.1-44-09

**Law Implemented:** NDCC 26.1-44-02