

304.5-080 "Inland marine insurance," "wet marine and transportation insurance," and "marine protection and indemnity insurance" defined.

- (1) As used in this chapter, "inland marine insurance" means marine and transportation insurance that may cover or include:
- (a)
 - 1. Imports, wherever the property may be and without restriction as to time, if the coverage includes hazards of transportation.
 - 2. An import, as a proper subject of marine and transportation insurance, shall be deemed to:
 - a. Maintain its character if the property:
 - i. Remains segregated in such a way that it can be identified; and
 - ii. Has not become incorporated and mixed with the general mass of property in the United States; and
 - b. Have been completed when the property has been:
 - i. Sold and delivered by the importer, factor, or consignee;
 - ii. Removed from place of storage and placed on sale as part of an importer's stock in trade at a point of sale or distribution; or
 - iii. Delivered for manufacture, processing, or change in form to premises of the importer or of another used for any such purposes;
 - (b)
 - 1. Exports, wherever the property may be and without restriction as to time, if the coverage includes hazards of transportation.
 - 2. An export, as a proper subject of marine and transportation insurance, shall be deemed to acquire its character as such when designated or while being prepared for export and retain that character unless diverted for domestic trade, and when so diverted, the provisions of paragraph (c) of this subsection shall apply.
 - 3. This paragraph shall not apply to long-established methods of insuring certain commodities;
 - (c)
 - 1. Domestic shipments on consignment, for sale or distribution, exhibit, trial, approval, or auction, while in transit, while in the custody of others, and while being returned, except in no event shall the insurance cover on premises owned, leased, or operated by the consignor; and
 - 2. Domestic shipments not on consignment, if the coverage includes hazards of transportation, beginning and ending within the United States, but the shipments shall not be covered:
 - a. At the manufacturing premises; or
 - b. After arrival at premises owned, leased, or operated by an insured or purchaser;
 - (d) Bridges, tunnels, and other instrumentalities of transportation and communication, which:

1. Include:
 - a. Bridges, tunnels, and other similar instrumentalities, including auxiliary facilities and equipment attendant thereto;
 - b. Piers, wharves, docks, slips, dry docks, and marine railways;
 - c. Pipelines, including on-line propulsion, regulating, and other equipment appurtenant to the pipelines, but excluding all property at the manufacturing, producing, refining, converting, treating, or conditioning plant;
 - d. Power transmission, telephone, and telegraph lines, but excluding all property at generating, converting, or transforming stations, substations, or exchanges;
 - e. Radio and television communication equipment in use, as such, including towers, antennae with auxiliary equipment, and appurtenant electrical operating and control apparatus; and
 - f. Outdoor cranes, loading bridges, and similar equipment used to load, unload, or transport; and
 2. Exclude buildings, improvements and betterments to buildings, furniture and furnishings, fixed contents, and supplies held in storage;
- (e) Personal property floater risks covering an individual, or generally, including:
1. Personal effects floaters;
 2. Personal property floaters;
 3. Government service floaters;
 4. Personal fur floaters;
 5. Personal jewelry floaters;
 6. Wedding present floaters that do not exceed ninety (90) days after the date of the ceremony;
 7. Silverware floaters;
 8. Fine art floaters that cover paintings, etchings, pictures, tapestries, art glass windows, and other bona fide works of art that are of rarity, historical value, or artistic merit;
 9. Stamp and coin floaters;
 10.
 - a. Musical instrument floaters.
 - b. As used in this subparagraph, "musical instrument" does not include radios, televisions, record players, or a combination thereof;
 11. Mobile article, machinery, and equipment floaters that:
 - a. Cover identified property of a mobile or floating nature pertaining to or usual to a household; and
 - b. Exclude:
 - i. Motor vehicles designed for highway use;
 - ii. Auto homes, trailers, and semi-trailers, except when hauled

- by a tractor not designed for highway use; and
- iii. Furniture and fixtures not customarily used away from premises where the property is usually kept;
- 12. a. Installment sales and leased property insurance that:
 - i. Covers property pertaining to a household and sold under a conditional contract of sale, partial payment contract, installment sales contract, or lease; and
 - ii. Excludes motor vehicles designed for highway use.
- b. Installment sales and leased property insurance shall cover in transit, but shall not extend beyond the termination of the seller's or lessor's interest; and
- 13. Live animal floaters; and
- (f) Commercial property floater risks that cover property pertaining to a business, profession, or occupation, including:
 - 1. Radium floaters;
 - 2. Physician's and surgeons' instrument floaters, which may include coverage of furniture, fixtures, and a tenant insured's interest in improvements and betterments of buildings located in that portion of the premises occupied by the insured in the practice of his or her profession;
 - 3. Pattern and die floaters;
 - 4. Theatrical floaters that exclude:
 - a. Buildings;
 - b. Improvements and betterments to buildings; and
 - c. Furniture and fixtures that do not travel about with theatrical troupes;
 - 5. Film floaters, including:
 - a. Builders' risk during the production; and
 - b. Coverage on the completed negatives and positives and sound records;
 - 6. Salesmen's samples floaters;
 - 7. Exhibition insurance on property while on exhibition and in transit to or from an exhibition;
 - 8. Live animal floaters;
 - 9. Builders risks or installation risks insurance that:
 - a. Covers the interest of an owner, seller, or contractor against loss or damage to machinery, equipment, or building materials or supplies being used with and during the course of installation, testing, building, renovating, or repairing;
 - b. May cover:
 - i. At points or places where work is being performed;
 - ii. While in transit; and

- iii. During temporary storage or deposit of property designated for and awaiting specific installation, building, renovating, or repairing;
 - c. Is limited to builders risks or installation risks where perils in addition to fire and extended coverage are to be insured; and
 - d.
 - i. If written for an owner, ceases upon completion and acceptance thereof; or
 - ii. If written for a seller or contractor, terminates when the interest of the seller or contractor ceases;
- 10. Mobile article, machinery, and equipment floaters that:
 - a. Cover identified property of a mobile or floating nature, not on sale or consignment, or in the course of manufacture, which has come into the custody or control of parties who intend to use the property for which it was manufactured or created; and
 - b. Exclude:
 - i. Motor vehicles designed for highway use;
 - ii. Auto homes, trailers, and semi-trailers except when hauled by a tractor not designed for highway use;
 - iii. Snow plows constructed exclusively for highway use; and
 - iv. Furniture and fixtures not customarily used away from premises where the property is usually kept;
- 11. Insurance that:
 - a. Covers property:
 - i. In transit to, or from and in, the custody of a bailee; and
 - ii. That is not owned, controlled, or operated by the bailor; and
 - b. Excludes the property of the bailee at his or her premises;
- 12. a. Installment sales and leased property insurance that:
 - i. Covers property sold under a conditional contract of sale, partial payment contract, installment sales contract, or lease; and
 - ii. Excludes motor vehicles designed for highway use and machinery and equipment under a certain "lease-back" contract.
- b. Installment sales and leased property insurance shall cover in transit, but shall not extend beyond the termination of the seller's or lessor's interest;
- 13. Garment contractor floaters;
- 14. Furriers or fur storer customer insurance:
 - a. Under which certificates or receipts are issued by furriers or fur storers; and
 - b. That covers specified articles of a customer's property;

15. Accounts receivable insurance;
16. Valuable papers and records insurance;
17. Floor plan insurance that:
 - a. Covers property for sale while in possession of a dealer under a floor plan or any similar plan under which the dealer may borrow money from a bank or lending institution with which to pay the manufacturer, if:
 - i. The merchandise is specifically identifiable as encumbered to the bank or lending institution;
 - ii. The dealer's right to sell or otherwise dispose of the merchandise is conditioned upon the merchandise being released from encumbrance by the bank or lending institution; and
 - iii. The insurance covers in transit and does not extend beyond the termination of the dealer's interest; and
 - b. Excludes:
 - i. Automobiles or motor vehicles; and
 - ii. Merchandise for which the dealer's collateral is the stock or inventory as distinguished from merchandise specifically identifiable as encumbered to the lending institution;
18. Sign and street clock insurance, which includes coverage for neon signs, automatic or mechanical signs, and street clocks, while in use as such;
19. Fine arts insurance that covers paintings, etchings, pictures, tapestries, art glass windows, and other bona fide works of art of rarity, historical value, or artistic merit for a museum, gallery, university, business, municipality, or other similar interest;
20. a. Insurance that covers personal property which, when sold to the ultimate purchaser, may be covered specifically by the owner under an inland marine policy, certificate, or contract, including:
 - i. Musical instrument dealers insurance that covers property consisting principally of musical instruments and their accessories. As used in this subpart, "musical instrument" does not include radios, televisions, record players, or a combination thereof;
 - ii. Camera dealers insurance that covers property consisting principally of cameras and their accessories;
 - iii. Furrier dealers insurance that covers property consisting principally of furs and fur garments;
 - iv. Equipment dealers insurance that covers mobile equipment consisting of binders, reapers, tractors, harvesters, harrows, tedders, and other similar agricultural equipment and accessories and construction equipment consisting of bulldozers, road scrapers, tractors, compressors, pneumatic

tools, and other similar equipment and accessories. Equipment dealers insurance shall exclude motor vehicles designed for highway use;

- v. Stamp and coin dealers insurance that covers property of philatelic and numismatic nature;
 - vi. Jewelers block insurance; and
 - vii. Fine art dealers insurance.
 - b. For any insurance referenced in subdivision a. of this subparagraph, the insurance may include coverage of:
 - i. Money in locked safes or vaults on the insured's premises; and
 - ii. Furniture, fixtures, tools, machinery, patterns, molds, dies, and tenant insureds' interests in building improvements;
 - 21. Wool growers floaters;
 - 22. Domestic bulk liquid insurance that covers tanks and domestic bulk liquids stored therein;
 - 23. Difference in condition coverage that excludes fire and extended coverage perils; and
 - 24. Electronic data processing insurance.
- (2) Subsection (1) of this section shall not be construed to permit coverage under an inland marine policy, certificate, or contract for the following, unless the coverage is otherwise permitted under that subsection or this chapter:
- (a) Storage of the insured's merchandise;
 - (b) Merchandise in the course of manufacture, including the property of, and on the premises of, the manufacturer;
 - (c) Furniture and fixtures;
 - (d) Improvements and betterments to buildings; or
 - (e) Moneys or securities held in safes, vaults, safety deposit vaults, or banks, or on the premises of an insured, except while in the course of transportation.
- (3) (a) As used in this chapter, "wet marine and transportation insurance" means marine and transportation insurance that may cover or include:
- 1. Vessels, crafts, hulls, and of interests therein or with relation thereto;
 - 2. Marine builders' risks, marine war risks, and contracts of marine protection and indemnity insurance;
 - 3. Freight and disbursements pertaining to a subject of insurance coming within this definition; and
 - 4. Personal property and interests therein, in course of exportation from or importation into any country, or in course of transportation coastwise or on inland waters, including transportation by land, water, or air from point of origin to final destination, in respect to, appertaining to, or in connection with, any and all risks or perils of navigation, transit, or transportation, and while being prepared for and while awaiting

shipment, and during any delays, storage, transshipment, or reshipment incident thereto.

(b) As used in this subsection, "marine protection and indemnity insurance":

1. Means insurance against, or against legal liability of the insured for, loss, damage, or expense arising out of, or incident to, the ownership, operation, chartering, maintenance, use, repair, or construction of any vessel, craft, or instrumentality in use in ocean or inland waterways; and
2. Includes liability of the insured for personal injury, illness, or death or loss of or damage to the property of another person.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 45, sec. 7, effective July 15, 2026. -- Created 1970 Ky. Acts ch. 301, subtit. 5, sec. 8, effective June 18, 1970.