

**217B.516 Liability insurance requirements for registration as a structural pest management company.**

- (1) The department shall not issue or renew a structural pest management company registration until the applicant has furnished to the department satisfactory evidence of financial responsibility consisting of a liability insurance policy or certification of that policy.
- (2) The amount of the liability insurance as required in this section shall be not less than one million dollars (\$1,000,000). The liability insurance shall be maintained at not less than that amount at all times during the registration period. The department shall be notified no less than ten (10) days prior to any reduction at the request of the applicant or cancellation of the liability insurance by the insurer. The total and aggregate of the insurer for all claims shall be limited to the face of the liability insurance policy. The department may accept a liability insurance policy which has a deductible clause against the total amount of liability insurance required if the clause does not specify an amount exceeding five thousand dollars (\$5,000). If the applicant has not satisfied the requirements of the deductible amount in any prior legal claim, the deductible clause shall not be accepted by the department unless the applicant furnishes the department with a security bond or other liability insurance which shall satisfy the amount of the deductible as to all claims that may arise from his or her application of pesticides.
- (3) Should the surety furnished become unsatisfactory, the applicant shall, upon notice, execute a new insurance policy and if the applicant fails to do so, the department shall cancel the company's registration and it shall be unlawful for any person to act as an employee or agent of the company to engage in structural pest management until the insurance is brought into compliance with the requirements of subsection (2) of this section and the registration is reinstated by the department.
- (4) Nothing in this chapter shall be construed to relieve any person from liability for any damage to a person or their property caused by the use of pesticides even though the use conforms with this chapter and the administrative regulations promulgated thereunder.

**Effective:** June 29, 2021

**History:** Created 2021 Ky. Acts ch. 84, sec. 34, effective June 29, 2021.