
Issue No. 39 – February 2023

BULLETIN

Transportation Network Company Approval of Standard Insurance Policy (NL-S.P.F. No. 9) and related forms

The Office of the Superintendent of Insurance has approved the NL-S.P.F. No. 9 standard insurance policy for use by Transportation Network Companies (Ride Sharing) effective February 24, 2023.

A Transportation Network Company (TNC) connects passengers with TNC drivers to provide prearranged transportation services for compensation, exclusively through a transportation network.

Under the approved NL-S.P.F. No. 9 (the TNC Policy), when a policy is in place, a TNC driver is covered while using their vehicle as a TNC automobile, which means:

- The driver is logged into a TNC network to accept ride requests from a prospective passenger(s), but has not accepted a request (Period 1);
- The driver has accepted a ride request through a TNC network and is on route to pick up the passenger(s) until the latter of the passenger(s) entering the vehicle or the trip being cancelled (Period 2); and
- The driver has a passenger(s) in the vehicle until the last passenger departs (Period 3).

An insurer must not issue a policy for less than those mandatory minimums for the prescribed periods.

INFORMATION FOR TNC DRIVERS

The TNC policy does not apply if a driver picks up street-hailed passengers or if the vehicle is being used to transport cargo. Drivers are only covered for periods when they are using their vehicle for TNC operations as defined in the NL-S.P.F. No. 9.

For Period 1, the TNC policy only applies if the driver's own insurer denies coverage.

The TNC Policy does not provide Section C – Loss of or Damage to Insured Automobile coverage (for example, physical damage) for Period 1. A driver may wish to purchase this coverage through their own insurer. If the TNC purchases Section C coverage on the TNC Policy for Periods 2 and 3, the driver is only covered for these periods if they carry this coverage on their own policy.

DO NOT assume that your own personal automobile insurance policy will automatically cover you when the NL-S.P.F. No. 9 does not. TNC drivers are contractually required to notify their own insurer that they are working as a TNC driver. The insurer may choose to terminate the owner's policy or may choose to continue insuring the TNC driver and may charge an additional premium. The Superintendent of Insurance has also approved the NL-S.E.F. No. 1-45 endorsement, which provides restricted permission to drive for a TNC. This confirms that the driver's own insurer will provide coverage for Period 1.

INFORMATION FOR TNC PASSENGERS

The NL-S.P.F. No. 9 only provides insurance coverage for rides that have been booked electronically using the TNC application. It provides no insurance coverage when passengers have street hailed a ride.

Even though the NL-S.P.F. No. 9 is approved for use in Newfoundland and Labrador, it does not mean a TNC has actually purchased this policy. Before using the services of a particular TNC, be sure to confirm the TNC and its drivers have purchased appropriate insurance.

INFORMATION FOR TNCs

The Superintendent of Insurance expects TNCs to make a copy of the TNC Policy available on their website for viewing by TNC drivers and the public.

TNCs must provide their drivers with a copy of the TNC Insurance Information Form, which they can show to passengers and others.

TNCs should advise TNC drivers of the coverage limitations under the TNC policy.

In a claims coverage investigation, it is expected that a TNC and its insurer will cooperate with other insurers to facilitate the exchange of information, including dates, times and circumstances of an accident involving a TNC driver and the times that the TNC driver was logged in and was logged out of the TNC network.

INFORMATION FOR INSURANCE COMPANIES AND INSURANCE BROKERS

The NL-S.P.F. No. 9 is now available for use in Newfoundland and Labrador. There is also an approved standard application form ((NL-S.A.F. No. 9) for TNCs to use when applying for the SPF9. The following standard endorsement forms are also approved for use with the NL-S.P.F. No. 9.

- NL – SEF No. 44 Family Protection Endorsement
- NL – SEF No. 23a Mortgage Endorsement
- NL – SEF No. 21a Monthly Reporting Basis Fleet Endorsement
- NL – SEF No. 21b Blanket Basis Fleet Endorsement
- NL – SEF No. 13c Deletion of Glass Endorsement
- NL – SEF No. 20 Loss of Use Endorsement
- NL – SEF No. 43R Limited Waiver of Depreciation Endorsement
- NL – SEF No. 43R (L) Limited Waiver of Depreciation Endorsement (Specified Lessee)

Forms noted above are available directly through Informco Inc. You may reach Informco at 461-285-3294 or KSingh@informco.com.


Jean Bishop
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