

SPECIAL BULLETIN

DATE: May 25th, 2005

TO: All Pennsylvania Resident and Non-Resident Surplus Lines Licensees

FROM: Kenneth A. Rudert – Executive Director/ *KAR*

SUBJECT: **Approved methods for collection of the Producer Affidavit (1609-PR)**

Recently, a number of Surplus Lines Licensees, especially wholesalers, have inquired as to the format in which they must receive the Producer Affidavit (1609-PR) from the Producer (the individual representing the insured within a surplus lines transaction). Is it acceptable to receive a completed 1609-PR in “fax” or “scanned” format, in lieu of the “original” (wet-signature) affidavit?

Through follow-up discussion with the Pennsylvania Insurance Department, we have confirmed that it is acceptable for a Surplus Lines Licensee to obtain a faxed or scanned copy of the completed 1609-PR affidavit from the Producer. From a regulatory perspective, the format (paper, vs. fax vs. scanned image) of the affidavit is not as significant as what **IS** required. These requirements include:

1. The Surplus Lines Licensee actually obtains the correctly completed 1609-PR affidavit
2. The information is clear (legible)
3. A copy is maintained by the Surplus Lines Licensee and it can be produced for inspection as requested

In addition, the Producer must ensure that the original affidavit (if not mailed directly to the Surplus Lines licensee) is maintained in his/her own files, and that it can also be produced for inspection as requested.

As a reminder, the 1609-PR Affidavit is now available in an On-line format on the [PSLA website](#). This On-line Affidavit can be completed from our website, printed, signed, and forwarded to the Surplus Lines Licensee.

We encourage you to forward this bulletin to your producers as needed. Should you have any additional questions on this topic, please do not hesitate to contact our office.

KAR/mt