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## E&L's Top Ten Tips

### How to Prepare for a Cape Cod Hurricane

1. Clear your yard of outdoor furniture, potted plants, trash cans, grills, bikes, kiddie pools and similar objects. Securely anchor things that can not be put indoors.
2. Trim trees and shrubs, removing weak limbs and any loose debris that high winds could turn into destructive missiles.
3. Protect your windows with storm shutters. If you don't have them, tape or board exposed glass to minimize shattering. Tack down any loose roofing and sliding.
4. Be sure you have plenty of batteries, candles, boiled or bottled water and non-perishable foods. Many experts recommend a two-week supply.
5. Have a well stocked first aid kit on hand, and at least two weeks' worth of prescription medicines.

## To Buy or Not to Buy (Rental Car Coverage)

While I was in Key West over February break on vacation with my family, I got into a minor accident...in our rental car. I had declined getting insurance on the car with the rental agency, so I was in a panic. I called my insurance agent (here at Eldredge and Lumpkin) and he helped settle my nerves. He asked if I used a credit card to rent the car. Yes, I had. So I called my credit card customer service and they stepped in to cover the damages up to my deductible where my primary insurance kicked in.

So when you rent a car, should you buy the rental insurance? It's not an easy question to answer. People's circumstances differ, depending on the ways the rental car agreement, the Massachusetts Auto Policy (MAP), your credit card, auto policy endorsements and personal umbrella coverage piece together. All of these factors could dovetail nicely or there could be significant coverage gaps. Each contract is different. Your MAP will cover an accident or other loss under certain conditions and limitations.

- o MAP coverage is good only in the U.S., Canada, and U.S. territories and

6. Get a battery-operated radio, and be sure it's working. Closely monitor the storm's progress.
7. Move boats to a safe haven. Determine the safest place to leave your car if you don't have a garage, and keep the gas tank full.
8. Get extra cash- you may need it to buy necessities if there's a power failure.
9. Devise a family emergency plan and rehearse it. Be sure you know the nearest shelter and evacuation route.
10. Leave low-lying areas as early as possible. Notify someone of your destination and call again when you arrive. Shut off all utilities before leaving your home.

## Are you Covered for Volunteer Work?

So you've retired and spend some of your spare time volunteering for a non-profit organization in the community. Or you're still working but "give back" some of your time and expertise to a worthy organization. If so, you are one of an estimated 90 million Americans who perform some sort of volunteer service each year, according to the Non-Profit Risk Management Center. However, these numbers have been declining as people are becoming more fearful of the litigious atmosphere at large in our society.

Your Homeowner policy provides you with "personal liability" protection which may or may not cover you for a claim arising out of your volunteer activities depending on the nature of the claim. If you cause injury to a person or damage to their property while acting as a volunteer for a "non-profit" organization, your homeowner carrier will, in most cases, defend you for that claim against you. Coverage for claims involving libel, slander, or defamation of character will only be covered if you have purchased optional "personal injury"

possessions

- o The rental car must be a temporary substitute for the car(s) listed on your policy
- o All drivers must be listed on the rental agreement with the consent of the rental company. If an unlisted driver has an accident, you will not be covered
- o MAP coverage will pay for a collision loss based on actual cash value, also known as book value. However, if the rental agreement requires replacement value (which is usually greater), you could have a coverage gap

Your credit card company may cover physical damage (not covered by another source) to the vehicle you rent, but there may be a cap to the amount they will pay. Also, there may be restrictions on the type of vehicles covered, the length of the rental and the country where you drive. Your credit card spending limit may also be put on hold during the claim.

The moral of this rather complex but important story is that you should read all your contracts. Make sure you understand what you are buying.

Although, it worked out for me that my credit card company was willing to cover my deductible, the only way to be certain that you can walk away from a damaged rental car without repercussions is to buy the collision damage waiver at the rental desk.



**New Massachusetts Headlight Law Effective April 7, 2015-** A new law went into effect regarding the use of headlights being on when driving conditions require the use of your windshield wipers. This is a

coverage on your policy. However, if you're a board member who is targeted for wrongful practice or breach of fiduciary duty, or if you are a service provider accused of negligence in caring for a client, you cannot rely upon your own "personal liability" coverage to protect you.

It's always best to ask your organization if it has insurance coverage that would protect you. If the group has no coverage, encourage its leaders to get some protection for its volunteers by adding coverage to their liability and worker's compensation policies. If you are a board member, a "Directors & Officers Liability" policy would be safe practice.

Be aware - your auto policy excludes "private livery" so if you are using your vehicle for the benefit of a non-profit, particularly if you are transporting persons as a volunteer, make sure you do not receive any fees for your service as a company may try to deny a claim in the event of an accident while you are transporting others for a fee.

E&L can answer your questions about volunteer liability coverage. Call us at 800 945-1840.

surchargeable violation, so your insurance can go up if you do not comply.

#### **NEED MORE INFORMATION OR A QUOTE?**

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