Office of Commissioner of Insurance Afable: Urges restaurants, delivery drivers to touch base with insurers about delivery coverage

Posted on Friday, Jun 19, 2020

Madison, Wis. – Insurance Commissioner Mark Afable today encouraged restaurants and drivers who started providing food delivery services during the COVID-19 pandemic to touch base with their insurance companies and make sure they have the coverage they need to continue providing that service.

"Many restaurants and drivers that began pickup and delivery service during the public health emergency may have been covered only on a temporary basis," Commissioner Afable said. "As many businesses start reopening to the public or planning to do so, now is a good time for those folks to reach out to their insurers. Restaurants should make sure they have the coverage they need to continue providing those new delivery options to their customers, including whether delivery drivers who were covered by personal auto insurance policies during the pandemic are still covered."

On March 17, 2020, Wisconsin restaurants and bars were required to close dining rooms to help slow the spread of COVID-19, although they were able to provide food delivery and pickup services. The following week, OCI directed insurers to extend coverage for delivery drivers for restaurants, even if those drivers and/or restaurants did not already have that coverage in place, so they could offer delivery service to their customers while the public health emergency remained in effect.

OCI today issued a bulletin acknowledging that those requirements have since expired but asking insurers to help restaurants with the transition process by providing at least 10 days written notice if their hired and non-owned coverage will expire. For personal auto coverage, OCI asked insurers to notify insureds in the same way they were notified of the extension of the coverage for delivery service, but only if the insurer notified their personal auto policyholders when the first bulletin was issued. The updated bulletin also asked insurers to offer permanent coverage for delivery services, for an additional cost if normally required, if eating establishments that began offering that service during the emergency would like to continue doing so.