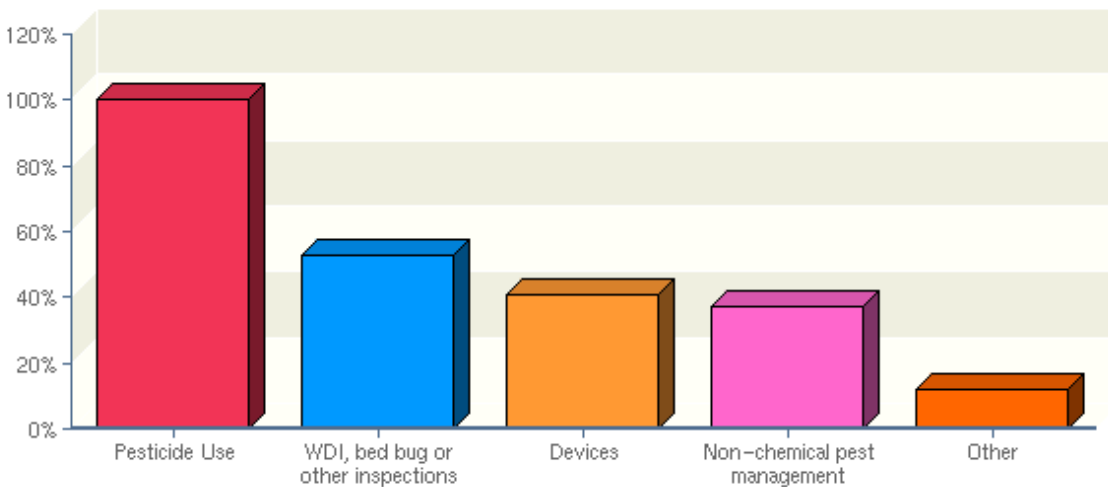


What structural pest management activities does your state regulate? (check all that apply)

July 06, 2012

1. What structural pest management activities does your state regulate? (check all that apply)



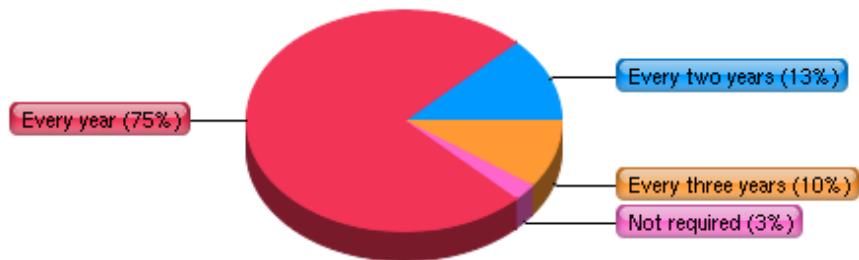
Item	Count	Percent %
Pesticide Use	51	100%
WDI, bed bug or other inspections	27	53%
Devices	21	41%
Non-chemical pest management	19	37%
Advertising or soliciting the performance of structural pest control.	1	2%
application records	1	2%
Devices when determined they require licensure	1	2%
Integrated Pest Management and Termite Monitoring Stations	1	2%
pesticide sales	1	2%
WDO- IPM (Conditions conducive), contracts	1	2%

2. Does your state require a business license for a pest management company that uses pesticides?



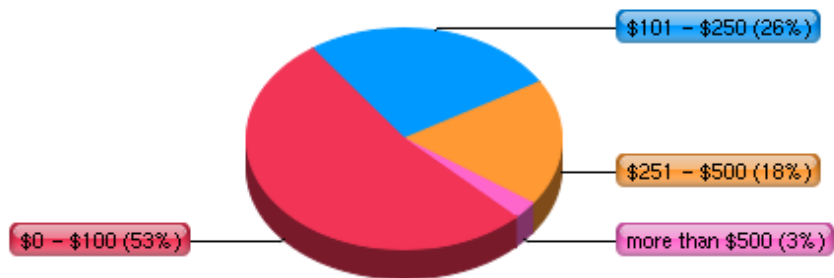
Item	Count	Percent %
Yes	39	76%
No	12	24%

3. If a business license is required, how often does it have to be renewed?



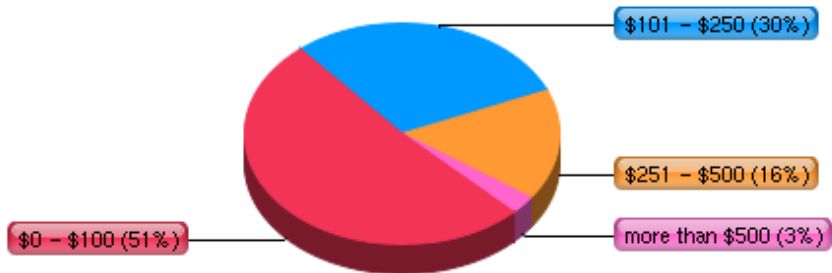
Item	Count	Percent %
Every year	30	75%
Every two years	5	13%
Every three years	4	10%
Not required	1	3%

4. If a business license is required, what is the initial fee?



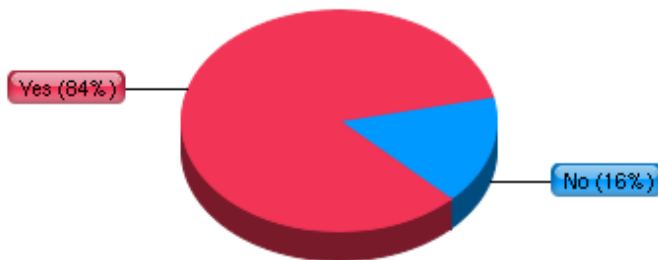
Item	Count	Percent %
\$0 - \$100	20	53%
\$101 - \$250	10	26%
\$251 - \$500	7	18%
more than \$500	1	3%

5. If the business license has to be renewed, what is the renewal fee?



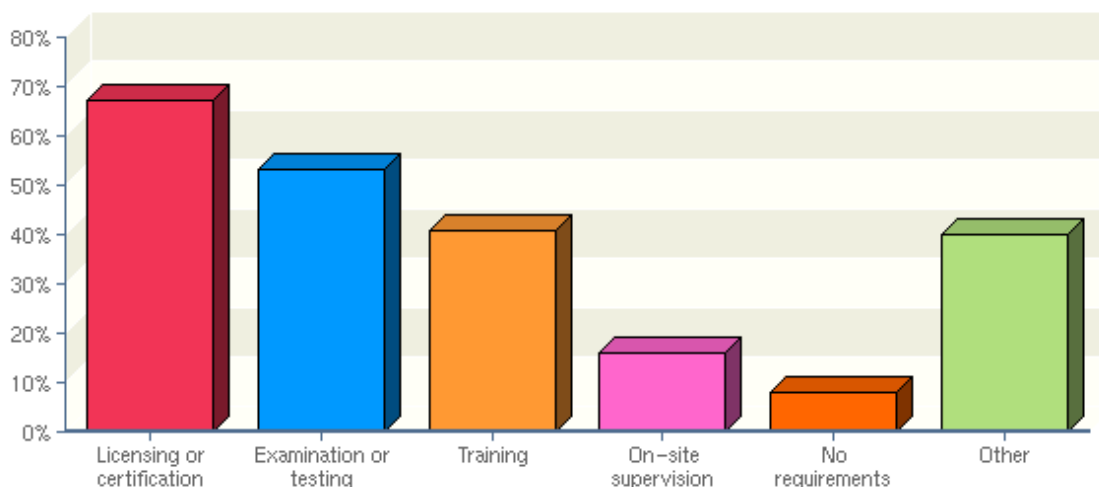
Item	Count	Percent %
\$0 - \$100	19	51%
\$101 - \$250	11	30%
\$251 - \$500	6	16%
more than \$500	1	3%

6. Does your state have minimum insurance requirements for pest management companies?



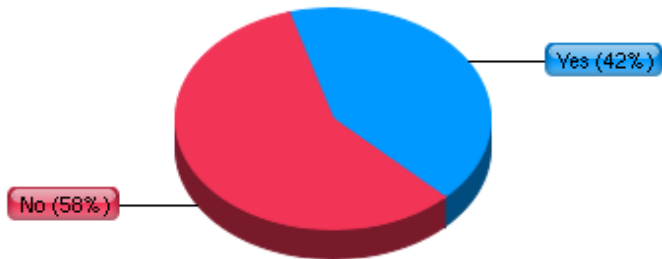
Item	Count	Percent %
Yes	42	84%
No	8	16%

7. What requirements does your state have for technicians employed by pest management companies that apply general use pesticides? (check all that apply)



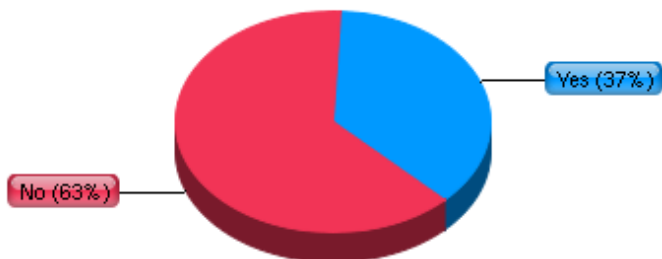
Item	Count	Percent %
Licensing or certification	34	67%
Examination or testing	27	53%
Training	21	41%
On-site supervision	8	16%
No requirements	4	8%
registration	2	4%
40 hours of continuing education every 5 years	1	2%
Continuing Education	1	2%
Continuing education and must personally report (must be physically present) to a certified applicator three days a week to receive instruction.	1	2%
Continuing education units	1	2%
Direct Supervision as defined by rule	1	2%
If they don't have a license, they need on-site supervision	1	2%
must purchase training manual from University of Wisconsin prior to taking the certification exam	1	2%
off-site supervision	1	2%
On or off-site supervision if a pesticide trainee (2 types)	1	2%
On-site supervision of technicians is required until the technician completes mandatory training .	1	2%
pre-license training and post-license training requirements	1	2%
service employee must be registered within first 30 days of employment, and goes through a department approve training	1	2%
Supervision - licensee dont have to be present on site.	1	2%
Supervision by a certified person responsible for employee actions	1	2%
Technician ID card required if performing work not in presence of licensee or technician who has held ID card for 12 months. Training required for WDI, GRC and FUM categories. Training not required for all other categories	1	2%
Under Direct Supervision of a certified applicator when using RUPs.	1	2%
unlicensed applicators must have on-site supervision	1	2%
written instructions if the certified supervisor is not on site	1	2%

8. Does your state require persons making general use pesticide applications as part of their employment by a state, local, or other government entity "not for hire" to be licensed?



Item	Count	Percent %
No	29	58%
Yes	21	42%

9. Does your state require persons making general use pesticide applications as part of their employment, other than for a pest management company or a state, local, or other government entity, to be licensed (i.e. in-house, non-government, applicators)?

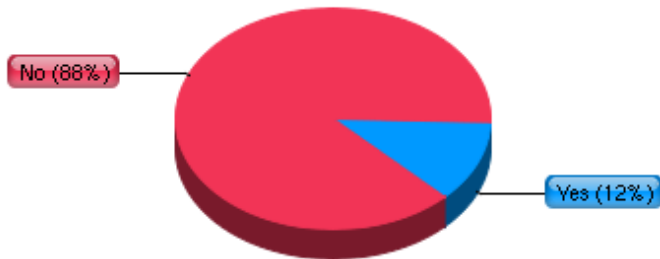


Item	Count	Percent %
No	31	63%
Yes	18	37%

10. In what types of facilities are in-house/not-for-hire applicators requires to be licensed to apply a general use pesticide? (Check all that apply)

Item	Count	Percent %
Day care centers	17	94%
Private schools	17	94%
Healthcare facilities	16	89%
Restaurants	16	89%
Food processing facilities	15	83%
Multi-family housing	15	83%
Hotels/motels	14	78%
any area open to the public	1	6%
Certification not required if using general use ready-to-use pesticides (RTU defined)	1	6%
lodges, warehouses	1	6%
Pes 303.03 Exemptions. Janitors using general use pesticides in non-food areas in buildings and property immediately adjacent to buildings, and those using prepackaged general use aerosols or general use aerosol dispensing devices for control of flying insects in food handling areas shall be exempt from certification requirements under Pes 300.	1	6%
Recreational areas greater than 5 acres in size; areas open to the general public at daycare, educational facilities, health care and convalescent facilities; areas where open food is stored, processed or sold	1	6%
Schools and Day care facilities required addition certification	1	6%

11. Does your state require business licensees or applicators to submit fingerprints or undergo criminal background checks as part of the licensing process?



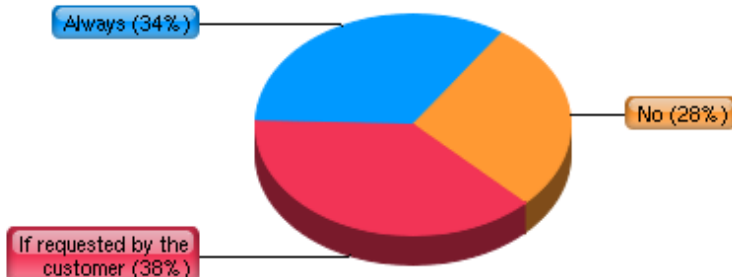
Item	Count	Percent %
No	44	88%
Yes	6	12%

12. Does your state require structural pest management businesses to routinely submit pesticide use records or reports to the state lead agency?



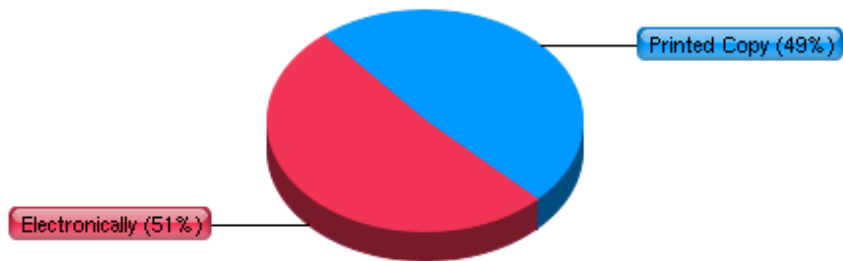
Item	Count	Percent %
No	32	64%
Yes	18	36%

13. Does your state require structural pest management businesses to provide information to customers (for example-- service records, post-application precautionary statements, pesticide labels and/or MSDS sheets)?



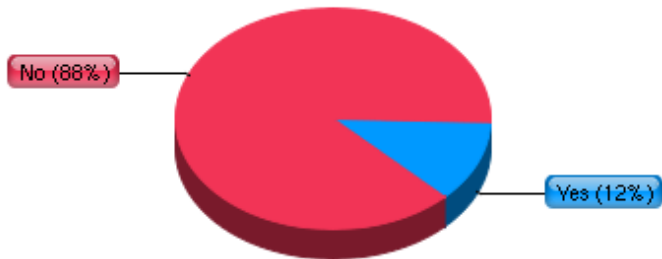
Item	Count	Percent %
If requested by the customer	19	38%
Always	17	34%
No	14	28%

14. Does your state allow the information to be provided electronically or must a printed copy be provided to the customer?



Item	Count	Percent %
Electronically	18	51%
Printed Copy	17	49%

15. Does your state require structural pest management businesses using general use pesticides to post signs prior to or at the time of indoor pesticide applications?

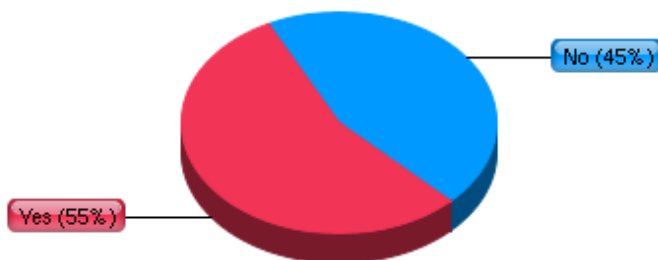


Item	Count	Percent %
No	44	88%
Yes	6	12%

16. In what settings do sign-posting requirements apply? (check all that apply)

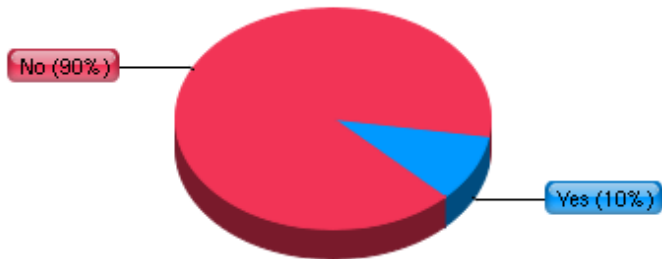
Item	Count	Percent %
schools	7	100%
daycare centers	5	71%
government buildings	5	71%
healthcare facilities	5	71%
lodging	5	71%
multifamily housing	5	71%
single family housing	2	29%
any location where a pesticide with a restricted entry interval is applied	1	14%
work place with three or more full-time paid employees.	1	14%

17. Does your state require post-construction termite treatments to be performed at full label rate?



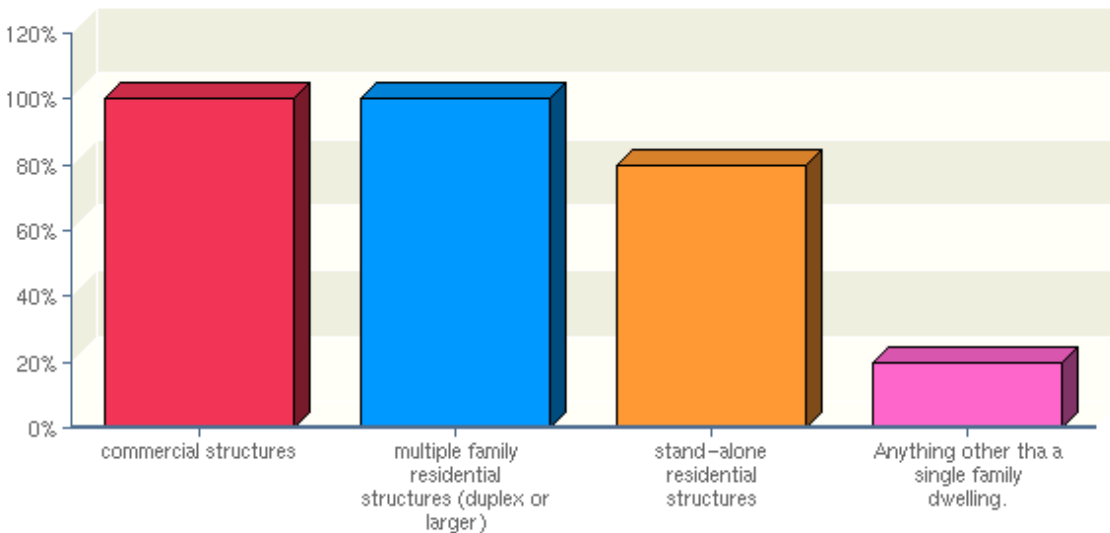
Item	Count	Percent %
Yes	27	55%
No	22	45%

18. Does your state require structural pest management businesses to notify the state lead agency prior to performing a preconstruction termite treatment?



Item	Count	Percent %
No	45	90%
Yes	5	10%

19. Notification for preconstruction termite treatments is required for? (Check all that apply)



Item	Count	Percent %
commercial structures	5	100%
multiple family residential structures (duplex or larger)	5	100%
stand-alone residential structures	4	80%
Anything other than a single family dwelling.	1	20%

20. Does your state have minimum treatment requirements for post-construction termite treatments?



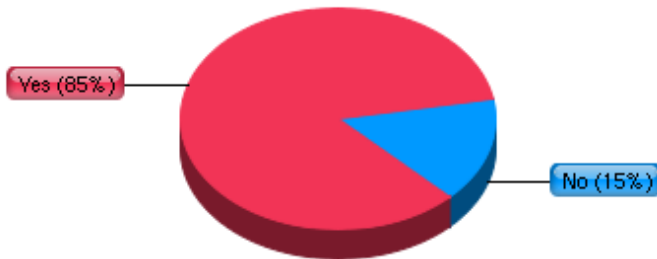
Item	Count	Percent %
No	36	72%
Yes	14	28%

21. For states that have minimum termite treatment standards, do you have a waiver form or process for a treatment that does not meet the standard?



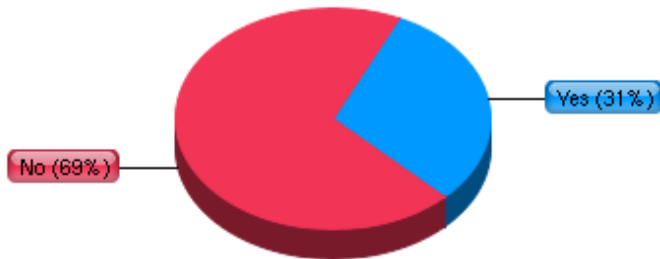
Item	Count	Percent %
Yes	10	67%
No	5	33%

22. For states that have minimum termite treatment standards, do you require structural pest management businesses to inform consumers if the treatment they performed or are set to perform is below the state standard?



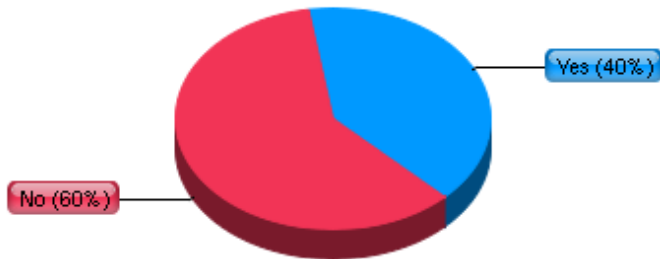
Item	Count	Percent %
Yes	11	85%
No	2	15%

23. Does your state require structural pest management companies to include language in their contracts outlining the scope of the termite warranty/guarantee or otherwise inform the consumer of the scope of the warranty/guarantee?



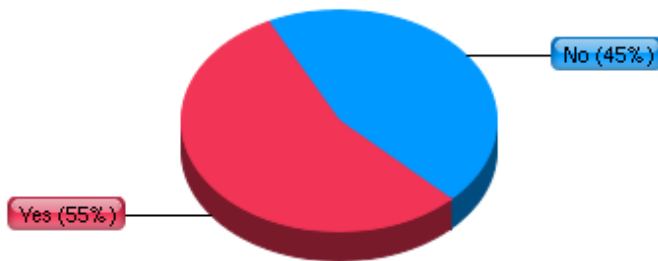
Item	Count	Percent %
No	34	69%
Yes	15	31%

24. Does your state require structural pest management companies to maintain a report or submit to the state lead agency regarding contracts for termite treatments or wood destroying insect or organism inspection forms?



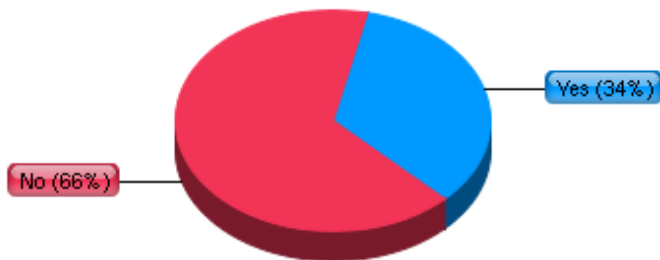
Item	Count	Percent %
No	30	60%
Yes	20	40%

25. Does your state require persons performing wood destroying insect or organism inspections to be licensed or certified or meet other minimum competency requirements?



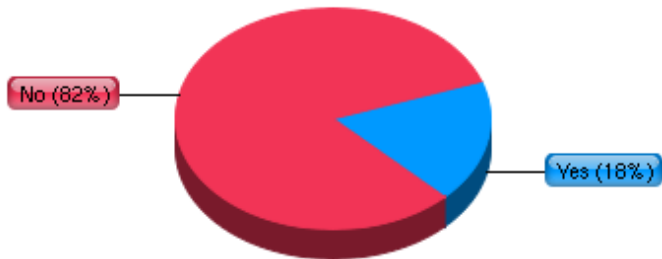
Item	Count	Percent %
Yes	27	55%
No	22	45%

26. Does your state have a state-mandated wood destroying insect or organism inspection form?



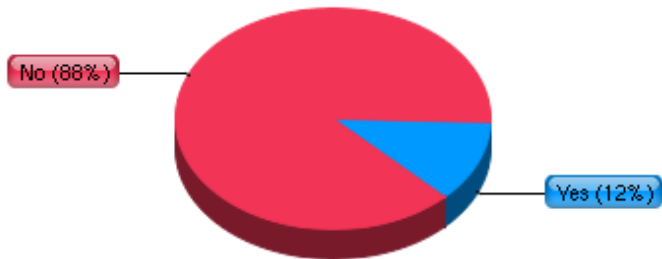
Item	Count	Percent %
No	33	66%
Yes	17	34%

27. Does your state require persons performing a wood destroying insect or organism inspection to post information on who performed the inspection and/or when it was performed?



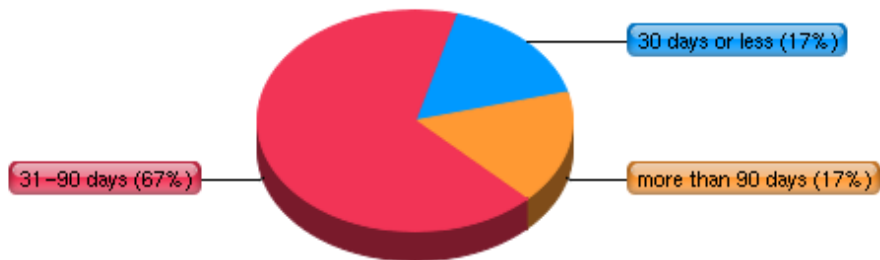
Item	Count	Percent %
No	41	82%
Yes	9	18%

28. Does your state require structural pest management businesses to warranty/guarantee wood destroying insect or organism inspections?



Item	Count	Percent %
No	44	88%
Yes	6	12%

29. How long must the warranty/guarantee last from the time of inspection?



Item	Count	Percent %
31-90 days	4	67%
30 days or less	1	17%
more than 90 days	1	17%

30. What is your agency's web page?

Item	Count	Percent %
ag.utah.gov	1	2%
agnet.state.pa.us	1	2%
agri.nv.gov	1	2%
dd.delaware.gov/pesticides	1	2%
http://agr.georgia.gov/structural.aspx	1	2%
http://agr.wa.gov	1	2%
http://agriculture.wy.gov	1	2%
http://datcp.wi.gov/Plants/Pesticides/Business_Farms/index.aspx	1	2%
http://dec.alaska.gov/eh/pest/index.htm	1	2%
http://www.agri.idaho.gov/Categories/Pesticides/indexPesticides.php	1	2%
http://www.colorado.gov/cs/Satellite/Agriculture-Main/CDAG/1178305424099	1	2%
http://www.dpnr.gov.vi/	1	2%
http://www.flaes.org/	1	2%
http://www.idph.state.il.us/envhealth/structuralpest.htm	1	2%
http://www.ncagr.gov/SPCAP/structural/index.htm	1	2%
http://www.nh.gov/agric/divisions/pesticide_control/index.htm	1	2%
http://www.oregon.gov/ODA/PEST/	1	2%
http://www.vdacs.virginia.gov/pesticides	1	2%
http://dpr.clemson.edu	1	2%
Plantboard.org	1	2%
tn.gov/agriculture	1	2%
www.agi.alabama.gov	1	2%
www.agr.mt.gov	1	2%
www.agr.ne.gov	1	2%
www.agr.ohio.gov	1	2%
www.ct.gov/dep/pesticides	1	2%
www.doe.dc.gov	1	2%
www.dem.ri.gov/programs/bnatres/agricult	1	2%
www.deq.gov.mp	1	2%
www.hawaii.gov/hdoa/pi/pest	1	2%
www.iowaAgriculture.gov/pesticides.asp	1	2%
www.isco.purdue.edu	1	2%
www.ksda.gov	1	2%

Item	Count	Percent %
www.kyagr.com	1	2%
www.ldaf.state.la.us	1	2%
www.mass.gov/agr/pesticides	1	2%
www.mda.mo.gov	1	2%
www.mda.state.md.us	1	2%
www.mda.state.mn.us	1	2%
www.mdac.state.ms.us	1	2%
www.michigan.gov/mdard	1	2%
www.nmda.nmsu.edu/pesticides	1	2%
www.oda.state.ok.us	1	2%
www.pestboard.ca.gov	1	2%
www.sb.state.az.us	1	2%
www.texasagriculture.gov	1	2%
www.thinkfirstspraylast.org	1	2%
www.vermontagriculture.com	1	2%
www.wvagriculture.org	1	2%

Appendix 16: Describe your state's insurance or other financial responsibility requirements?

Open Text Responses:

General liability insurance policy which covers operations in progress and completed operations.

The insurance policy required must provide the following minimum coverage:

(1) Single limit Property Damage \$100,000 Each Occurrence

Bodily Injury 300,000 (2) Combined single limit \$300,000 Each Occurrence

300,000 for bodily injury or death

100,000 for property

In SC categories 3 (T&O), 5 (aquatic) and 8 (public health) applicators must maintain financial responsibility in the amount of \$50,000.00 with an annual aggregate claims limit of not less than \$100,000.00 prior to performing any pest control activities. Category 7 (structural) applicators must maintain comprehensive general liability financial responsibility of not less than \$100,000.00 combined single limit liability coverage, which must include both bodily injury and property damage coverage.

An applicant for a pesticide business license or renewal of a licensed business shall carry liability insurance with limits not less than Bodily Injury of \$100,000 each person, \$300,000 each occurrence and Property damage \$15,000 each occurrence and \$30,000 annual aggregate provision. Applicant must furnish to the Department a certificate of insurance by an insurance company licensed to business in the State. Lastly, the licensee shall keep the insurance in force for the licensing period. A license is valid beginning July 1, or whenever obtained, to June 30.

General liability is \$100,000 for bodily injury and \$100,000 for property damage.

Minimum limits of insurance:

(1) Three hundred thousand dollars policy general aggregate;

(2) Three hundred thousand dollars per occurrence limit; and

(3) Three hundred thousand dollars products and completed operations aggregate.

(4) Fifty thousand dollars errors and omissions for wood destroying insect inspections

Open Text Responses:

Name and address of the insurance agency.
 Name and business address of the insured party.
 Insured amounts (not less than described below):

Body Injury \$100,000 each person
 \$300,000 each occurrence

Property Damage \$15,000 each occurrence
 \$30,000 each aggregate

A 10-day cancellation clause.

Certificate Holder's Name (must be as follows):

District of Columbia Department of Consumer & Regulatory Affairs
 Business Service Division
 Licensing Branch
 941 North Capital Street, NE
 Washington, DC 20002

Certificate of insurance confirming \$100K per person and \$300K per occurrence for personal injury, and \$50K per occurrence for property damage.

Liability Insurance policy with a minimum of \$100,000 for property damage, and \$100,000 for personal injury or death of one person; and \$300,000 per occurrence.

Liability minimum \$200,000 for non-WDO services and \$500,000 for WDO services

Minimum liability of \$150,000.00 and an additional \$100,000.00 for E & O for those issuing a wood infestation report.

Bond requirement of \$2,500.00 for those engaging in termite control work.

100,000 property damage, 300,000 bodily injury completed operation liability policy

Bodily injury: \$250,000 per person and \$500,000 per occurrence; and property damage: \$250,000 per occurrence and \$500,000 in the aggregate; or combined single-limit coverage: \$500,000 in the aggregate.

For WDO Inspections:

\$500,000 in the aggregate and \$250,000 per occurrence or proof of bond on a form acceptable to the State of Florida in an amount no less than \$500,000 in the aggregate and \$250,000 per occurrence or a certified public accountant's notarized statement that a review or audit was performed on the licensee within one year of the license application and that the licensee's net worth or equity on the date of the audit or review was no less than \$500,000.

State law requires a public liability insurance policy of \$50,000 public liability and \$50,000 property damage.

100,000 personal injury and 25,000 property damage

Insurance - minimum \$25,000

Bond - minimum \$4,000

100,000 each person, 300,00 each occurrence

\$500,000 general liability

\$300,000 per occurrence

\$300,000 errors & omissions for WDI inspections

PROOF OF FINANCIAL RESPONSIBILITY:

A. A commercial applicator license shall not be issued until the applicant has furnished proof of financial responsibility acceptable to the director. This requirement may be satisfied by:

- (1) a certificate of liability insurance signed by an authorized insurance representative; or
- (2) a certified copy of a liability insurance policy; or
- (3) a surety bond.

B. Proof of financial responsibility by any means other than a certified copy of the policy shall be provided by the issuing company on forms provided by or approved by the director.

C. Proof of financial responsibility shall be clearly conditioned to cover liability resulting from the handling, storage, disposal, application, use or misuse of any pesticide.

D. The director shall be notified in writing by the issuing company ten (10) days prior to any reduction or cancellation of insurance coverage.

E. The insurer or surplus line broker shall be authorized to do business in New Mexico.

Open Text Responses:

Proof of coverage minimum:

\$500,000 liability

\$300,000 errors and omissions

\$50,000 surety bond

Under 333 CMR 10.13 Financial Requirements commercial pesticide applicators must have bodily injury, property damage and pollution coverage.

General liability insurance, bond, net assets

surety bond and liability insurance = \$25,000 property damage and \$25,000 bodily

Pesticide applicators shall file with the Department, verifying insurance in an amount of not less than \$50,000 bodily injury, \$100,000 bodily injury per occurrence, and \$50,000 property damage. The provisions of this section with regards to "per occurrence" are specifically intended to be interpreted per occurrence, rather than per claimant. The insurance obtained pursuant to this section shall insure against liability for damage, loss, or injury, including chemical drift or trespass, suffered by any person or persons, resulting from the application of any pesticide. A current certificate of insurance must be filed with each initial and subsequent renewal registration.

Commercial license bodily injury \$40,000 aggregate Property damage inc. completed operations & chemical liability \$25,000

Commercial certification bodily injury \$100,000 aggregate Property damage etc \$50,000

Fumigation bodily injury \$300,000 aggregate property damage etc \$100,000

aerial applications bodily injury \$200,000 aggregate Property damage etc \$100,000

Household Pest - \$50,000 surety bond and \$85,000 liability insurance

Termite and wood destroying pest - \$100,000 surety bond and \$500,000 liability Insurance

Fumigation - \$85,000 liability insurance

Pesticide liability insurance only. The minimum is being changed to \$50,000.

Starting 7/1/12, minimum is 250K public liability and property damage, each separately. It has been 50K public liability and property damage since the 1960's, and the revision starting 7/1/12 will be the first increase in financial responsibility since then.

Each business license applicant and certified noncommercial applicator license applicant must submit a certificate of insurance with proof of coverage on the form provided by the department in the amount of not less than \$200,000 for bodily injury and property damage coverage with a minimum total annual aggregate of \$300,000 for all occurrences. The insurance policy must insure applicant for damage to persons or property occurring as a result of operations performed in the course of the business of structural pest control to premises or any other property under applicant's care, custody, or control. No new business license or certified noncommercial applicator license will be issued until insurance requirements are met. Policies must contain a cancellation provision for notification to the department not less than thirty (30) days prior to cancellation. Certified noncommercial applicators employed by governmental entities are exempt from this provision. Inactive certified applicators and technicians that do not perform structural pest control work for compensation or as a part of the duties of their employment are exempt from this provision.

18 AAC 90.620 Commercial applicators/their employers must have insurance of \$500,000/person bodily injury and \$300,000/incident property damage

02. Minimum Coverage Required. (3-20-97)

a. Professional applicators. (3-20-97)

i. Bodily injury - fifty thousand dollars (\$50,000) per person/one hundred thousand dollars (\$100,000) per occurrence. (3-23-98)

ii. Property damage - fifty thousand dollars (\$50,000) per occurrence. (3-23-98)

iii. Maximum deductible - five thousand dollars (\$5,000). (3-23-98)

Business firms, as described under section 803-20(a) of these regulations, shall carry a minimum of \$100,000 individual and \$100,000 per incident bodily injury insurance and \$100,000 property damage insurance, or a surety bond of comparable value, issued by a company licensed to do business in the U.S. Virgin Islands and in a form acceptable to the department, as proof of financial responsibility.

Minimum of \$300,000 individual and \$1,000,000 per incident bodily injury insurance and \$300,000 property damage insurance.

General liability policy or net worth of at least \$100,000 for any person holding a commercial applicator certification. This holds true for structural or non-structural applicators.

Insurance: Not less than \$25,000 for bodily injury liability for each occurrence. Not less than \$5,000 for property damage liability for each occurrence. Or \$6,000 Letter of Credit, or \$6,000 Escrow Account, or \$6,000 surety bond

Insurance, Bonds, CD's

Colorado requires a minimum \$400K general liability insurance policy.

ORS634.116 (6) The financial responsibility required by subsection (5) of this section must be not less than \$25,000 for bodily injury to one or more persons and not less than \$25,000 for property damage.

This was created in 1972 & needs updating

Open Text Responses:

A certificate of insurance for public liability for not less than \$250,000 per accident and not less than \$100,000 property damage or combined single limits of \$350,000.

\$200,000 minimum/\$100,000 per occurrence

Pes 302.03 Insurance Required.

(a) Each applicant for registration shall show proof of financial responsibility consisting of at least the following minimum insurance coverage:

(1) For ground application, insurance coverage shall include the following category of coverage and minimum amounts:

- a. For bodily injury liability, \$50,000 each occurrence, \$100,000 aggregate; and
- b. For property damage, \$50,000 each occurrence; and

(2) For aircraft application, insurance coverage shall include the following category of coverage and minimum amounts:

- a. For bodily injury liability, \$100,000 each occurrence, \$300,000 aggregate; and
- b. For property damage, \$100,000 each occurrence.

(b) Coverage under (a)(1) and (2) above shall include chemical liability as it relates to pollution coverage, if available. At a minimum, the chemical liability coverage shall include products and completed operations, and damage or injury that can result from the application of pesticides.

(c) Proof of financial responsibility shall consist of a written declaration signed by the applicator, attesting to the minimum insurance coverage as set forth in (a) and (b) above, accompanied by a certificate of insurance as issued by the insurance company.

(d) The certificate of insurance under (c) above shall name the division as the certificate holder and shall stipulate that the division shall be provided notice of cancellation of the insurance policy.

(e) Those applicants for registration as commercial applicators not for hire shall not be required to show proof of financial responsibility.

The amount of the deposit, insurance, self-insured retention or bond shall be at least five hundred thousand dollars and shall be maintained at not less than that amount at all times during the licensing period. The license of a business licensee whose financial security falls below the minimum five hundred thousand dollars shall be suspended by the acting director and shall remain suspended until the security meets the minimum financial security requirement. The financial security need only cover those particular operations in which the licensee is engaged at any time. If the financial security is in the form of liability insurance or a surety bond, the licensee shall furnish the acting director with a certificate of coverage that indicates the coverages and endorsements required by this subsection on a form prescribed by the acting director