R.C. 2293

To: The Members of the Board

Automobile Dismantling – Classification Code 3821
Effective Date - April 1, 2012

In accordance with the authorization of the NYCIRB Underwriting Committee, and approval by the New York State Department of Financial Services, we hereby introduce an amendment to the New York Workers Compensation and Employers Liability Manual pertaining to Classification “Code 3821 - Automobile Dismantling,” with an effective date of April 1, 2012.

The revision to Classification “Code 3821 - Automobile Dismantling & Drivers,” is a change in the use and assignment of this code, particularly when dismantling is an incidental exposure for the risk. This change specifies which operations are to be separately rated and allows for normal Rating Board rules to apply when labor interchange exists within these operations. Previously, any type of dismantling activity, even if incidental, mandated that this code be assigned for the full operation. There was no consideration for other operations, even if they constituted a more significant part of the business.

To accommodate this change, page C-5 of the Classification Section of the New York Workers Compensation and Employers Liability Manual has been modified. The revised page is attached for your reference and shows an updated phraseology for Code 3821.

The changes are also included in an updated version of the New York Workers Compensation & Employers Liability Manual which is available via the Board’s website at: www.nycirb.org.

Very truly yours,

Monte Almer
President

WVT:tg
Encl.
AUTOMATIC SCREW MACHINE PRODUCTS MFG.  3145
Shall not be assigned to a risk engaged in operations described by another classification unless the operations subject to Code 3145 are conducted as a separate and distinct business.

AUTOMATIC SPRINKLER HEAD MFG.  3634

AUTOMATIC SPRINKLER INSTALLATION & Drivers  5188

AUTOMOBILE BODY REPAIR SHOP–ALL OPERATIONS–& Drivers  8391
Applies to automobile body repair shops.
When an insured operates an automobile body repair shop with a convenience store (no self-service sale of gasoline), apply Code 8391 and the appropriate store classification. Refer to Section III of the Digest of Rulings and Interpretations to determine the applicable store classification.

Refer to Code 8382 “Automobile Self-Service Gasoline with Convenience Store” for insureds operating a convenience store that is also engaged in selling self-service gasoline.

AUTOMOBILE, BUS, TRUCK or TRAILER BODY MFG.:

RIVETED or WELDED
Includes bus, truck or trailer body repair or service. Code 3823 and Code 3808 "Automobile Mfg." shall not be assigned to the same risk unless the operations described by these classifications are conducted as separate and distinct businesses.

NOC
Includes bus, truck or trailer body repair or service. Code 3824 and Code 3808 "Automobile Mfg." shall not be assigned to the same risk unless the operations described by these classifications are conducted as separate and distinct businesses.

PAINTING

UPHOLSTERING

AUTOMOBILE CAR WASH & DRIVERS  8391

AUTOMOBILE DISMANTLING & Drivers  3821
Includes breaking-up the chassis, sale of automobile parts and the salvage or junking of parts.
Separately rate the sale of new automobile parts conducted at a separate location from the automobile dismantling operation as Code 8046, if principally (more than 50% of the gross receipts) engaged in selling to private individuals or to Code 7999 if principally (more than 50% of the gross receipts) engaged in selling wholesale or to others for use in their business operations.
Separately rate the sale of automobiles as Code 8748, the repair of automobiles or the operation of a gasoline station as Code 8391.

AUTOMOBILE ENGINE MFG.  3827

AUTOMOBILE GASOLINE and/or SERVICE STATIONS:

FULL or FULL and SELF-SERVICE GASOLINE & Drivers  8391
Applies to retail gasoline stations that operate a combined full and self-service station at the same location. Includes repairs to automobiles.
This classification does not include the operation of a convenience store that is also engaged in selling self-service gasoline. Refer to Code 8382.
When an insured operates a full-service gasoline station with a convenience store (not self-service gasoline), apply Code 8391 and the appropriate store classification. Refer to Section III of the Digest of Rulings and Interpretations to determine the applicable store classification.

Automobile Gasoline and/or Service Stations Continued on next page