



Property Casualty Insurers  
Association of America  
Sharing the Future of American Insurance

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## STATEMENT

### PROPERTY CASUALTY INSURERS ASSOCIATION OF AMERICA (PCI)

February 1, 2011

#### H.B. 5442, An Act Concerning Homeowners Insurance Coverage Based On Breed Of Dog

The Property Casualty Insurers Association of America (PCI) appreciates the opportunity to comment on H.B. 5442 which would prohibit insurers from underwriting personal lines insurance based upon the breed of dog owned by the insured. PCI is a national trade association representing over 1,000 insurance companies. In Connecticut, PCI members write over 46% of the personal lines insurance in the state. PCI opposes this legislation because dog bite liability claims account for more than one-third of homeowners liability claim dollars paid by insurers and this bill would prohibit insurers from considering the increased risk posed by ownership of certain dog breeds.

Common sense would tell us that, while any dog may attack and while any dog may be as gentle as a lamb, dogs of certain breeds may be more dangerous than others. While there is no definitive list of "dangerous" breeds, a joint study by the Center for Disease Control, the American Veterinary Medical Association and the Humane Society on breeds involved in fatal human attacks is considered a type of "benchmark" on the issue. The study, released in 2000, tracked dog attack fatalities from 1979 to 1998. Not surprisingly, Pit Bulls and Pit Bull mixes far and away top the list of those breeds involved in fatal attacks. Rottweilers, German Shepards, Huskys, Malamutes, Dobermans, Chow, Great Danes and Saint Bernards round out the list.

Pit Bulls illustrate well how the breed (regardless of training) bears on the likelihood of dangerous attacks. Not only are Pit Bulls incredibly strong, but they don't bite like most dogs, instead they clamp on to their enemy with their jaws and tear. Each year there are an alarming number of vicious injuries and fatal attacks against humans by certain breeds of dogs. Certain breeds can bite with a force averaging 1,000 pounds per square inch, and some can even bite with twice that force - enough to brutalize a child or adult in seconds. The oftentimes unprovoked and fierce nature of such attacks further supports an insurer's need to incorporate such information in its assessment of risk.

It is important to note that not all insurers impose restrictions based on breed of dog and insurance coverage is generally available for dog owners. Depending on the insurer's individual loss experience and underwriting practices, some insurers may impose restrictions upon specific breeds of dogs, while others do not. PCI opposes legislative or regulatory efforts that would require insurers to wait for a potentially devastating personal injury loss before being able to decide whether or not to provide, or continue to provide, coverage. Each insurer must retain the ability to provide homeowners insurance based upon its own reasoned judgment of risk factors and the related

anticipated loss, including the company's own assessment of the potential vicious propensities of a particular animal or breed of dog.

It should be noted additionally that if insurers are prohibited from considering dog breed in underwriting, the higher costs associated with increased dog bite liability claims will have to be passed along to all policyholders, thereby resulting in policyholders without dogs or high-risk dogs being unfairly required to subsidize policyholders that do own high-risk dogs.

For the foregoing reasons, PCI urges your Committee to not favorably advance H.B. 5442.