

State of Utah
Administrative Rule Analysis
Revised May 2025

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: New

Rule or section number:

R590-291

Filing ID: OFFICE USE ONLY

Date of previous publication (only for CPRs):

Agency Information

1. Title catchline:	Insurance, Administration	
Building:	Taylorsville State Office Building	
Street address:	4315 S. 2700 W.	
City, state:	Taylorsville, UT	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact persons:		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:	
R590-291. Use of Fire Hazard Data in Rating and Underwriting	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	HB 48 (2025 General Session)
4. Purpose of the new rule or reason for the change:	
This rule is being promulgated because Section 31A-22-1310(2)(b) requires the Insurance Commissioner to enact a rule that allows the use of additional fire hazard data beyond the wildfire risk assessment mapping tool maintained by the Division of Forestry, Fire, and State Lands.	
5. Summary of the new rule or change:	
The rule requires a property and casualty insurer offering insurance in a wildland urban interface area to prove that its use of additional fire hazard data complies with the boundary provided in the wildfire risk assessment mapping tool maintained by the Division of Forestry, Fire, and State Lands.	

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:	
A. State budget:	
There is no anticipated cost or savings to the state budget. The Department expects enforcement of this rule to be absorbed by current employees as part of their regular workload.	
B. Local governments:	
There is no anticipated cost or savings to local governments. Local governments will not be impacted by this rule in any way.	
C. Small businesses ("small business" means a business employing 1-49 persons):	
There is no anticipated cost or savings to small businesses. All affected property and casualty insurance companies active in the state have more than 50 employees. Small businesses will not be impacted by this rule in any way.	
D. Non-small businesses ("non-small business" means a business employing 50 or more persons):	
There is no anticipated cost or savings to non-small businesses. The rule implements a statutory requirement and therefore imposes no cost on non-small businesses (property and casualty insurance companies) beyond the statutory requirement.	

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no anticipated cost or savings to any other persons. The rule only applies to property and casualty insurance companies and will not impact any other persons.

F. Compliance costs for affected persons:

There is no compliance cost for any affected persons. An insurance company that chooses to use additional fire hazard data may incur minor costs when submitting proof to the Department. However, these costs are expected to be extremely minor, verging on nonexistent, as the proof can be submitted electronically. The only cost will be an employee's time spent submitting the required proof to the Department. This will likely be absorbed as part of an employee's regular work.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

The Commissioner of the Insurance Department, Jonathan T. Pike, has reviewed and approved this regulatory impact analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 31A-2-201	Section 31A-22-1310	

Incorporation by Reference Information

8. Incorporation by Reference (if this rule incorporates more than two items by reference, please include additional tables):

A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

B. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.		
A. Comments will be accepted until:	12/15/2025	
B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.):		
Date:	Time (hh:mm AM/PM):	Place (physical address or URL):
To the agency: If more than one hearing is planned to take place, continue to add rows.		

10. This rule change MAY become effective on:	01/01/2026
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. The office may return incomplete forms to the agency, possibly delaying publication in the <i>Utah State Bulletin</i> and delaying the first possible effective date.			
Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	10/22/2025

R590. Insurance, Administration.

R590-291. Use of Fire Hazard Data in Rating and Underwriting.

R590-291-1. Authority.

This rule is promulgated by the commissioner pursuant to Sections 31A-2-201 and 31A-22-1310.

R590-291-2. Purpose and Scope.

(1) The purpose of this rule is to identify the circumstances under which a property and casualty insurer may use fire hazard data other than the wildfire risk assessment mapping tool maintained by the Division of Forestry, Fire, and State Lands.

(2)(a) This rule applies to a property and casualty insurer doing business in Utah.

(b) This rule does not apply to:

(i) an inland marine insurer; or

(ii) a surplus lines insurer.

R590-291-3. Definitions.

Terms used in this rule are defined in Sections 31A-1-301 and 31A-22-1310. Additional terms are defined as follows:

(1) "Boundary determination" means the boundary provided in the wildfire risk assessment mapping tool maintained by the Division of Forestry, Fire, and State Lands in accordance with Subsection 65A-8-203(8).

(2) "Insurer" means an insurer that issues property or casualty insurance for property located within the boundary of high risk wildland urban interface as designated by the wildfire risk assessment tool in Subsection 65A-8-203(8)(a) and defined by rule made in accordance with Subsection 65A-8-402(5)(a).

(3) "Mapping tool" means the wildfire risk assessment mapping tool maintained by the Division of Forestry, Fire, and State Lands in accordance with Subsection 65A-8-203(8).

R590-291-4. Use of Fire Hazard Data in Rating and Underwriting.

(1) In rating or underwriting high risk wildland urban interface property, an insurer may use fire hazard data other than the boundary determination provided in the mapping tool.

(2) Other fire hazard data may only be used if an insurer objectively demonstrates, in a reasonable manner acceptable to the commissioner, that the data are compliant with the mapping tool.

(3) An insurer shall provide to the commissioner, upon request, evidence and information demonstrating compliance with Subsection (2).

(4) Nothing in this rule affects the requirements of the Utah Rate Regulation Act, Title 31A, Chapter 19a.

R590-291-5. Effective Date.

The commissioner will begin enforcing this rule February 15, 2026.

R590-291-6. Severability.

If any provision of this rule, R590-291, or its application to any person or situation is held invalid, such invalidity does not affect any other

provision or application of this rule which can be given effect without the invalid provision or application. The remainder of this rule shall be given effect without the invalid provision or application.

KEY: property and casualty insurance, wildfire

Date of Enactment: 2025

Authorizing, and Implemented or Interpreted Law: 31A-2-201; 31A-22-1310