

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **EXCLUSION – BIOMETRIC IDENTIFIERS AND BIOMETRIC INFORMATION**

This endorsement modifies insurance provided under the following:

### MARINE GENERAL LIABILITY

- A.** The following exclusion is added to Section II – General Liability, paragraph 2., Exclusions and to Section III - Personal and Advertising Injury, paragraph 2., Exclusions:

This insurance does not apply to:

#### **Biometric Identifiers and Biometric Information**

1. “Bodily injury”, “property damage”, or “personal and advertising injury” arising out of or alleged to arise out of the storage, retention, collection, obtention, sale, disclosure, transmission, or destruction of any biometric identifier and/or any biometric information.
2. “Bodily injury”, “property damage”, or “personal and advertising injury” arising out of or alleged to arise out of the violation of any statute, rule, regulation or similar statute governing the storage, retention, collection, obtention, sale, disclosure, transmission, or destruction of any biometric identifier and/or any biometric information.

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the “occurrence” that caused the “bodily injury” or “property damage” or the offense that caused the “personal and advertising injury” involved that which is described in 1. and 2. above.

- B.** For the purposes of this endorsement, the following definitions apply:

Biometric identifier means a retina or iris scan, fingerprint, voiceprint, or scan of hand or face geometry. Biometric identifiers do not include writing samples, written signatures, photographs, human biological samples used for valid scientific testing or screening, demographic data, tattoo descriptions, or physical descriptions such as height, weight, hair color, or eye color. Biometric identifiers do not include donated organs, tissues, or similar parts or blood or serum stored on behalf of recipients or potential recipients of living or cadaveric transplants and obtained or stored by a federally designated organ procurement agency. Biometric identifiers do not include biological materials regulated under the Genetic Information Privacy Act. Biometric identifiers do not include information captured from a patient in a health care setting or information collected, used, or stored for health care treatment, payment, or operations under the federal Health Insurance Portability and Accountability Act of 1996. Biometric identifiers do not include an X-ray, roentgen process, computed tomography, MRI, PET scan, mammography, or other image or film of the human anatomy used to diagnose, prognose, or treat an illness or other medical condition or to further validate scientific testing or screening.

Biometric information means any information, regardless of how it is captured, converted, stored, or shared, based on an individual's biometric identifier used to identify an individual. Biometric information does not include information derived from items or procedures excluded under the definition of biometric identifiers.

All other terms and conditions of this policy remain unchanged.