

**53-7-214 Insurance company reports of fires.**

- (1) The state fire marshal, his deputy, and investigator may, in writing, require any insurance company transacting business in this state to release to the state fire marshal all relevant information or evidence found important by the state fire marshal, his deputy, and investigator that the company may have in its possession, relating to any fire loss in this state in which the company has an insuring interest. Relevant information includes:
  - (a) insurance policy information related to a fire loss under investigation and any application for the policy;
  - (b) available policy premium payment records;
  - (c) history of previous claims made by the insured; and
  - (d) material relating to the investigation of the loss, including statements of any person, proof of loss, and any other evidence related to the investigation.
- (2)
  - (a) Every insurance company transacting business in the state must file with the division a report of any fire of suspicious origin.
  - (b) The report shall show:
    - (i) the name of the insured;
    - (ii) the location of the property burned;
    - (iii) the probable cause of the fire;
    - (iv) the occupancy of the property burned;
    - (v) the construction of the building or structure burned;
    - (vi) the market value of the property involved;
    - (vii) the actual loss;
    - (viii) the insurance carried;
    - (ix) the insurance paid;
    - (x) the apportionment of loss where more than one company was on the risk; and
    - (xi) if a motor vehicle or building is involved in any fire loss, a description of the motor vehicle or building.
  - (c) In case of a fire of suspicious or incendiary origin, a preliminary report shall be made immediately through some officer or representative of the insurance company, showing:
    - (i) the name of the insured;
    - (ii) the date of the fire;
    - (iii) the location;
    - (iv) occupancy; and
    - (v) other facts and circumstances tending to establish the cause or origin of the fire.
- (3) All persons making an adjustment occasioned by a loss due to a fire of suspicious or incendiary origin in this state shall, upon written request, send to the division a copy of the final adjustment immediately after the adjustment is made, signed by the person making the adjustment.
- (4) Any insurance company or person acting in its behalf or any person making adjustments occasioned by a loss due to fire who releases information, whether oral or written, pursuant to Subsection (1), (2), or (3) is immune from any liability for the release of this information arising out of a civil action or penalty resulting from a criminal prosecution.

Renumbered and Amended by Chapter 234, 1993 General Session