



NATALIE A. HUBLEY
PRESIDENT

COMMONWEALTH AUTOMOBILE REINSURERS

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RECORDS OF MEETING

COMMERCIAL AUTOMOBILE COMMITTEE – JANUARY 10, 2024

Members Present

Mr. Thomas DePaulo – Chair	Cabot Risk Strategies, LLC
Ms. Annmarie Castonguay	The Hanover Insurance Company
Ms. Shelia Doherty	Doherty Insurance Agency, Inc.
Ms. Mary McConnell	Safety Insurance Company
Ms. Sharon Murphy	Acadia Insurance Company
Mr. John Olivieri, Jr.	J.K. Olivieri Insurance Agency, Inc.
Mr. Tiago Prado	BRZ Insurance, LLC.
Mr. Thomas Skelly, Jr.	Deland, Gibson Insurance Associates, Inc.
Mr. Barry Tagen	Pilgrim Insurance Company
Mr. David Zawilinski	Arbella Insurance Group
Mr. Jesse Zimmerman	MAPFRE U.S.A. Corporation

Substituted for:
N/A

Not in Attendance:
N/A

23.01 Records of Previous Meeting

On a roll call vote, the Committee voted with one abstention to approve the Records of the Commercial Automobile Committee meeting of December 8, 2023. The Records have been distributed and are on file.

23.06 Implementation of Commercial Policy Coverage and Endorsement Forms

The Committee reviewed the last two sections of manual rule amendments related to the implementation of new policy coverage and endorsement forms already approved by the Committee. Ms. Shannon Chiu outlined the amendments to Section V – Public Transportation, highlighting the addition of references to specific endorsements, language modifications for consistency and the clarification of territory rating for vehicles garaged out of state. At this time, the Committee had no comments or questions regarding the presented amendments to Section V.

Ms. Katy Proctor then reviewed the amendments to Section VI – Auto Dealers, highlighting the change from the Massachusetts Garage Insurance Policy to the Auto Dealers Coverage Form and Auto Dealers Massachusetts Mandatory Endorsement. Additionally, other modifications included appropriate endorsement references, added language to address new endorsements, language modifications for consistency, the addition of On-Hook coverage and further changes consistent with the AIB’s updated Commercial Automobile Insurance Manual. Ms. Proctor then asked the Committee for input relative to two endorsements CAR currently has on file which CAR Staff is considering withdrawal: the Additional Insured – Lessor of Leased Equipment Endorsement (CA 20 47) and Franchised Products Endorsement (MM 25 97). These endorsements extend additional coverage and require rate not currently included in AIB’s advisory filing. It was the Committee’s consensus to withdraw the two endorsements. A question arose on the On-Hook coverage with Mr. Barry Tagen asking to enhance the rule language to clarify that the endorsement is also needed to cover towing operations associated with transporting between locations other than the insured’s specified location. CAR staff noted that they would review the issue and modify the draft accordingly. Ms. Annmarie Castonguay questioned why the General Liability Exclusions were mandatory. Ms. Wendy Browne explained that those coverages were not offered under the Massachusetts Garage Insurance Policy, therefore, the Committee previously determined that, to maintain the same level of coverage for the residual market, the use of the exclusion endorsements would be mandatory. The Committee had no further comments or questions regarding the presented amendments to Section VI.

Lastly, Ms. Proctor noted that CAR is recommending the adoption of two new endorsements. As the Committee previously agreed that the Abuse and Molestation Exclusion for Covered Autos Liability Exposure (CA 28 03) should be adopted, staff also recommends adoption of CA 27 21 - Abuse and Molestation Exclusion for General Liability and Acts, Errors, and Omissions Liability Coverage to also exclude coverage for other than covered auto exposure. These endorsements will be added to rules in Section II – Common Coverages and Rating Procedures, along with CA 25 36 General Liability Coverages – Pollution Exclusion with a Building Heating Exception and Hostile Exception to also extend the pollution exclusion to the other than covered auto exposure. The Committee had no comments regarding the additional endorsements.

Ms. Wendy Browne informed the Committee that the draft of a new appendix to the Commercial Automobile Insurance Manual that lists the policy coverage and endorsement forms was distributed as additional information for review. Mr. David Zawilinski raised the question as to whether the residual market was going to remain with the current Physical Damage Coverage – Autos Held for Sale by Non-Dealers Endorsement (MM 20 27) or adopt ISO’s newest version CA 20 28. Ms. Browne noted that CAR tends to stay with the Massachusetts specific endorsements but will review the two endorsements to ensure that something hasn’t been overlooked.

Finally, Ms. Browne noted that Staff will provide the Committee with the full Commercial Automobile Manual, including amendments based on discussion to date for the next meeting scheduled for February 1, 2024. The Committee will review the final updates with the intention of making a recommendation to the Governing Committee at its February, 2024 meeting. Ms. Browne encouraged committee members to reach out to CAR should any further questions or comments arise.

TIMOTHY GALLIGAN
Director of Actuarial and Statistical Services

Boston, Massachusetts
January 19, 2024

ATTACHMENT LISTING

Docket #CAC24.02, Exhibit #1

Attendance Listing

**COMMERCIAL AUTOMOBILE COMMITTEE MEETING
 MEETING ATTENDEES
 JANUARY 10, 2024**

Individual's Name

Company / Agency

PLEASE PRINT

Thomas DePaulo	Cabot Risk Strategies, LLC
Annmarie Castonguay	The Hanover Insurance Company
Sheila Doherty	Doherty Insurance Agency, Inc.
Mary McConnell	Safety Insurance Company
Sharon Murphy	Acadia Insurance Company
John Olivieri, Jr.	J.K. Olivieri Insurance Agency, Inc.
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David Zawilinski	Arbella Insurance Group
Jesse Zimmerman	MAPFRE U.S.A. Corporation
Linda Zarella	Arbella Insurance Group
John Magadieu	Arbella Insurance Group
Alex Chodor	Arbella Insurance Group
Mary Ellen Thompson	Division of Insurance
Benjamin Hincks	TSH & D – CAR Counsel
Steven Torres	TSH & D – CAR Counsel
Kathy Cormier	MAIA
Laura Poulin	MAIA
Monique Miller	AIB
Mark Alves	CAR Staff
Wendy Browne	CAR Staff
Shannon Chiu	CAR Staff
Richard Dalton	CAR Staff
Timothy Galligan	CAR Staff

**COMMERCIAL AUTOMOBILE COMMITTEE MEETING
MEETING ATTENDEES
JANUARY 10, 2024**

Individual's Name

Company / Agency

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Peter Barton	Safety Insurance Company
Adrienne Donovan	CAR Staff
Steven Gautieri	CAR Staff
Matthew Hirsh	CAR Staff
Natalie Hubley	CAR Staff
Cheryl Kopas	CAR Staff
Katy Proctor	CAR Staff
Tiffany Manning	CAR Staff
James Robery	CAR Staff
Lynne Rosenberg	CAR Staff
Alison Ruggiero	CAR Staff
Evan Ross	CAR Staff
Robin Tigges	CAR Staff