

**RULES – FILED AND APPROVED**

AUGUST 4, 2020

GENERAL LIABILITY

LI-GL-2020-140

## WASHINGTON RULES REVISION FILED AND APPROVED

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### KEY MESSAGE

Rules revision in response to 2020 Wash. Laws \_\_\_\_ (former S.B. 6170) filed and approved.

**Filing ID:** GL-2020-RPCC1

**Effective Date:** November 1, 2020

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### BACKGROUND

In referenced circular:

- [LI-GL-2020-097](#), we introduced and revised Washington-specific Commercial General Liability exceptions to classifications related to plumbing contractor risks in order to reference and instruct on the usage of Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage endorsement CG 25 49.
- [LI-GL-2020-106](#), we announced that after additional consideration, we were working on updates to the materials contained in forms filing CL-2020-OPCC1 and rules filing CL-2020-RPCC1; and that we will advise you of filing and/or implementation information of any updated material via subsequent circulars.

In companion forms filing GL-2020-OPCC1, we have withdrawn Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25 49.

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### ISO ACTION

We have revised Washington-specific exceptions to classifications related to plumbing contractor risks in order to reflect the withdrawal of Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25 49. In addition, the Washington-specific exceptions to the above-mentioned classifications were revised to address the insurance requirements with respect to licensed plumbing contractors in 2020 Wash. Laws \_\_\_\_ (former S.B. 6170).

Refer to the attached explanatory material for complete details about the filing.

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### INSURANCE DEPARTMENT ACTION

The Insurance Department has approved this revision as filed.

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### EFFECTIVE DATE

The ISO revision is subject to the following rule of application:

These changes are applicable to all policies written on or after November 1, 2020.

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## COMPANY ACTION

If you have authorized us to file on your behalf and decide:

- To use our revision and effective date, you are not required to file anything with the Insurance Department.
- To use our revision with a different effective date, to use our revision with modification, or to not use our revision, you must make an appropriate submission with the Insurance Department.

For guidance on submission requirements, consult the ISO State Filing Handbook.

In all correspondence with the Insurance Department on this revision, you should refer to ISO Filing Number GL-2020-RPCC1, NOT this circular number. Communications with the regulator concerning a filing affecting multiple lines of business (i.e., CL, PL, AL filing designation) should specify the line(s) of business that you are addressing.

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## RATING SOFTWARE IMPACT

No new attributes are being introduced with this revision.

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## POLICYHOLDER NOTIFICATION

If you decide to implement this revision, you should check all applicable laws for the state(s) to which this revision applies, to determine whether or not a specific policyholder notice requirement may apply. Please note that circular [LI-CL-2019-057](#) contains the ISO Guide To Renewals With Changed Conditions For Commercial Lines, which is available only as a guide to assist participating companies in complying with various conditional renewal statutes or regulations, for the major commercial lines of insurance serviced by ISO. The information in the Guide does not necessarily reflect all requirements or exceptions that may apply, and it is not intended as a substitute for your review of all applicable statutes and regulations concerning policyholder notification.

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## REVISION DISTRIBUTION

We will issue a Notice to Manualholders with an edition date of 11-20 (or the earliest possible subsequent date), along with any new and/or revised manual pages.

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## RELATED FORMS REVISION

We are announcing in a separate circular the filing and approval of a corresponding forms revision. Please refer to the Reference(s) block for identification of that circular.

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## REFERENCE(S)

- [LI-GL-2020-139](#) (08/04/2020) Washington Withdrawn Plumbing Contractor Endorsement Filed And Approved
- [LI-GL-2020-106](#) (07/10/2020) Washington Plumbing Contractor Endorsements And Rules Updates Under Development
- [LI-GL-2020-097](#) (06/01/2020) Washington Rules Revisions Filed And Approved
- [LI-CL-2019-057](#) (12/10/2019) Revised Lead Time Requirements Listing

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## ATTACHMENT(S)

Filing GL-2020-RPCC1

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# Washington Rules Revision

## About This Filing

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This filing revises Washington-specific classifications to reflect the withdrawal of Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25 49.

## Revised Classifications

We are revising Washington-specific exceptions for the following classifications under:

- ◆ Air Conditioning Systems or Equipment – dealers or distributors and installation, servicing or repair (91111);
- ◆ Appliances and Accessories installation, servicing or repair – commercial (91150);
- ◆ Appliances and Accessories – Installation, servicing or repair – household (91155);
- ◆ Boiler Inspection, Installation, Cleaning or Repair (91250);
- ◆ Contractors (94444);
- ◆ Heating or Combined Heating and Air Conditioning Systems or Equipment – dealers or distributors and installation, servicing or repair – no liquefied petroleum gas (LPG) equipment sales or work (95647);
- ◆ Heating or Combined Heating and Air Conditioning Systems or Equipment – dealers or distributors and installation, servicing or repair (95648);
- ◆ Plumbing – commercial and industrial (98482);
- ◆ Plumbing – residential or domestic (98483);
- ◆ Refrigeration Systems or Equipment – dealers and distributors and installation, servicing or repair – commercial (98636);
- ◆ Steam Pipe or Boiler Insulation (99165); and
- ◆ Water Softening Equipment – installation, servicing or repair (99948)

We have used a format of ~~striking-through~~ deletions, underlining additions and inserting a revision bar in the left margin to indicate changes.

## **Related Filing(s)**

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GL-2020-OPCC1 (Forms)

## **Background**

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In companion forms filing GL-2020-OPCC1, we are withdrawing Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25 49.

## **Explanation of Changes**

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We are revising Washington-specific exceptions to the above-mentioned classifications in order to reflect the withdrawal of Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25 49. In addition, the Washington-specific exceptions to the above-mentioned classifications are being revised to address the insurance requirements with respect to licensed plumbing contractors in 2020 Wash. Laws \_\_\_\_ (former S.B. 6170).

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## **-A- CLASSIFICATIONS**

The following descriptions are replaced:

### **91111 Air Conditioning Systems or Equipment – dealers or distributors and installation, servicing or repair**

**Class Code:** 91111

**Premium Base:** Payroll

**Note:**

This classification applies to risks engaged in sales and installation, servicing or repair of air conditioning systems or equipment. This classification also applies to risks engaged only in installation, servicing or repair of air conditioning systems or equipment.

This classification includes:

- The sales and installation of ducts and piping
- Shop and display rooms

The sales of household type appliances including room air conditioners shall be separately classified and rated.

~~In accordance with RCW 18.106, every person issued a plumbing license must have a liability policy for the term of the license providing coverage for bodily injury and property damage. The policy shall contain at least \$250,000 under the Each Occurrence Limit. When coverage is being provided to a plumbing contractor as defined under RCW 18.106.010, use Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25-49. When Endorsement CG 25-49 is attached to the policy, refer to company for rating.~~

### **91150 Appliances and Accessories installation, servicing or repair – commercial**

**Class Code:** 91150

**Premium Base:** Payroll

**Note:**

Television or radio receiving set installation or repair shall be separately classified and rated.

~~In accordance with RCW 18.106, every person issued a plumbing license must have a liability policy for the term of the license providing coverage for bodily injury and property damage. The policy shall contain at least \$250,000 under the Each Occurrence Limit. When coverage is being provided to a plumbing contractor as defined under RCW 18.106.010, use Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25-49. When Endorsement CG 25-49 is attached to the policy, refer to company for rating.~~

### **91155 Appliances and Accessories – installation, servicing or repair – household**

**Class Code:** 91155

**Premium Base:** Payroll

**Note:**

Television or radio receiving set installation or repair shall be separately classified and rated.

~~In accordance with RCW 18.106, every person issued a plumbing license must have a liability policy for the term of the license providing coverage for bodily injury and property damage. The policy shall contain at least \$250,000 under the Each Occurrence Limit. When coverage is being provided to a plumbing contractor as defined under RCW 18.106.010, use Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25-49. When Endorsement CG 25-49 is attached to the policy, refer to company for rating.~~

## **-B- CLASSIFICATIONS**

The following description is replaced:

### **91250 Boiler Inspection, Installation, Cleaning or Repair**

**Class Code:** 91250

**Premium Base:** Payroll

**Note:**

This classification includes construction or repair of foundations.

~~In accordance with RCW 18.106, every person issued a plumbing license must have a liability policy for the term of the license providing coverage for bodily injury and property damage. The policy shall contain at least \$250,000 under the Each Occurrence Limit. When coverage is being provided to a plumbing contractor as defined under RCW 18.106.040, use Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 26 49. When Endorsement CG 26 49 is attached to the policy, refer to company for rating.~~

**-C- CLASSIFICATIONS**

The following descriptions are replaced:

**62003 Condominiums – residential – (association risk only)**

**Class Code:** 62003

**Premium Base:** Units, Products/Completed Operations are included

**Note:**

This classification includes coverage for each individual unit owner of the condominium for liability arising out of the ownership, maintenance or repair of that portion of the premises which is not reserved for that unit owner's exclusive use or occupancy.

When coverage is provided for condominiums created after July 1, 1990 that contain at least one residential unit in accordance with the Washington Condominium Act, use Washington Changes – Condominiums Endorsement **CG 26 26**.

Use Additional Insured – Condominium Unit Owners Endorsement **CG 20 04** for condominiums created prior to July 1, 1990.

If the bylaws and declarations of the condominium association conform with the Washington Condominium Act of 1990, use Endorsement **CG 26 26**.

The following shall be separately classified and rated:

- Commercial condominiums
- Swimming pools
- Bathing beaches
- Indoor parking
- Boat moorage facilities

**94444 Contractors**

**Class Code:** 94444 NOC

**Premium Base:** Payroll

**Note:**

This classification applies only where there is no other appropriate classification assignable to the risk.

For Increased Limits Tables assignment, refer to company.

~~In accordance with RCW 18.106, every person issued a plumbing license must have a liability policy for the term of the license providing coverage for bodily injury and property damage. The policy shall contain at least \$250,000 under the Each Occurrence Limit. When coverage is being provided to a plumbing contractor as defined under RCW 18.106.040, use Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 26 49. When Endorsement CG 26 49 is attached to the policy, refer to company for rating.~~

**-H- CLASSIFICATIONS**

The following descriptions are replaced:

**95648 Heating or Combined Heating and Air Conditioning Systems or Equipment – dealers or distributors and installation, servicing or repair**

**Class Code:** 95648 NOC

**Premium Base:** Payroll

**Note:**

This classification includes:

- The sales and installation of ducts and piping
- Shop and display rooms

This classification applies to risks who are engaged in:

- Sales and installation, servicing or repair of heating or combined heating and air conditioning systems or equipment if any such system or equipment uses LPG as an energy source
- Installation, servicing or repair of heating or combined heating and air conditioning systems or equipment if any such system or equipment uses LPG as an energy source

This classification does not apply to risks engaged in the sales and installation, servicing or repair of heating or combined heating and air conditioning systems or equipment if none of such systems or equipment uses LPG as an energy source.

In accordance with RCW 18.106, every person issued a plumbing license must have a liability policy for the term of the license providing coverage for bodily injury and property damage. The policy shall contain at least \$250,000 under the Each Occurrence Limit. When coverage is being provided to a plumbing contractor as defined under RCW 18.106.040, use Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement ~~CG 25-49~~. When Endorsement ~~CG 25-49~~ is attached to the policy, refer to company for rating.

**95647 Heating or Combined Heating and Air Conditioning Systems or Equipment – dealers or distributors and installation, servicing or repair – no liquefied petroleum gas (LPG) equipment sales or work**

**Class Code:** 95647

**Premium Base:** Payroll

**Note:**

This classification includes:

- The sales and installation of ducts and piping
- Shop and display rooms

This classification applies to risks engaged in:

- Sales and installation, servicing or repair of heating or combined heating and air conditioning systems or equipment excluding any equipment using LPG as an energy source
- Installation, servicing or repair of heating or combined heating and air conditioning systems or equipment excluding any equipment using LPG as an energy source

This classification does not apply to risks engaged in:

- Sales and installation, servicing or repair of any equipment using LPG as an energy source
- Installation, servicing or repair of any equipment using LPG as an energy source

In accordance with RCW 18.106, every person issued a plumbing license must have a liability policy for the term of the license providing coverage for bodily injury and property damage. The policy shall contain at least \$250,000 under the Each Occurrence Limit. When coverage is being provided to a plumbing contractor as defined under RCW 18.106.040, use Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement ~~CG 25-49~~. When Endorsement ~~CG 25-49~~ is attached to the policy, refer to company for rating.

**-P- CLASSIFICATIONS**

The following descriptions are replaced:

**98482 Plumbing – commercial and industrial**

**Class Code:** 98482

**Premium Base:** Payroll

**Note:**

This classification includes:

- The installation, service or repair of sanitary gas, steam, hot water, pipe or other pipe fittings including building connections and gas or liquid fuel appliances
- The incidental sales of plumbing fixtures and supplies to be used in connection with the insured's installation, service or repair operations

The following shall be separately classified and rated:

- Sales of appliances
- Installation, servicing and repair of heating systems or units or liquefied petroleum gas systems and piping
- Sales of fixtures and supplies which are not to be used in connection with the insured's installation, service or repair operations

This classification also includes shops and display rooms.

In accordance with RCW 18.106, every person issued a plumbing license must have a liability policy for the term of the license providing coverage for bodily injury and property damage. The policy shall contain at least \$250,000 under the Each Occurrence Limit. When coverage is being provided to a plumbing contractor as defined under RCW 18.106.040, use Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25 49. When Endorsement CG 25 49 is attached to the policy, refer to company for rating.

**98483 Plumbing – residential or domestic**

**Class Code:** 98483

**Premium Base:** Payroll

**Note:**

This classification includes:

- The installation, service or repair of sanitary gas, steam, hot water, pipe or other pipe fittings including building connections and gas or liquid fuel appliances
- The incidental sales of plumbing fixtures and supplies to be used in connection with the insured's installation, service or repair operations

The following shall be separately classified and rated:

- Sales of appliances
- Installation, servicing and repair of heating systems or units or liquefied petroleum gas systems and piping
- Sales of fixtures and supplies which are not to be used in connection with the insured's installation, service or repair operations

This classification applies to insureds whose principal operations are in connection with 1-4 family dwellings.

This classification also includes house connections, shop and display rooms.

In accordance with RCW 18.106, every person issued a plumbing license must have a liability policy for the term of the license providing coverage for bodily injury and property damage. The policy shall contain at least \$250,000 under the Each Occurrence Limit. When coverage is being provided to a plumbing contractor as defined under RCW 18.106.040, use Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25 49. When Endorsement CG 25 49 is attached to the policy, refer to company for rating.

**-R- CLASSIFICATIONS**

The following descriptions are replaced:

**98636 Refrigeration Systems or Equipment – dealers and distributors and installation, servicing or repair – commercial**

**Class Code:** 98636

**Premium Base:** Payroll

**Note:**

This classification applies to risks engaged in:

- Sales and installation, servicing or repair of refrigeration systems or equipment
- Installation, servicing or repair of refrigeration systems or equipment only

This classification includes:

- The sales and installation of ducts and piping
- Shop and display rooms

~~In accordance with RCW 18.106, every person issued a plumbing license must have a liability policy for the term of the license providing coverage for bodily injury and property damage. The policy shall contain at least \$250,000 under the Each Occurrence Limit. When coverage is being provided to a plumbing contractor as defined under RCW 18.106.010, use Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25 49. When Endorsement CG 25 49 is attached to the policy, refer to company for rating.~~

#### **16905 Restaurants – Bring Your Own Alcohol – with no sale of alcoholic beverages – with table service**

**Class Code:** 16905

**Premium Base:** Gross Sales

**Note:**

This classification applies only to a restaurant which permits a person to bring and consume their own alcoholic beverages on the restaurant's premises.

Coverage applies to bodily injury or property damage arising out of the products hazard whether such bodily injury or property damage occurs on the insured's premises or elsewhere. Use Products/Completed Operations Hazard Redefined Endorsement **CG 24 07**.

Nightclubs, cabarets or discotheques or other similar establishments shall be separately classified and rated.

Children's play area shall be separately rated and classified.

Table service includes limited restaurant service such as buffets.

If Washington Changes – Amendment Of Liquor Liability Exclusion Endorsement **CG 26 01** is used to exclude "bring your own alcohol" liquor liability exposures, multiply the premises/operations loss cost for this classification by a factor of 0.95.

#### **16906 Restaurants – Bring Your Own Alcohol – with no sale of alcoholic beverages – without table service with seating**

**Class Code:** 16906

**Premium Base:** Gross Sales

**Note:**

This classification applies only to a restaurant which permits a person to bring and consume their own alcoholic beverages on the restaurant's premises.

Coverage applies to bodily injury or property damage arising out of the products hazard whether such bodily injury or property damage occurs on the insured's premises or elsewhere. Use Products/Completed Operations Hazard Redefined Endorsement **CG 24 07**.

Nightclubs, cabarets or discotheques or other similar establishments shall be separately classified and rated.

Children's play area shall be separately rated and classified.

If Washington Changes – Amendment Of Liquor Liability Exclusion Endorsement **CG 26 01** is used to exclude "bring your own alcohol" liquor liability exposures, multiply the premises/operations loss cost for this classification by a factor of 0.95.

### **-S- CLASSIFICATIONS**

The following description is replaced:

#### **99165 Steam Pipe or Boiler Insulation**

**Class Code:** 99165

**Premium Base:** Payroll

**Note:**

This classification includes applying cork, asbestos or other nonconducting material and shop operations.

~~In accordance with RCW 18.106, every person issued a plumbing license must have a liability policy for the term of the license providing coverage for bodily injury and property damage. The policy shall contain at least \$250,000 under the Each Occurrence Limit. When coverage is being provided to a plumbing contractor as defined under RCW 18.106.010, use Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25 49. When Endorsement CG 25 49 is attached to the policy, refer to company for rating.~~

**-W- CLASSIFICATIONS**

The following description is replaced:

**99948 Water Softening Equipment – installation, servicing or repair**

**Class Code:** 99948

**Premium Base:** Payroll

**Note:**

This classification includes:

- Incidental plumbing
- Sales of water softening equipment to be used in connection with the insured's installation, service or repair operations

The following shall be separately classified and rated:

- Sales of water softening chemicals
- Sales of Water Softening Equipment which is not to be used in connection with the insured's installation, service or repair operations, as Plumbing Supplies and Fixtures Dealers and Distributors

~~In accordance with RCW 18.106, every person issued a plumbing license must have a liability policy for the term of the license providing coverage for bodily injury and property damage. The policy shall contain at least \$250,000 under the Each Occurrence Limit. When coverage is being provided to a plumbing contractor as defined under RCW 18.106.010, use Washington Plumbing Contractors Changes – Split Limits Of Insurance For Bodily Injury And Property Damage Endorsement CG 25 49. When Endorsement CG 25 49 is attached to the policy, refer to company for rating.~~