

RULES – IMPLEMENTATION

MARCH 22, 2022

COMMERCIAL AUTOMOBILE

LI-CA-2022-079

WASHINGTON VIRAL OR BACTERIAL INFECTION EXCLUSION RELATED RULE REVISION FILED AND APPROVED

KEY MESSAGE

Rules filing CA-2022-ORU1 to be implemented for September 1, 2022.

BACKGROUND

In companion forms filing CA-2022-OEND1, we submitted a Washington viral or bacterial infection exclusion endorsement for use with the Auto Dealers Coverage Form.

ISO ACTION

We revised a Washington exception to reflect the introduction of a Washington viral or bacterial infection exclusion.

INSURANCE DEPARTMENT ACTION

The Washington Office of the Insurance Commissioner has approved this revision as filed.

EFFECTIVE DATE

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

These changes are applicable to all policies written on or after September 1, 2022.

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 Designation Number CA-2022-ORU1, 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.

RATING SOFTWARE IMPACT

No new attributes are being introduced with this revision.

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-2022-006](#) 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.

REVISION DISTRIBUTION

We will issue a Notice to Manualholders with an edition date of 9-22 (or the earliest possible subsequent date), along with any new and/or revised manual pages.

RELATED FORMS REVISION

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

REFERENCE(S)

- [LI-CA-2022-078](#) (03/22/2022) Washington Introduction Of Optional Viral Or Bacterial Exclusion Endorsement Filed And Approved
- [LI-CL-2022-006](#) (02/22/2022) Revised Lead Time Requirements Listing

[ATTACHMENT\(S\)](#)

Filing [CA-2022-ORU1](#)

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Washington Viral Or Bacterial Infection Exclusion Related Rule Revision

About This Filing

We are revising a Washington rule exception in conjunction with the introduction of a Washington viral or bacterial infection exclusion endorsement in companion forms filing CA-2022-OEND1.

Revised Rule

We are revising the following rule:

- ◆ Rule 50. Auto Dealers – Additional Provisions

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)

- ◆ CA-2022-OEND1 (Forms)

Background

In companion forms filing CA-2022-OEND1, we are submitting a Washington viral or bacterial infection exclusion endorsement for use with the Auto Dealers Coverage Form.

Explanation of Changes

We are revising a Washington rule exception to reflect the introduction of a Washington viral or bacterial infection exclusion endorsement.

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50. AUTO DEALERS – ADDITIONAL PROVISIONS

The following is added to Paragraph **C.1.**:

Liability arising out of the actual or alleged transmission of viral or bacterial infections may be excluded by attaching Washington – Exclusion For General Liability Coverages – Viral Or Bacterial Infections – Exception For Designated Infection, Ongoing Operations Or Products Endorsement **CA 27 41**. This exclusion applies with respect to the actual or alleged transmission of a viral or bacterial infection that is transmitted through aerosol particles or respiratory droplets and also with respect to a viral or bacterial infection that is transmitted through any individual or animal (including insects) by any means, other than through aerosol particles or respiratory droplets, including but not limited to viral or bacterial infections that are sexually transmitted. This exclusion does not apply to infections, ongoing operations or the named insured's products described in the Schedule of the endorsement.

Refer to company for rating.

Paragraph **C.1.c.** does not apply.