

RULES – IMPLEMENTATION

OCTOBER 19, 2022

COMMERCIAL AUTOMOBILE

LI-CA-2022-247

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

KEY MESSAGE

Rules filing CA-2022-OVBE2 to be implemented for April 1, 2023.

BACKGROUND

In companion forms filing CA-2022-OVBE1, we revised an optional Washington viral or bacterial infection exclusion endorsement.

ISO ACTION

We revised a Washington rule exception to reflect the updates made to CA 27 41 in the companion forms filing.

INSURANCE DEPARTMENT ACTION

The Washington Department of Insurance 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 April 1, 2023.

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-OVBE2 and SERFF Tracking Number ISOF-133412508, 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

- A new edition date of an existing form number is being introduced.

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 4-23 (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-2022-246](#) (10/19/2022) Revised Washington 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-OVBE2](#)

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Washington Viral Or Bacterial Infection Exclusion Related Rule Revision

About This Filing

We are revising a Washington rule exception for consistency with the updates made to Washington viral or bacterial infection exclusion endorsement CA 27 41 in companion forms filing CA-2022-OVBE1.

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-OVBE1 (Forms)

Background

In companion forms filing CA-2022-OVBE1, we are revising Washington viral or bacterial infection exclusion endorsement CA 27 41.

Explanation of Changes

We are revising a Washington rule exception to reflect the updates made to CA 27 41.

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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.