

FORMS/RULES/LOSS COSTS – IMPLEMENTATION

DECEMBER 15, 2022

COMMERCIAL AUTOMOBILE

LI-CA-2022-290

## COMMERCIAL AUTO MULTISTATE FORMS, RULES AND LOSS COSTS REVISIONS ADDRESSING ABUSE OR MOLESTATION LIABILITY OPTIONS AND AUTO HACKING EXPENSE COVERAGE TO BE IMPLEMENTED IN LOUISIANA AND VIRGINIA

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### KEY MESSAGE

We are implementing Commercial Auto multistate forms, rules and loss costs revisions in Louisiana and Virginia.

**Effective Date:** 4/1/2023 (Virginia), 5/1/2023 (Louisiana)

**Filing IDs:** CA-2021-OAMFR (Forms), CA-2021-OAMRU (Rules) and CA-2021-RAMLC (Loss Costs)

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### BACKGROUND

In circular:

- [LI-CA-2021-372](#), we announced the filing of multistate forms filing CA-2021-OAMFR, which introduced and withdrew optional multistate endorsements addressing abuse or molestation liability exposures and auto hacking expense coverage, for use with the ISO Commercial Auto Program.
- [LI-CA-2021-373](#), we announced the filing of multistate rules filing CA-2021-OAMRU, which revised multistate rules for Division One – Commercial Automobile of the Commercial Lines Manual to reflect new and withdrawn endorsements submitted under companion forms filing CA-2021-OAMFR.
- [LI-CA-2021-374](#), we announced the filing of multistate loss costs filing CA-2021-RAMLC, which introduced multistate Commercial Auto Loss Costs 119. Auto Hacking Expense Coverage in order to correspond with revisions made in related rules filing CA-2021-OAMRU.
- [LI-CA-2022-020](#), we provided you with final copies of the multistate endorsements included in forms filing CA-2021-OAMFR.
- [LI-CA-2022-172](#), we furnished Advisory Sample Notice to Policyholders for use in conjunction with the implementation of the Commercial Automobile Abuse or Molestation and Auto Hacking Expense Multistate forms revisions.

In subsequent circulars, which are listed in the attached multistate status report, we provided state supplements to the multistate forms, rules and loss costs filings for certain jurisdictions, where appropriate.

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## INSURANCE DEPARTMENT ACTION

We have received all necessary approvals or acknowledgements, as required by state laws and regulations, from the insurance department in these jurisdictions.

**Note:** The announcement of implementation in a particular jurisdiction includes the implementation of the multistate filings and any state supplement and/or amendment filing.

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## EFFECTIVE DATE

### FORMS/RULES:

#### **Loiusiana:**

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

These changes are applicable to all policies **effective** on or after **May 1, 2023**.

#### **Virginia:**

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**.

### LOSS COSTS:

#### **Lousiana:**

We do not establish an effective date for Commercial Automobile revisions in this state. Each insurer that elects to utilize this revision is responsible for determining its own effective date.

#### **Virginia:**

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**.

This effective date applies only to those insurers who have filed their Commercial Auto loss cost adjustments to be automatically applicable to future ISO loss cost revisions.

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## COMPANY ACTION

Refer to the Summary of Company Action Requirements attached.

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## RATING SOFTWARE IMPACT

### **CA-2021-OAMFR:**

Refer to circular [LI-CA-2021-372](#) for impact of the multistate filing.

### **CA-2021-OAMRU:**

Refer to circular [LI-CA-2021-373](#) for impact of the multistate filing.

### **CA-2021-RAMLC:**

Refer to circular [LI-CA-2021-374](#) for impact of the multistate filing.

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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-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.

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## FUTURE ISO ACTION

In future circulars, we will:

- Provide an Advisory Notice to policyholders addressing multistate form revisions.
  - Inform you of implementation status of these filings in additional jurisdictions.
  - Update the status of this revision. This status report will be updated periodically to provide you with the latest status. For interim updates, please check the Insurance Lines Services web site ([www.verisk.com/ils](http://www.verisk.com/ils)). In addition to other information, this web site contains copies of major multistate filing status reports that are updated approximately every two weeks.
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## REVISION DISTRIBUTION

### Forms:

We will issue a Notice to Portfolioholders with an edition date of **4-23 (VA)** and **5-23 (LA)** (or the earliest possible subsequent date), along with any new and/or revised forms.

### Rules and Loss Costs:

We will issue a Notice to Manualholders with an edition date of **4-23 (VA)** and **5-23 (LA)** (or the earliest possible subsequent date), along with any new and/or revised manual pages.

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## REFERENCE(S)

- [LI-CA-2022-172](#) (07/19/2022) Advisory Sample Notice To Policyholders For The 2021 Commercial Auto Abuse Or Molestation And Auto Hacking Expense Multistate Forms Revision Furnished
- [LI-CL-2022-006](#) (02/22/2022) Revised Lead Time Requirements Listing
- [LI-CA-2022-020](#) (01/21/2022) Commercial Auto Multistate Forms And Endorsements (Edition 09 22) Available
- [LI-CA-2021-374](#) (12/17/2021) Commercial Auto Multistate Auto Hacking Expense Coverage Loss Costs Revision Being Submitted
- [LI-CA-2021-373](#) (12/17/2021) Commercial Auto Multistate Rules Revision Addressing Abuse Or Molestation Liability And Auto Hacking Expense Coverage Being Submitted
- [LI-CA-2021-372](#) (12/17/2021) Commercial Auto Multistate Optional Endorsements Addressing Abuse Or Molestation Liability Options And Auto Hacking Expense Coverage Forms Revision Being Submitted

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**ATTACHMENT(S)**

- Summary of Company Action Requirements
  - Status Report
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Please make sure that your company has authorized your use of this product and has complied with the requirements applicable in the jurisdiction where you plan to use it.

We distribute both state-specific and multistate products and services. We do not distribute all the multistate products and services for use in every jurisdiction due to corporate policy, regulatory preference, or variations or lack of clarity in state laws.

We provide participating insurers with information concerning the jurisdictions for which our products and services are distributed. Even in those jurisdictions, each insurer must determine what filing requirements, if any, apply and whether those requirements have been satisfied.

Now, as in the past, all of our products and services are advisory, and are made available for optional use by participating insurers as a matter of individual choice. Your company must decide for itself which, if any, ISO products or services are needed or useful to its operation and how those selected for use should be applied. We urge that you be guided by the advice of your attorneys on the legal requirements.

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## CONTACT INFORMATION

If you have any questions concerning:

- The content of this circular, please contact:  
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## **SUMMARY OF COMPANY ACTION REQUIREMENTS**

### **FORMS filing: CA-2021-OAMFR**

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#### **Louisiana**

#### **Virginia**

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 CA-2021-OAMFR, NOT this circular number.

In addition:

- Please see below for SERFF Tracking Numbers by state

<b>Louisiana</b> , ISOF-133412546	<b>Virginia</b> , ISOF-133412393
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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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### **RULES filing: CA-2021-OAMRU**

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#### **Louisiana**

#### **Virginia**

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 CA-2021-OAMRU, NOT this circular number.

In addition:

- Please see below for SERFF Tracking Numbers by state

<b>Louisiana</b> , ISOF-133412522	<b>Virginia</b> , ISOF-133412447
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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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## **SUMMARY OF COMPANY ACTION REQUIREMENTS**

### **LOSS COSTS filing: CA-2021-RAMLC**

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#### **Virginia**

You must independently determine the final rates you will use. The action, if any, you must take in response to this filing is dependent upon how you filed to have your loss cost adjustments apply to subsequent revisions of ISO loss costs. Any submission you make with respect to this revision must comply with applicable regulatory filing requirements.

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 CA-2021-RAMLC and SERFF Tracking Number ISOF-133412479, NOT this circular number.

CAUTION: This reference filing revises only certain advisory prospective loss costs for Commercial Automobile in this state. In determining whether or not to revise your rates, you should consider the application of your loss cost adjustments to any loss costs not included in this revision.

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#### **Louisiana**

You must independently determine the final rates you will use and the effective date of any rate change. If you decide to use our prospective loss costs to revise your rates, 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 CA-2021-RAMLC and SERFF Tracking Number ISOF-133412524, NOT this circular number.

CAUTION: This reference filing revises only certain advisory prospective loss costs for Commercial Automobile in this state. In determining whether or not to revise your rates, you should consider the application of your loss cost adjustments to any loss costs not included in this revision.

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**Status of Commercial Automobile Multistate Filings  
Forms (CA-2021-OAMFR), Rules (CA-2021-OAMRU) and Loss Costs (CA-2021-RAMLC)**

BSTATE	EFFECTIVE OR DISTRIBUTION DATE	STATE-SPECIFIC SUPPLEMENT/AMENDMENT CIRCULARS FORMS/RULES/LOSS COSTS	IMPLEMENTATION CIRCULARS
ALABAMA	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
ALASKA	5/1/2023	<a href="#">LI-CA-2022-240</a> <a href="#">LI-CA-2022-239</a> <a href="#">LI-CA-2022-062</a> <a href="#">LI-CA-2022-061</a>	<a href="#">LI-CA-2022-264</a>
ARIZONA	9/1/2022	**	<a href="#">LI-CA-2022-055</a>
ARKANSAS	9/1/2022	**	<a href="#">LI-CA-2022-071</a>
CALIFORNIA	2/1/2023	**	<a href="#">LI-CA-2022-232</a>
COLORADO	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
CONNECTICUT	9/1/2022	**	<a href="#">LI-CA-2022-131</a>
DELAWARE	12/1/2022	**	<a href="#">LI-CA-2022-192</a>
DIST. OF COLUMBIA	9/1/2022	**	<a href="#">LI-CA-2022-131</a>
FLORIDA			
GEORGIA			
GUAM*	9/1/2022	**	<a href="#">LI-CA-2022-055</a>
HAWAII	BUREAU		
IDAHO	9/1/2022	**	<a href="#">LI-CA-2022-134</a>
ILLINOIS	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
INDIANA	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
IOWA	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
KANSAS	12/1/2022	**	<a href="#">LI-CA-2022-192</a>
KENTUCKY	2/1/2023	**	<a href="#">LI-CA-2022-192</a>
LOUISIANA	5/1/2023	<a href="#">LI-CA-2022-236</a> <a href="#">LI-CA-2022-235</a>	<a href="#">LI-CA-2022-290</a>
MAINE	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
MARYLAND	9/1/2022	**	<a href="#">LI-CA-2022-131</a>
MASSACHUSETTS			
MICHIGAN	9/1/2022	<a href="#">LI-CA-2022-050</a> <a href="#">LI-CA-2022-049</a>	<a href="#">LI-CA-2022-071</a>
MINNESOTA	9/1/2022	<a href="#">LI-CA-2022-048</a> <a href="#">LI-CA-2022-047</a>	<a href="#">LI-CA-2022-071</a>
MISSISSIPPI	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
MISSOURI	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
MONTANA	9/1/2022	**	<a href="#">LI-CA-2022-055</a>
NEBRASKA	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
NEVADA	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
NEW HAMPSHIRE	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
NEW JERSEY	9/1/2022	**	<a href="#">LI-CA-2022-134</a>
NEW MEXICO	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
NEW YORK		<a href="#">LI-CA-2022-292</a> <a href="#">LI-CA-2022-291</a> <a href="#">LI-CA-2022-243</a> <a href="#">LI-CA-2022-242</a>	
NORTH CAROLINA	9/1/2022	**	<a href="#">LI-CA-2022-071</a>
NORTH DAKOTA	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
OHIO	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
OKLAHOMA	9/1/2022	**	<a href="#">LI-CA-2022-055</a>
OREGON	9/1/2022	**	<a href="#">LI-CA-2022-134</a>
PENNSYLVANIA	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
PUERTO RICO			
RHODE ISLAND	1/1/2023	<a href="#">LI-CA-2022-168</a> <a href="#">LI-CA-2022-169</a>	<a href="#">LI-CA-2022-226</a>
SOUTH CAROLINA	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
SOUTH DAKOTA	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
TENNESSEE	9/1/2022	**	<a href="#">LI-CA-2022-019</a>



BSTATE	EFFECTIVE OR DISTRIBUTION DATE	STATE-SPECIFIC SUPPLEMENT/AMENDMENT CIRCULARS FORMS/RULES/LOSS COSTS	IMPLEMENTATION CIRCULARS
TEXAS		<a href="#">LI-CA-2022-265</a> <a href="#">LI-CA-2022-205</a> <a href="#">LI-CA-2022-204</a>	
U.S. VIRGIN ISLANDS*			
UTAH	9/1/2022	<a href="#">LI-CA-2022-044</a> <a href="#">LI-CA-2022-043</a>	<a href="#">LI-CA-2022-071</a>
VERMONT	2/1/2023	<a href="#">LI-CA-2022-186</a> <a href="#">LI-CA-2022-185</a>	<a href="#">LI-CA-2022-217</a>
<b>VIRGINIA</b>	<b>4/1/2023</b>	**	<a href="#">LI-CA-2022-290</a>
WASHINGTON	4/1/2023	**	<a href="#">LI-CA-2022-283</a>
WEST VIRGINIA	9/1/2022	**	<a href="#">LI-CA-2022-019</a>
WISCONSIN		<a href="#">LI-CA-2022-046</a> <a href="#">LI-CA-2022-045</a>	<a href="#">LI-CA-2022-055</a>
WYOMING	2/1/2023	<a href="#">LI-CA-2022-162</a> <a href="#">LI-CA-2022-163</a>	<a href="#">LI-CA-2022-217</a>

**Bold indicates changes.**

**\*ISO has no jurisdiction for rules/loss costs.**

**\*\*There is NO state supplement.**

**(A) Filing(s) amended.**

**Multistate Filed Circulars:**

<b>Forms:</b> <a href="#">LI-CA-2021-372</a>
<b>Rules:</b> <a href="#">LI-CA-2021-373</a>
<b>Loss Costs:</b> <a href="#">LI-CA-2021-374</a>