97. UNINSURED MOTORISTS INSURANCE

The following is added to Rule **97.:**

A. Application

**1.** Uninsured Motorists Coverage

**a.** Uninsured (includes underinsured) Motorists Bodily Injury and Property Damage Coverage must be provided under every auto liability policy insuring the owner of a motor vehicle registered in the Commonwealth of Virginia (Class Code 1730), except as provided in Paragraph **A.1.b.** Use Uninsured Motorists Endorsement (Virginia) CA 21 21**.** For split limits, also use Virginia Split Uninsured Motorists Coverage Limits Endorsement CA 31 27**.**

Note

Any coverage that may be available subject to the provisions of Endorsement CA 21 21 for damages caused by an accident with an underinsured motor vehicle shall be paid in addition to any bodily injury or property damage liability limits available for payment.

**b.** An option to reject Endorsement CA 21 21**,** and select Uninsured Motorists Coverage Endorsement (Alternative Coverage) (Virginia) CA 31 44**,** shall be made available. For split limits, also use Endorsement CA 31 27**.**

**(1)** The selection of Endorsement CA 31 44 must be in writing, and once the named insured elects this coverage, that election is binding on all insureds on the policy.

**(2)** The named insured may at a later date purchase Endorsement CA 21 21 by making a specific request to the insurer in writing.

Note

Any coverage that may be available subject to the provisions of Endorsement CA 31 44 for damages caused by an accident with an underinsured motor vehicle may be reduced by any bodily injury liability or property damage liability coverage available for payment.

**2.** Uninsured Motorists Coverage may be provided to an executive officer, partner or employee of the named insured, provided such person does not own an auto.

**3.** Uninsured Motorists Coverage must be provided at limits equal to, but not exceeding the policy's liability limits. The named insured has the right to:

**a.** Reject in writing, such increased limits; and

**b.** Select limits lower than the policy's liability limits as contained in Rule **97.**

**4.** If the named insured rejects all other Uninsured Motorists Coverage limits offered, then the named insured must purchase the minimum financial responsibility split limits at the applicable loss costs.

**5.** The premium shall not be subject to modification under the provisions of any rating plan or other manual rule.

**6.** School buses used to transport 10 or more school pupils or personnel must maintain a combined single limit of $550,000, or split limits of $50,000/$500,000/$50,000 (Bodily Injury Each Person/Bodily Injury Each Accident/Property Damage Each Accident).

**7.** Property Damage Coverage is subject to a $200 deductible, as the result of any one accident involving an unidentifiable owner or operator of an uninsured motor vehicle.

B. Premium Development

**1.** Select the appropriate loss costs table as follows:

**a.** For single limits Bodily Injury And Property Damage Coverage, refer to state loss costs Table **97.B.1.a.(LC).**

**b.** For single limits Bodily Injury And Property Damage Coverage – Alternative Coverage, refer to state loss costs Table **97.B.1.b.(LC).**

**c.** For split limits Bodily Injury Coverage, refer to state loss costs Table **97.B.1.c.(LC).** The initial limits provided are the minimum financial responsibility limits required in Virginia, except with respect to school buses described in Paragraph **A.6.**

**d**. For split limits Bodily Injury Coverage – Alternative Coverage, refer to state loss costs Table **97.B.1.d.(LC).** The initial limits provided are the minimum financial responsibility limits required in Virginia, except with respect to school buses described in Paragraph **A.6.**

**e.** For split limits Property Damage Coverage, refer to state loss costs Table **97.B.1.e.(LC).** The initial limit provided is the minimum financial responsibility limit required in Virginia.

**f.** For split limits Property Damage Coverage **–** Alternative Coverage, refer to state loss costs Table **97.B.1.f.(LC).** The initial limit provided is the minimum financial responsibility limit required in Virginia.

**2.** Identify the exposures in this jurisdiction for which coverage applies and a premium will be charged. Exposures include owned self-propelled vehicles and sets of registration plates not issued to a specific auto (including dealer and transporter plates).

**a.** Separately determine the premium for each such exposure as follows:

**(1)** Determine the exposure type (Private Passenger Type or Other Than Private Passenger Type). For the purposes of this premium development, Private Passenger Types include exposures which are classified under Section **III** of this division or are explicitly described as Private Passenger Types elsewhere in this division. Unless instructed otherwise, all other exposures are considered to be Other Than Private Passenger Types, even when rating for other coverages is based on Private Passenger Types.

**(2)** Within the appropriate loss costs table (single or split limits), locate the column corresponding to the exposure type determined in Paragraph **B.2.a.(1).**

**(3)** From within this column, determine the appropriate loss cost based on the desired limit of coverage.

**(4)** For policies (other than Auto Dealers) issued to individual named insureds, add the amount shown in state loss costs Table **97.B.2.a.(4)(LC).**

**(5)** Refer to the rules applicable to the exposure elsewhere in this division for additional premium development instructions, if any.

**b.** Primary, secondary, fleet, operator experience and use rating factors do not apply.

**c.** Do not charge a premium for the following:

**(1)** Trailers;

**(2)** Hired and non-owned autos;

**(3)** Owned vehicles which have not been assigned registration plates (such as Auto Dealers' inventory); or

**(4)** Registration plates used to transport non-owned autos (such as drive-away contractors rated under Rule **69.**).

**d.** If split limits are provided, do not apply the charge in Table **97.B.2.a.(4)(LC)** for Uninsured Motorists Property Damage Coverage.