



NATALIE A. HUBLEY
PRESIDENT

COMMONWEALTH AUTOMOBILE REINSURERS

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NOTICE OF MEETING

COMMERCIAL AUTOMOBILE COMMITTEE

A meeting of the Commercial Automobile Committee will be held virtually via Zoom video conferencing software on

FRIDAY, JULY 18, 2025, AT 10:30 A.M.

If you plan to attend this meeting and are not a member of this Committee, please RSVP by completing the Visitor Security Form located in the Contact Us/Visitor Information section of CAR's website. CAR will then forward to you, via email, meeting access information. Please do not share access information provided by CAR but refer others wishing to attend the meeting to CAR's Visitor Security Form.

MEMBERS OF THE COMMITTEE

Mr. Thomas DePaulo – Chair
Cabot Risk Strategies, LLC

Ms. Annmarie Castonguay
Ms. Sheila Doherty
Mr. Andrew Lajzer
Ms. Sharon Murphy
Mr. John Olivieri, Jr.
Mr. Tiago Prado
Ms. Allison Ratliff
Mr. Thomas Skelly, Jr.
Mr. Barry Tagen
Mr. David Zawilinski

The Hanover Insurance Company
Doherty Insurance Agency, Inc.
Safety Insurance Company
Acadia Insurance Company
J.K. Olivieri Insurance Agency, Inc.
BRZ Insurance, LLC
MAPFRE U.S.A. Corporation
Deland, Gibson Insurance Associates, Inc.
Pilgrim Insurance Company
Arbella Insurance Group

AGENDA

CAC

25.01 Records of Previous Meeting

The Records of the Commercial Automobile Committee meeting of March 27, 2025 should be read and approved.

CAC

25.03 CAR Conflict of Interest Policy

The Chair will read a statement relative to CAR's Conflict of Interest Policy.

CAC

24.07 Proposed Amendments to CAR Rules and Manuals for New Coverage Forms

Due to the change in compulsory limits, newer versions of some endorsements will need to be adopted. Additionally, the Committee will discuss whether certain coverages and endorsements recently adopted by AIB are appropriate for the residual market (Docket #CAC24.07, Exhibit #2).

Additionally, amendments to Rule 6 – Coverages of CAR's Rules of Operation to update references to conform with the updated policy coverage forms and endorsements were deemed approved in December 2024. Attached are proposed changes to Chapter V - Premium of the Manual of Administrative Procedures to ensure consistency with the amended Rule (Docket #CAC24.07, Exhibit #3).

CAC

24.09 Assignment Procedures for Affiliated Producers

Staff will provide a report on its discussions with representatives and members of agency networks relating to their operations, as well as discussions with Servicing Carriers regarding alternatives under consideration by the Committee.

CAC

24.10 Pollution Coverage

Based on the Committee's most recent discussions, proposed amendments are attached for Rule 46 – Pollution Liability in the Commercial Automobile Insurance Manual to enhance consistency among Servicing Carrier procedures in the application of pollution liability coverage when the MCS-90 endorsement is required, and to clarify certain Federal Motor Carrier Safety Administration (FMCSA) references. (Docket #CAC24.10, Exhibit #4)

Additionally, a proposed amendment to Chapter III - Servicing Carrier Responsibilities of the Manual of Administrative Procedures related to the requirement of access to the FMCSA is attached for Committee consideration. (Docket #CAC24.10, Exhibit #5)

CAC

25.05 2025 Annual Evaluation of Market Need for ERP Appointments

Rule 14 – Exclusive Representative Producer Requirements states that an applicant for an ERP appointment to a Servicing Carrier must meet the conditions for addressing market need as determined by criteria established by CAR's Governing Committee. Further, Chapter II of the Manual of Administrative Procedures provides further specifics on the approved criteria including a provision that an annual assessment will be made to determine if a market need exists for appointments. Attached is a copy of the

approved criteria and data reports to assist the Committee in its annual evaluation of accessibility to the residual market throughout the Commonwealth through producers experienced in servicing all classes of commercial automobile risks. (Docket #CAC25.05, Exhibit #1)

Other Business

To transact any other business that may properly come before this Committee.

Executive Session

The Commercial Automobile Committee may convene in Executive Session in accordance with the provisions of G.L. c. 30A, § 21.

TIMOTHY GALLIGAN
Actuarial Statistical Services Director

Attachments

Boston, Massachusetts
July 2, 2025

Commercial Automobile Committee – July 18, 2025

2027 Policy Forms Update Project

Additional Rules and Forms Changes for Consideration

On July 1, 2024, the Division of Insurance placed on file the Commercial Automobile Insurance Manual Rule, Policy Forms, and Endorsement Form changes for use with ceded policies effective January 1, 2027 and subsequent. The changes included the adoption of new and updated policy coverage and endorsement forms, and the corresponding Manual Rule amendments related to those changes. Because of the significant amount of resources that will be required to make these changes, the filing was made well in advance of the proposed effective date. It was noted that any future amendments would also be incorporated into the January 1, 2027 filing as needed. Accordingly, below is a list of additional changes to be addressed as well as some recent changes adopted by AIB for the Committee's consideration.

Required Updates:

Due to the change in compulsory limits, the new versions of the following endorsements will need to be adopted:

- Auto Dealers MA Mandatory Endorsement – MM 25 01 07 25
- Auto Dealers Declarations MA – MM 25 02 07 25
- Massachusetts Mandatory Endorsement – MM 99 11 07 25
- Mobile Equipment – Massachusetts – MM 20 11 07 25
- Lessor – Additional Insured and Loss Payee – Massachusetts – MM 20 26 07 25
- Motor Carrier – Insurance for Non-Trucking Use – Massachusetts – MM 23 07 07 25
- Uninsured Motorist Coverage – Massachusetts – MM 99 28 07 25

Potential Updates:

The coverages and endorsements listed below have been placed on file by the AIB. Should the Committee consider any as potentially appropriate for the residual market, staff will provide additional details relative to coverage and pricing at a future meeting to enable a final recommendation.

- Pick Up and Delivery of Auto

Provides coverage for non-franchised auto dealers operations that include the pick up and delivery of autos beyond the 50-mile radius of the limits of the city or town where operations are conducted.

- Auto Hacking Expense Coverage

Provides coverage for certain expenses resulting from an auto hacking incident (applicable to PPTs and Light and Medium Trucks). Auto Hacking Expense Coverage Endorsement CA 04 65 would need to be adopted.

- Adopt additional exclusionary endorsements to help control the cost of claims
 - Silica or Silica-Related Dust Exclusion for Covered Autos Exposure (CA 23 94)
 - Communicable Disease Exclusion for Covered Autos Liability Exposure (CA 04 55)
 - Perfluoroalkyl And Polyfluoroalkyl Substances (PFAS) Exclusion for General Liability Coverages Endorsement (CA 27 19)

July 18, 2025

Manual of Administrative Procedures

Memorandum of Changes

The following amendments are proposed to Chapter V – Premium of the Manual of Administrative Procedures to finalize codification changes relating to the 2027 policy forms update project.

Section A – Rating a Ceded Policy

4. Required Limits and Coverages for Ceded Risks

Formatting changes have been made for improved readability.

5. Additional Limits and Coverages

This section has been re-organized for consistency with Rule 6 – Coverages. Terminology has been updated to be consistent with the Auto Dealers Coverage Form and formatting changes have been included for improved readability.

7. Massachusetts Commercial Automobile Policy Forms, Endorsements and Certifications

This section has been updated to eliminate the listings of policy forms and endorsements and to include a reference that these forms can be found in the Commercial Automobile Insurance Manual.

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4. Required Limits and Coverages for Ceded Risks

G.L. c. 175, § 113H requires that a Servicing Carrier must make at least the following coverages and limits of liability available to commercial risks ceded to CAR:

a. Liability Coverages

- (1) Bodily Injury – \$250,000/\$500,000
- (2) Medical Payments – \$5,000
- (3) Uninsured Motorist Coverage – \$250,000/\$500,000
- (4) Underinsured Motorist Coverage – \$250,000/\$500,000
- (5) Property Damage – \$50,000
- (6) Personal Injury Protection – \$8,000 per person, per accident

b. Physical Damage Coverages

- (1) Collision – \$500 Deductible
- (2) Limited Collision – \$500 Deductible
- (3) Comprehensive – \$500 Deductible
- (4) Fire and Theft – \$500 Deductible
- (5) Comprehensive or Fire and Theft – \$100 Glass Deductible

5. Additional Limits and Coverages

In addition to the cedeable coverages and limits required by G.L. c. 175, § 113H, Rule 6 – Coverages of CAR's Rules of Operation also requires a Servicing Carrier, upon request of the insured, to write increased limits and provide miscellaneous coverages for policies of an Eligible Risk as defined in Rule 2 – Definitions of CAR's Rules of Operation and issued for classifications as defined in the Commercial Automobile Insurance Manual as follows:

a. ~~Commercial Motor Vehicles~~~~Garages~~
(Except as otherwise specified in Sections b, c, and d)

Liability Coverages

Coverage for policies written on the Business Auto Coverage Form is restricted to only those vehicles specifically described on the policy declarations.

- (1) Bodily Injury – \$1,000,000/\$1,000,000
- (2) Medical Payments –
 - a. \$ 5,000 – Buses, Limousines, and Car Service
 - b. \$10,000 – Trucks, Tractors, and Trailers, and Van Pools
 - c. \$25,000 – Private Passenger Types
- (3) Uninsured Motorist Coverage – \$500,000/\$500,000
- (4) Underinsured Motorist Coverage – \$500,000/\$500,000
- (5) Property Damage – \$500,000
- (6) Combined Single Limit – \$1,000,000

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Also available:

- (1) Drive Other Car coverage
- (2) Non-Ownership Liability and Hired Automobile liability coverages only, either as a separate policy or in conjunction with a statutory Massachusetts motor vehicle insurance policy.

Physical Damage Coverages

- (1) Collision – \$300 Deductible
- (2) Limited Collision
- (3) Comprehensive - \$300 Deductible
- (4) Fire, Theft and Combined Additional Coverage – \$300 Deductible

Also available:

- (1) Towing and Labor - \$100 per disablement (Private Passenger Types and Light Trucks only)
- (2) Rental Reimbursement
- (3) Stated Amount or Agreed Value coverages
- (4) Physical Damage coverage for damage to trailers under a trailer interchange contract but only when written in conjunction with motor vehicle liability coverage

~~Automobile Dealer's Physical Damage Supplement—~~

~~\$1,000,000 per named location~~

~~Garagekeepers' Legal Liability—\$1,000,000~~

~~Direct Primary Garagekeepers' Liability—\$1,000,000~~

~~Drive-Away Collision~~

b. Taxicabs

Liability Coverages

- (1) Bodily Injury – \$250,000/\$500,000
- (2) Medical Payments – \$5,000
- (3) Uninsured Motorist Coverage – \$250,000/\$500,000
- (4) Underinsured Motorist Coverage – \$250,000/\$500,000
- (5) Property Damage – \$50,000

Physical Damage Coverages

- (1) Collision – \$500 Deductible
- (2) Limited Collision
- (3) Comprehensive – \$500 Deductible
- (4) Fire and Theft – \$500 Deductible

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~~c. Auto Dealers All Other Commercial Classes (Including Private Passenger Types)~~

Liability Coverages

~~Coverage for policies written on the Business Auto Coverage Form is restricted to only those vehicles specifically described on the policy declarations.~~

- ~~(1) Bodily Injury – \$1,000,000/\$1,000,000~~
- ~~(2) Medical Payments – \$5,000 (for Buses, Limousines, and Car Service), \$10,000 (for Trucks, Tractors and Trailers and Van Pools) and \$25,000 (for Private Passenger Types)~~
- ~~(3) Uninsured Motorist Coverage – \$1,000,000/\$1,000,000 500,000/\$500,000~~
- ~~(4) Underinsured Motorist Coverage – \$1,000,000/\$1,000,000 500,000/\$500,000~~
- ~~(5) Property Damage – \$500,000~~

~~(6) General Liability Coverage for Bodily Injury and Property Damage Liability is available when written in conjunction with Liability Limits for Covered Autos.~~

~~Combined Single Limit – \$1,000,000~~

~~Drive Other Car~~

~~Non-Ownership Liability and Hired Automobiles, liability coverages only, either as a separate policy or in conjunction with a Massachusetts motor vehicle insurance policy.~~

Physical Damage Coverages

- ~~(1) Physical Damage Coverage - \$1,000,000 per location~~
- ~~(2) Garagekeepers coverage is included in Auto Dealers Physical Damage coverage, but may be provided to certain risks written on a Business Auto Coverage form through endorsement.~~

Also available:

- ~~(1) Dealers Collision Coverage~~
- ~~(2) Dealers Drive-Away Collision Coverage~~

~~Collision – \$300 Deductible~~

~~Limited Collision~~

~~Comprehensive – \$300 Deductible~~

~~Fire, Theft and Combined Additional Coverage – \$300 Deductible~~

~~Towing and Labor – \$100 per Disablement (Private Passenger Types Only)~~

~~Rental Reimbursement~~

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d. ~~Other Miscellaneous Coverages and~~ Limits

~~Physical Damage coverage for damage to trailers under a trailer interchange contract but only when written in conjunction with motor vehicle liability coverage~~

~~Stated Amount or Agreed Value Physical Damage coverages~~

All coverages and limits required by any financial responsibility law or State or Federal regulation as specified in the definition of Eligible Risk which is contained in Rule 2 – Definitions of CAR's Rules of Operation.

6. Non-Cedeable Limits and Coverages

For policies written with limits or coverages which exceed the cedeable limits or coverages specified in Rule 6 – Coverages of CAR's Rules of Operation or Sections A.4. and A.5. of this Chapter, refer to the reporting instructions specified in Section B.2. of this Chapter.

Non-cedeable coverages may also include but are not limited to the following:

Physical Damage only policies

Physical Damage on Repossessed Automobiles

Physical Damage on Non-Ownership or Hired Automobiles policy

7. Massachusetts Commercial Automobile Policy Forms, Endorsements and Certifications

In addition to the cedeable coverage and limits outlined in Sections A.4., A.5., and A.6. of this Chapter, ~~the following the current~~ policy forms ~~and~~ endorsements ~~adopted for use with and certifications are also cedeable for~~ a commercial policy can be found in Appendix I of the Commercial Automobile Insurance Manual (available on CAR's website).÷ The following certifications should be attached to a ceded policy when applicable:

a. ~~Massachusetts Garage Insurance Policy~~

~~(1) Policy Forms~~

Form Title	Form Number
Garage Declarations—Massachusetts	MM-00-94-10-06
Massachusetts Garage Insurance Policy	MM-00-95-10-11

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~~(2) Garage Endorsements~~

Endorsement Title	Endorsement Number
Additional Insured—Municipalities	MM 25-98-09-98
Automobile Dealers—"Drive-Away" Collision or Limited Collision	CA 25-02-12-93
False Pretense Coverage	CA 25-03-03-06
Franchise Products Endorsement	MM 25-97-09-98
Garage Coverage Form—Other Than Covered Autos Exposure—Total Pollution Exclusion With a Building Heating Equipment Exception and a Hostile Fire Exception	CA 25-36-03-06
Garage Locations and Operations Medical Payments Coverage	CA 25-05-03-06
Locations and Operations Not Covered	CA 25-07-12-93
Named Driver Collision Coverage	CA 25-11-12-93
Pollution Liability—Broadened Coverage For Covered Autos	MM 25-96-10-06

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~~b. Massachusetts Commercial Automobile Insurance Policy~~

~~(1) Policy Forms~~

a.

Form Title	Form Number
Business Auto Coverage Form	CA 00 01 03 06
Business Auto Declarations	CA DS 03 03 06
Common Policy Conditions	IL 00 17 11 98
Declarations—Massachusetts Business Auto Coverage Form	MM 00 97 10 06
Nuclear Energy Liability Exclusion Endorsement	IL 00 21 04 98
Truckers Coverage Form	CA 00 12 03 06
Truckers Declarations	CA DS 14 03 06
Truckers Declarations—Massachusetts	MM 00 96 10 06

~~(2) Special Types Endorsements~~

Endorsement Title	Endorsement Number
Additional Insured—Lessor of Leased Equipment	CA 20 47 07 97
Additional Insured—Owner of Leased Vehicle	MM 20 25 09 98
Driving Schools	CA 20 06 12 93
Emergency Vehicles—Volunteer Firefighters and Workers Injuries Excluded	CA 20 30 12 93
Farm Tractors and Farm Tractors Equipment	CA 20 08 12 93
Guest Occupants Exclusion	MM 20 06 09 98
Leasing or Rental Concerns—Contingent Coverage	CA 20 09 07 97
Leasing or Rental Concerns—Conversion, Embezzlement, or Secretion Coverage	CA 20 10 12 93
Leasing or Rental Concerns—Exclusion of Certain Leased Autos	CA 20 11 03 06
Leasing or Rental Concerns—Rent it There/Leave it Here Autos	CA 20 12 10 01
Leasing or Rental Concerns—Schedule of Limits for Owned Autos	CA 20 13 10 01
Leasing or Rental Concerns—Second Level Coverage	CA 20 14 07 97
Lessor—Additional Insured and Loss Payee—Massachusetts	MM 20 26 10 06
Mobile Equipment	MM 20 11 10 06
Mobile Home Contents Not Covered	CA 20 17 12 93
Physical Damage Coverage—Autos Held for Sale by Non-Dealers	MM 20 27 10 06

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~~(2) Special Types Endorsements (continued)~~

Endorsement Title	Endorsement Number
Professional Services Not Covered	CA 20 18 12 93
Registration Plates Not Issued for a Specific Auto	MM 20 10 01 04
Sound Receiving Equipment Coverage — Fire, Police and Emergency Vehicles	CA 20 02 12 93

~~(3) Truck, Tractor, Trailer Endorsements~~

Endorsement Title	Endorsement Number
Commercial Automobiles Equipped with Amusement Devices	MM 23 03 09 98
Coverage for Injury to Leased Workers	CA 23 25 07 97
Explosives	MM 23 04 09 98
Multi Purpose Equipment	CA 23 03 12 93
Rolling Stores	CA 23 04 10 01
Trailer Interchange — Fire and Fire and Theft Coverage	CA 23 13 12 93
Truckers Endorsement	CA 23 20 03 06
Truckers — Excess Coverage for the Named Insured and Named Lessors for Leased Autos	CA 23 08 12 93
Truckers — Insurance for Non-Trucking Use	MM 23 07 09 98
Truckers — Uniform Intermodal Interchange Endorsement (Form UIHE 1)	CA 23 17 03 06
Truckers — Named Lessee as Insured	CA 23 12 12 93
Wrong Delivery of Liquid Products	CA 23 05 12 93

~~(4) Public Transportation Endorsements~~

Endorsement Title	Endorsement Number
Public Transportation Autos	CA 24 02 12 93
Public or Livery Passenger Conveyance and On-Demand Delivery Services Other Insurance Condition	CR 99 04 02 22

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~~(5) Common Coverages Endorsements~~

Endorsement Title	Endorsement Number
Additional Insured—Massachusetts	CR 99-02-07-20
Agreed Value Insurance	MM 99-66-09-98
Audio, Visual and Data Electronic Equipment Coverage	CA 99-60-03-06
Auto Medical Payments Coverage	MM 99-13-10-06
Covered Auto Designation Symbol	CA 99-54-07-97
Drive Other Car Coverage—Broadened Coverage for Named Individuals	MM 99-22-09-98
Employees as Insureds	CA 99-33-02-99
Employee as Lessor	CA 99-47-07-97
Fire, Fire and Theft, Fire, Theft and Windstorm and Limited Specified Causes of Loss Coverages	MM 99-47-09-98
Garagekeepers Coverage	CA 99-37-03-06
Garagekeepers Coverage—Customers' Sound Receiving Equipment	CA 99-59-03-06
Glass Breakage—\$100 Deductible	MM 99-51-09-98
Hired Autos Specified as Covered Autos You Own	CA 99-16-12-93
Individual Named Insured	CA 99-17-10-01
Liability Insurance—Deductible	MM 99-19-09-98
Limited Collision Coverage	MM 99-16-09-98
Loss of Use / Rental Reimbursement Coverage	MM 99-39-09-98
Loss Payable Clause—Audio, Visual and Data Electronic Equipment	CA 99-61-12-93
Massachusetts Changes	MM 99-67-09-98
Massachusetts Mandatory Endorsement	MM 99-11-10-11
Operator Exclusion	CR 99-01-08-18
Personal Injury Protection Coverage	MM 99-35-09-98
Pollution Liability—Broadened Coverage for Covered Autos	MM 99-55-10-06
Premium Adjustment and Coverage Endorsement—Massachusetts	MM 99-68-09-98
Public or Livery Passenger Conveyance and On-Demand Delivery Services Exclusion	CR 99-06-02-22
Rate Modification	MM 99-23-09-98
Restriction of PIP for Employers Subject to the Massachusetts Workers' Compensation Act	MM 99-20-09-98
Social Service Agencies—Volunteers as Insureds	CA 99-34-12-93

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~~(5) Common Coverages Endorsements (continued)~~

Endorsement Title	Endorsement Number
Specialty and Classic Auto – Massachusetts	CR 99 03 04 21
Split Liability Limits – Massachusetts	MM 99 18 09 98
Stated Amount Insurance – Massachusetts	MM 99 56 09 02
Underinsured Motorists Coverage – Massachusetts	MM 99 54 09 98
Uninsured Motorists Coverage – Massachusetts	MM 99 28 09 98
Vehicle Sharing Program Exclusion Endorsement	CR 99 05 02 22
Waiver of Deductible	MM 99 17 09 98

~~(6) Certifications~~

Form Title	Form Number
Non-Fleet Private Passenger Type	CR 00 02 01 21
Principal Place of Business	CR 00 01 08 18

B. Premium Reporting

1. General

Servicing Carriers shall statistically report premium on ceded policies in accordance with the reporting instructions contained in the Massachusetts Commercial Automobile Statistical Plan which is available on CAR's website under the Manuals tab.

2. Reporting Policies with Non-Cedeable Limits or Coverages

For policies written with limits or coverages which exceed the cedeable limits or coverages identified in Section A. of this Chapter, a separate premium record must be reported to identify the portion of the premium applicable to the excess limits or coverage. This record must be reported with classification code 800000 (Non-Cedeable Limits) and a voluntary CAR Identification code. Refer to the Decision Table of the Massachusetts Commercial Automobile Statistical Plan for additional coding requirements for this classification code. The portion of the premium applicable to the cedeable limits or coverage must be reported on another record with a ceded CAR Identification Code in accordance with the statistical reporting requirements specified in the Massachusetts Commercial Automobile

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Statistical Plan. The Plan is available on CAR's website under the Manuals tab.

3. Monitoring the Reporting of Premium

Each policy with an active in-force cession is edited to ensure that positive policy premium has been reported. The Cession/No Premium Warning and Penalty screens on CAR's website under the Reports tab identify those policies for which either no premium exists or negative premium has been reported. The Cession/No Premium Penalty program and write-off procedure assure that premium for ceded policies is reported to CAR in a timely manner. For additional information, refer to Section C of this Chapter and CAR's Policy Edit Package which is available on CAR's website under the Manuals tab.

4. Mid-Term Cession of a Policy to CAR

A policy originally written as voluntary by a Servicing Carrier may be ceded to CAR subsequent to the policy effective date. The Servicing Carrier's responsibility for loss coverage will be relinquished as of the cession receipt date. However, the premium for the entire policy term is due CAR.

5. Mid-Term Removal of a Policy from CAR

After ceding a policy to CAR, a Servicing Carrier may decide to retain the policy as voluntary business. The policy may be removed from CAR mid-term by canceling the ceded policy via Transaction Code 13 (Cancellation of Policy Pro Rata or Short Rate) and re-writing a voluntary policy under a different policy number. For additional detail relative to the mid-term removal of a ceded policy, refer to Section C.3.b. of Chapter IV – Cession Rules and Procedures of this Manual.

C. Cession/No Premium and Net Negative Premium Error Screens and Penalty Procedures

To ensure that positive premium is reported for each policy that has an active in-force cession, CAR provides several online screens on its website. A policy that remains in an error status for a specified period of time will periodically be assessed a \$60 penalty and when premium reporting is closed out for a particular policy year, if the unreported premium condition still exists, the affected policy will be assessed a write-off penalty. A policy in error will initially be listed on the Cession/No Premium Warning screen and then, if uncorrected, will move to the Cession/No Premium Penalty screen. These screens and associated penalty and write-off procedures are described in further detail as follows:

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Commercial Automobile Insurance Manual

Memorandum of Changes

The following amendments are proposed for Section II – Common Coverages and Rating Procedures to enhance consistency among Servicing Carrier procedures in the application of pollution liability coverage.

Section II – Common Coverages and Rating Procedures

Rule 46 – Pollution Liability

Language has been added to require pollution coverage when the MCS-90 endorsement is required.

Additional clarifications have been suggested to clarify FMSCA references.

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- B. Use the appropriate endorsement to remove without charge the exclusion relating to audio, visual and data electronic equipment when the policy insures:
 - 1. police department automobiles,
 - 2. fire department automobiles,
 - 3. emergency automobiles owned by local, state, or federal governments or by volunteer fire departments, rescue squads or ambulance corps operations.
- C. In all other cases, coverage for loss of or damage to audio, visual and data electronic equipment is available if the equipment is permanently installed in the owned automobile.
- D. Refer to the Common Coverages rate pages in the Rate Section for premium development.

RULE 46. POLLUTION LIABILITY

- A. Coverage for bodily injury or property damage arising out of the discharge of pollutants that are being transported or towed by, loaded onto, or unloaded from or, with the exception of certain fuels, stored, disposed of, treated or processed in or upon a covered automobile is excluded under the Business Auto and Truckers Coverage Forms and the Massachusetts Garage Insurance Policy. Massachusetts Mandatory Endorsement MM 99 11 modifies this exclusion by applying the exclusion to damages payable for bodily injury or property damage that exceed limits of \$35,000 per person, \$80,000 per accident for Bodily Injury and \$5,000 for Property Damage.
- B. Pollution Liability – Broadened Coverage for Covered Automobiles

Business Auto and Truckers Coverage Forms and Massachusetts Garage Insurance Policies shall be endorsed at the option of the insured to delete that part of the pollution exclusion relating to the discharge of pollutants which are being transported or towed by, handled for movement into, onto, or from, the covered automobile, or otherwise in the course of transit by or on behalf of the insured. If the MCS-90 – Endorsement for Motor Carriers is required, then pollution liability coverage is required for those vehicles subject to the higher limits as required by the Motor Carrier Act.

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This extension of coverage does not apply to liability assumed under any contract or agreement. Attach endorsement MM 99 55 for Business Auto and Truckers Coverage Forms, and MM 25 96 for Massachusetts Garage Insurance Policies.

C. Classes of Pollutants

Pollutants that are contained in any property that is being transported or towed by, or handled for movement into, onto, or from, covered automobiles are classed as follows:

1. Property (Non-Hazardous)
2. Hazardous substances, hazardous materials and radioactive materials as defined in FMCSA Title 49 CFR Parts 171.8 and 173.403 and associated appendixes transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; including:
 - a. or in bulk Class A or B explosives,
 - b. poison gas (Poison A),
 - c. liquefied compressed gas or compressed gas; or
 - d. highway route controlled radioactive/radionuclide materials as defined in 49 CFR 173.455.
3. Oil listed in FMCSA Title 49 Part CFR 172.101, and hazardous waste, hazardous materials and hazardous substances defined in FMCSA Title 49 Part CFR 171.8 and listed in Part 49 CFR 172.101, but not mentioned in Section C.2. or Section C.4. of this Rule.
4. Any quantity of Class A or B explosives; any quantity of poison gas (Poison A); or highway route controlled quantity radioactive/radionuclide materials as defined in FMCSA Title 49 Part CFR 173.40355.

D. Premium Development

1. Business Auto or Truckers Coverage Forms

July 18, 2025

Manual of Administrative Procedures

Memorandum of Changes

The following amendment is proposed to Chapter III – Servicing Carrier Responsibilities

Chapter III – Servicing Carrier Responsibilities

An additional responsibility has been added to require access to the Federal Motor Carrier Safety Administration in order to file the appropriate forms of behalf of ceded risks.

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may potentially result in a large loss liability for the commercial residual market. These accidents include those with serious injuries (including, but not limited to, spinal injury, traumatic brain injury and amputation) and fatalities, and are not based upon a specific dollar amount threshold. Notification should be provided using the Large Loss Notification Form which is available on the Reports section of CAR's website, under the Servicing Carrier Profile link. A Help manual that provides detailed information relative to the Large Loss Notification Form and reporting application is also available. Only users associated with a commercial Servicing Carrier will be granted access to the Large Loss Notification Form and a valid user ID and password is required for access.

Additionally, to ensure that CAR's committees are advised of the circumstances surrounding large losses that may impact commercial deficit loss projections and that may potentially have an impact on a company's financial reporting requirements, several Large Loss Reports will be provided to CAR's Loss Reserving Committee on a quarterly basis. The reports provide historical large loss information by policy year for policies exceeding \$1 million in total losses including ALAE expenses. These reports will also be available to commercial companies on the Reports page of CAR's website, under the Deficit and Large Loss link. All users with a valid user ID and password are able to access the Large Loss Reports.

7. Claims Handling

The Commercial Claims Performance Standards provide the requirements for the handling and payment of claims by Servicing Carriers. During its investigation of a claim, the Servicing Carrier should record the use of the vehicle and driver of the vehicle at the time of the accident to validate the application of coverage and classification.

8. Federal Motor Carrier Safety Administration (FMSCA) Requirements

Servicing Carriers are required to maintain access with the FMSCA in order to file the appropriate insurance forms on behalf of their risks in a timely manner.

8.9. Additional Commercial Automobile Program and Performance Requirements

In addition to complying with the provisions of CAR's Rules of Operation, a Servicing Carrier is responsible for adhering to the following requirements:

- a. Administrative and Account Management Services

Commonwealth Automobile Reinsurers
Policy Year 2024 Written Premium Through December, 2024
Total Market

Primary Office Location (Territory)	Class Type Group											Total
	TTT	PPT Fleet	PPT Non-Fleet	Buses	Van Pools	Garages	Special Types & Motorcycles	Non-Owned & Operations	Taxi	Limo	Car Services	
01-10	29,992,324	2,252,104	5,308,090	10,602,896	128,705	1,280,680	2,133,047	26,684,953	3,635,008	2,232,770	4,789,729	89,040,306
11	26,127,136	1,447,996	3,445,237	1,398,048	32,952	1,260,057	1,623,481	14,351,063	149,582	10,412	209,717	50,055,681
12	37,165,997	2,171,470	3,286,065	2,938,059	20,905	2,700,265	1,951,572	3,670,915	27,107	26,665	160,620	54,119,640
13	56,156,099	5,221,685	6,019,210	5,199,840	12,638	3,827,913	3,424,735	13,978,185	69,552	33,483	187,258	94,130,598
14	47,086,338	2,650,789	4,545,581	2,525,256	19,652	2,301,200	2,766,301	11,570,578	122,675	71,420	464,789	74,124,579
15	42,184,204	3,583,912	4,492,020	2,424,515	14,959	1,383,816	1,882,774	6,456,747	488,968	242,874	529,312	63,684,101
16	62,569,109	5,345,574	7,692,483	9,656,782	80,315	4,532,964	4,096,464	25,841,231	635,776	648,105	1,493,022	122,591,825
17	92,369,554	8,142,155	13,270,684	15,638,344	181,844	5,558,666	7,151,101	23,192,489	433,294	668,444	2,709,968	169,316,543
18	92,122,394	8,620,428	14,375,431	16,340,602	198,934	6,184,365	7,532,408	14,222,602	381,454	290,854	1,455,083	161,724,555
19	28,339,792	2,715,663	6,010,735	4,086,238	169,879	2,461,132	1,917,287	2,581,072	298,075	117,482	1,087,314	49,784,669
20	20,405,456	1,281,780	5,072,614	2,513,991	70,246	1,664,423	2,319,770	1,804,023	725,954	132,602	1,127,326	37,118,185
99	122,824,667	13,591,041	22,233,495	64,438,020	56,633	16,238,260	15,342,085	97,496,524	810,857	1,366,085	1,686,980	356,084,647
Total	657,343,070	57,024,597	95,751,645	137,762,591	987,662	49,393,741	52,141,025	241,850,382	7,778,302	5,841,196	15,901,118	1,321,775,329

	Percent of Statewide Premium by Class Type Group											
01-10	4.6%	3.9%	5.5%	7.7%	13.0%	2.6%	4.1%	11.0%	46.7%	38.2%	30.1%	6.7%
11	4.0%	2.5%	3.6%	1.0%	3.3%	2.6%	3.1%	5.9%	1.9%	0.2%	1.3%	3.8%
12	5.7%	3.8%	3.4%	2.1%	2.1%	5.5%	3.7%	1.5%	0.3%	0.5%	1.0%	4.1%
13	8.5%	9.2%	6.3%	3.8%	1.3%	7.7%	6.6%	5.8%	0.9%	0.6%	1.2%	7.1%
14	7.2%	4.6%	4.7%	1.8%	2.0%	4.7%	5.3%	4.8%	1.6%	1.2%	2.9%	5.6%
15	6.4%	6.3%	4.7%	1.8%	1.5%	2.8%	3.6%	2.7%	6.3%	4.2%	3.3%	4.8%
16	9.5%	9.4%	8.0%	7.0%	8.1%	9.2%	7.9%	10.7%	8.2%	11.1%	9.4%	9.3%
17	14.1%	14.3%	13.9%	11.4%	18.4%	11.3%	13.7%	9.6%	5.6%	11.4%	17.0%	12.8%
18	14.0%	15.1%	15.0%	11.9%	20.1%	12.5%	14.4%	5.9%	4.9%	5.0%	9.2%	12.2%
19	4.3%	4.8%	6.3%	3.0%	17.2%	5.0%	3.7%	1.1%	3.8%	2.0%	6.8%	3.8%
20	3.1%	2.2%	5.3%	1.8%	7.1%	3.4%	4.4%	0.7%	9.3%	2.3%	7.1%	2.8%
99	18.7%	23.8%	23.2%	46.8%	5.7%	32.9%	29.4%	40.3%	10.4%	23.4%	10.6%	26.9%
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Note: 1. Excludes invalid class codes
2. Excludes invalid producer codes

Commonwealth Automobile Reinsurers
Market Producer Data By Primary Office Location - Average Book Size
SERVICING CARRIER APPOINTMENTS

Primary Office Location	Voluntary Contract ERP Appointment					No Voluntary Contract ERP Appointments				
	ERP Count	PY24 Written Premium	Policy Count			ERP Count	PY24 Written Premium	Policy Count		
			PY2024	PY2023	PY2022			PY2024	PY2023	PY2022
01	3	5,472,681	591	511	411	-	-	-	-	-
02	-	-	-	-	-	2	154,259	18	25	34
03	2	460,792	82	78	81	2	81,239	7	7	2
04	2	272,927	59	88	69	-	-	-	-	-
05	13	16,934,761	1,519	1,409	1,287	1	137,939	16	17	13
06	-	-	-	-	-	-	-	-	-	-
07	32	30,231,344	2,866	2,764	2,639	4	170,479	25	28	22
08	10	16,190,628	1,028	1,057	1,084	-	-	-	-	-
09	2	132,801	21	21	20	-	-	-	-	-
10	3	758,760	84	65	61	-	-	-	-	-
11	58	43,932,394	6,256	6,341	6,407	4	229,327	67	54	46
12	69	52,315,423	8,245	8,334	8,289	-	-	-	-	-
13	73	94,021,248	10,376	10,895	11,435	-	-	-	-	-
14	86	61,629,122	8,314	8,579	8,635	1	2,438	1	1	1
15	70	60,767,466	6,678	6,685	6,820	2	497,587	5	4	4
16	99	93,405,161	10,524	10,600	10,643	-	-	-	-	-
17	137	139,538,058	15,840	15,748	15,456	2	171,788	4	4	4
18	181	149,836,087	16,926	16,709	16,522	4	924,216	176	151	74
19	72	48,102,551	6,091	5,776	5,435	2	92,266	16	16	20
20	41	34,336,704	4,885	4,715	4,559	-	-	-	-	-
99	40	79,644,058	6,948	7,014	7,002	1	-	-	33	59
Total	993	927,982,966	107,333	107,389	106,855	25	2,461,538	335	340	279
Ave Pol (WP/ERP)		8,646	108	108	108		7,348	13	14	11

Voluntary Producer without Servicing Carrier Appointment				
Producer Count	PY24 Written Premium	Policy Count		
		PY2024	PY2023	PY2022
300	389,693,398	34,136	33,101	31,588
Ave Pol (WP/ERP)	11,416	114	110	105

Note: 1. Excludes Producers with no premium
2. Excludes invalid producer codes
Producer activities as of: July 1, 2025

Voluntary Producer Combined					No Voluntary Contract ERP Combined				
Producer Count	PY24 Written Premium	Policy Count			Producer Count	PY24 Written Premium	Policy Count		
		PY2024	PY2023	PY2022			PY2024	PY2023	PY2022
1,293	1,317,676,364	141,469	140,490	138,443	25	2,461,538	335	340	279
Ave Pol (WP/ERP)	9,314	109	109	107		7,348	13	14	11

**Commonwealth Automobile Reinsurers
Ceded Market Producer Data By Primary Office Location**

Primary Office Location	ERP Count	Voluntary Producer with Servicing Carrier Appointment						ERP Count	No Vol Producer with Servicing Carrier Appointment					
		Writing ERPs	No Ceded WP	PY24 Written Premium	Policy Count				Writing ERPs	No Ceded WP	PY24 Written Premium	Policy Count		
					PY2024	PY2023	PY2022					PY2024	PY2023	PY2022
01-10	67	58	9	29,696,890	2,032	1,727	1,511	9	9	-	524,332	60	71	66
11	58	53	5	5,844,762	662	648	657	4	4	-	160,932	44	34	28
12	69	62	7	12,921,103	1,013	979	986	-	-	-	-	-	-	-
13	73	62	11	15,692,514	1,104	1,227	1,278	-	-	-	-	-	-	-
14	86	79	7	18,521,426	1,083	1,086	1,098	1	1	-	2,438	1	1	1
15	70	58	12	12,293,549	681	622	761	2	2	-	497,587	5	4	4
16	99	88	11	21,770,644	1,227	1,239	1,211	-	-	-	-	-	-	-
17	137	123	14	31,095,815	1,805	1,698	1,655	2	1	1	156,611	1	1	1
18	181	141	40	40,717,466	2,447	2,323	2,331	4	4	-	914,423	173	148	71
19	72	62	10	13,780,185	1,090	986	850	2	2	-	92,266	16	16	20
20	41	34	7	11,436,773	821	747	672	-	-	-	-	-	-	-
99	40	27	13	15,216,859	468	483	525	1	-	1	-	-	-	-
Total	993	847	146	228,987,986	14,433	13,765	13,535	25	23	2	2,348,589	300	275	191
Ave Pol (WP/ERP)				15,866	17	16	16	7,82913128						

Voluntary Producer without Servicing Carrier Appointment				
Producer Count	PY24 Written Premium	Policy Count		
		PY2024	PY2023	PY2022
300	389,693,398	34,136	33,101	31,588

Ave WP Per Pol

11,416

Note: 1. Excludes Producers with no premium
2. Excludes invalid producer codes

Producer activities as of: July 1, 2025

Commonwealth Automobile Reinsurers
Policy Year 2023 Written Premium Through December, 2023
Total Market

Primary Office Location (Territory)	Class Type Group											Total
	TTT	PPT Fleet	PPT Non-Fleet	Buses	Van Pools	Garages	Special Types & Motorcycles	Non-Owned & Operations	Taxi	Limo	Car Services	
01-10	25,950,018	2,196,381	5,154,101	9,281,534	170,621	1,200,278	1,855,871	26,947,007	3,278,104	1,961,925	3,657,083	81,652,923
11	27,106,216	1,465,775	3,350,778	1,545,448	7,482	1,258,422	2,511,917	11,937,064	177,786	44,235	130,251	49,535,374
12	31,176,694	1,787,413	2,993,872	2,126,279	13,098	2,540,536	1,650,336	2,934,877	35,526	25,933	94,994	45,379,558
13	38,723,563	3,060,354	5,144,903	3,352,609		2,783,127	2,312,464	3,705,453	78,301	51,308	76,328	59,288,410
14	51,158,409	2,629,783	4,191,935	3,366,096	56,854	2,378,671	2,317,672	10,678,825	46,251	142,085	617,576	77,584,157
15	56,037,750	5,117,310	5,332,652	2,268,121	25,936	2,242,411	2,447,537	12,317,014	335,180	308,818	830,894	87,263,623
16	69,361,173	5,815,853	7,412,022	8,853,720	79,753	4,442,171	3,925,847	23,402,561	785,760	685,703	1,445,221	126,209,784
17	83,855,927	7,639,981	12,212,173	11,480,751	183,768	5,117,454	7,345,648	19,098,224	461,749	578,678	2,468,702	150,443,055
18	85,994,102	9,997,402	13,881,444	14,159,389	120,049	6,449,567	8,211,921	11,392,732	505,391	268,367	1,425,580	152,405,944
19	26,552,926	2,491,427	5,101,031	3,657,339	137,902	2,344,353	1,795,154	2,328,141	417,173	112,206	740,493	45,678,145
20	18,014,265	1,242,509	4,515,855	1,498,895	98,163	1,458,478	2,137,741	899,443	369,112	253,147	677,299	31,164,907
99	95,900,403	10,987,002	13,927,322	34,401,315	44,012	13,613,033	13,344,348	83,289,774	1,061,268	1,406,933	764,556	268,739,966
Total	609,831,446	54,431,190	83,218,088	95,991,496	937,638	45,828,501	49,856,456	208,931,115	7,551,601	5,839,338	12,928,977	1,175,345,846

	Percent of Statewide Premium by Class Type Group											
01-10	4.3%	4.0%	6.2%	9.7%	18.2%	2.6%	3.7%	12.9%	43.4%	33.6%	28.3%	6.9%
11	4.4%	2.7%	4.0%	1.6%	0.8%	2.7%	5.0%	5.7%	2.4%	0.8%	1.0%	4.2%
12	5.1%	3.3%	3.6%	2.2%	1.4%	5.5%	3.3%	1.4%	0.5%	0.4%	0.7%	3.9%
13	6.3%	5.6%	6.2%	3.5%	0.0%	6.1%	4.6%	1.8%	1.0%	0.9%	0.6%	5.0%
14	8.4%	4.8%	5.0%	3.5%	6.1%	5.2%	4.6%	5.1%	0.6%	2.4%	4.8%	6.6%
15	9.2%	9.4%	6.4%	2.4%	2.8%	4.9%	4.9%	5.9%	4.4%	5.3%	6.4%	7.4%
16	11.4%	10.7%	8.9%	9.2%	8.5%	9.7%	7.9%	11.2%	10.4%	11.7%	11.2%	10.7%
17	13.8%	14.0%	14.7%	12.0%	19.6%	11.2%	14.7%	9.1%	6.1%	9.9%	19.1%	12.8%
18	14.1%	18.4%	16.7%	14.8%	12.8%	14.1%	16.5%	5.5%	6.7%	4.6%	11.0%	13.0%
19	4.4%	4.6%	6.1%	3.8%	14.7%	5.1%	3.6%	1.1%	5.5%	1.9%	5.7%	3.9%
20	3.0%	2.3%	5.4%	1.6%	10.5%	3.2%	4.3%	0.4%	4.9%	4.3%	5.2%	2.7%
99	15.7%	20.2%	16.7%	35.8%	4.7%	29.7%	26.8%	39.9%	14.1%	24.1%	5.9%	22.9%
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Note: 1. Excludes Producers with no premium
2. Excludes invalid producer codes

Commonwealth Automobile Reinsurers
Market Producer Data By Primary Office Location - Average Book Size
SERVICING CARRIER APPOINTMENTS

Primary Office Location	Voluntary Contract ERP Appointment					No Voluntary Contract ERP Appointments				
	ERP Count	PY23 Written Premium	Policy Count			ERP Count	PY23 Written Premium	Policy Count		
			PY2023	PY2022	PY2021			PY2023	PY2022	PY2021
01	4	4,257,730	524	425	390	-	-	-	-	-
02	-	-	-	-	-	2	303,606	25	34	28
03	2	477,082	77	81	86	2	48,979	7	2	6
04	2	283,446	85	69	129	-	-	-	-	-
05	13	16,108,382	1,406	1,287	1,211	1	188,664	17	13	15
06	-	-	-	-	-	-	-	-	-	-
07	34	28,202,445	2,992	2,876	2,853	4	309,484	28	22	28
08	11	13,979,952	1,097	1,117	1,059	-	-	-	-	-
09	2	135,653	21	20	23	-	-	-	-	-
10	3	647,022	90	86	83	-	-	-	-	-
11	69	48,482,258	7,911	8,011	8,058	4	185,142	54	46	49
12	69	44,950,540	8,044	8,101	8,177	-	-	-	-	-
13	81	58,256,441	8,933	9,232	9,430	-	-	-	-	-
14	88	65,090,245	9,157	9,288	9,158	1	2,383	1	1	1
15	67	84,683,033	8,960	9,308	9,232	2	449,900	4	4	5
16	113	101,387,731	12,106	12,164	12,093	-	-	-	-	-
17	146	151,511,439	17,399	17,237	17,456	2	151,365	4	4	4
18	200	144,330,350	17,899	17,844	17,652	4	800,349	152	74	22
19	74	44,054,926	5,739	5,483	5,429	2	116,697	16	20	24
20	43	30,674,636	4,833	4,660	4,572	1	286,298	41	29	31
99	40	50,110,846	3,958	4,016	4,116	2	153,894	8	13	18
Total	1,061	887,624,157	111,231	111,305	111,207	27	2,996,761	357	262	231
Ave Pol (WP/ERP)		7,980	105	105	105		8,394	13	10	9

Voluntary Producer without Servicing Carrier Appointment				
Producer Count	PY23 Written Premium	Policy Count		
		PY2023	PY2022	PY2021
291	285,550,065	27,745	27,509	28,648

Note: 1. Excludes Producers with no premium
2. Excludes invalid producer codes
Producer activities as of: July 3, 2024

Ave Pol (WP/ERP)	10,292	95	95	98
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Voluntary Producer Combined					No Voluntary Contract ERP Combined				
Producer Count	PY23 Written Premium	Policy Count			Producer Count	PY23 Written Premium	Policy Count		
		PY2023	PY2022	PY2021			PY2023	PY2022	PY2021
1,352	1,173,174,222	138,976	138,814	139,855	27	2,996,761	357	262	231
Ave Pol (WP/ERP)	8,442	103	103	103		8,394	13	10	9

**Commonwealth Automobile Reinsurers
Ceded Market Producer Data By Primary Office Location**

Primary Office Location	ERP Count	Voluntary Producer with Servicing Carrier Appointment						ERP Count	No Vol Producer with Servicing Carrier Appointment					
		Writing ERPs	No Ceded WP	PY23 Written Premium	Policy Count				Writing ERPs	No Ceded WP	PY23 Written Premium	Policy Count		
					PY2023	PY2022	PY2021					PY2023	PY2022	PY2021
01-10	71	61	10	23,446,110	1,877	1,671	1,738	9	8	1	833,733	71	66	71
11	69	63	6	7,397,995	736	753	790	4	4	-	130,644	34	28	29
12	69	63	6	9,799,391	902	887	888	-	-	-	-	-	-	-
13	81	67	14	11,577,857	1,101	1,141	1,205	-	-	-	-	-	-	-
14	88	78	10	19,500,772	1,139	1,161	1,195	1	1	-	2,383	1	1	1
15	67	55	12	12,220,248	758	909	939	2	2	-	449,900	4	4	4
16	113	99	14	21,856,758	1,367	1,334	1,329	-	-	-	-	-	-	-
17	146	130	16	33,781,658	1,930	1,882	2,025	2	1	1	139,623	1	1	1
18	200	160	40	37,018,637	2,426	2,439	2,621	4	4	-	791,292	149	71	19
19	74	65	9	11,871,555	983	848	938	2	2	-	116,697	16	20	24
20	43	38	5	8,661,685	756	657	752	1	1	-	281,744	39	26	26
99	40	25	15	8,807,852	330	360	354	2	2	-	153,894	8	13	18
Total	1,061	904	157	205,940,518	14,305	14,042	14,774	27	25	2	2,899,910	323	230	193
Ave Pol (WP/ERP)				14,396	16	16	16	8,978 13 9 8						

Voluntary Producer without Servicing Carrier Appointment				
Producer Count	PY23 Written Premium	Policy Count		
		PY2023	PY2022	PY2021
291	285,550,065	27,745	27,509	28,648

Note: 1. Excludes Producers with no premium
2. Excludes invalid producer codes

Producer activities as of: July 3, 2024

Ave WP Per Pol

10,292