



NATALIE A. HUBLEY
PRESIDENT

COMMONWEALTH AUTOMOBILE REINSURERS

101 Arch Street, Suite 400 Boston, Massachusetts 02110

www.commauto.com

617-338-4000

NOTICE OF MEETING

COMMERCIAL AUTOMOBILE COMMITTEE

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

WEDNESDAY, MAY 27, 2026, 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

Mr. Michael Brady
Ms. Annmarie Castonguay
Ms. Sheila Doherty
Mr. Andrew Lajzer
Ms. Sharon Murphy
Mr. John Olivieri, Jr.
Ms. Allison Ratliff
Ms. Tricia Sabulis
Mr. David Zawilinski

Pilgrim Insurance Company
The Hanover Insurance Company
Doherty Insurance Agency, Inc.
Safety Insurance Company
Acadia Insurance Company
World Insurance Associates, LLC
MAPFRE U.S.A. Corporation
Michaud Insurance Agency
Arbella Insurance Group

AGENDA

CAC

26.01 Records of Previous Meeting

The Records of the Commercial Automobile Committee meeting of April 23, 2026 should be read and approved.

CAC

26.03 CAR Conflict of Interest Policy

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

CAC

26.07 Primary & Noncontributory and Waiver of Subrogation Endorsements

At the last meeting, the Committee reached a consensus that the Primary and Noncontributory – Other Insurance Condition and Waiver of Subrogation endorsements be available for use in the commercial residual market. However, several issues need to be addressed prior to implementation. Staff will review a summary describing further considerations for committee discussion (Docket #CAC26.07, Exhibit #2).

CAC

26.08 Cost of Hire Coverage

The Committee will continue its discussion related to Hired Auto coverage including the applicability of this coverage for Auto Dealers risks. Staff will update the Committee on the feedback from producers as to the reasons for adding Hired Auto coverage to existing Garage policies. Additionally, the Committee will continue discussions related to Rule 28 – Hired Auto Coverage and the associated rating procedures. Draft amendments to Rule 28 will be distributed as additional information.

CAC

26.09 Expanded Use of Trailers for Mobile Operations

Servicing Carriers have asked questions related to the expanded use of Trailers for mobile operations. With the growing types of mobile operations in the marketplace, Servicing Carriers are encountering risks that use a trailer for various types of business, including mobile food trucks, cafes, bars, mobile restrooms, and other ventures. Additionally, risks have been seeking coverage for the trailer, without the inclusion of a power unit. The Committee should be prepared to begin discussing whether coverage for these types of risks is appropriate for the residual market, and if so, the potential impacts to rating, classification and reporting.

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
Director of Actuarial & Statistical Services

Attachment

Boston, Massachusetts
May 12, 2026

COMMERCIAL AUTOMOBILE COMMITTEE

May 27, 2026

Primary & Noncontributory and Waiver of Subrogation Endorsements

At the previous meeting, it was the Committee's consensus that because contracts requiring these policy provisions are more prevalent in the marketplace than when the Committee last considered this issue in 2019, adoption of the two endorsements in the residual market is now needed and appropriate. Accordingly, the Committee should provide feedback on the following considerations:

Waiver of Subrogation Endorsement:

- The Committee discussed whether to adopt the blanket endorsement (CA 04 43) or the version listing those entities with stipulating contracts be listed in a scheduled endorsement (CA 04 44).
 - Committee members acknowledged that the blanket endorsement is more efficient and less costly to implement and attach.
 - The Additional Insured endorsement (CR 99 02) on file for CAR stipulates that the person or organization be identified on the endorsement and that a written contract or agreement requires that the person or organization be added as an additional insured to the policy. Some committee members have commented that the procedures for the Waiver of Subrogation should be consistent with the procedures for the Additional Insured endorsement.
 - The Committee discussed the additional insured issue over 7 meetings, and in adopting procedures for the Additional Insured endorsement, concluded that the residual market requires a heightened level of scrutiny and transparency regarding the business activities of the named insured to effectively and consistently evaluate eligibility and classification. Therefore, it was determined that the additional insureds should be listed individually in a schedule.
 - Staff asserts that the same need for heightened scrutiny regarding business activities, eligibility, and classification continues to exist, particularly pertaining to vehicles engaging in mixed-use activities, and therefore recommends the scheduled endorsement CA 04 44 be adopted for use in the residual market.

Primary and Noncontributory Endorsement:

- The Committee agreed that the current ISO endorsement form adopted by AIB (CA 04 49) requires modification to ensure that it does not conflict with CAR's required use of the Public or Livery Passenger Conveyance and On-Demand Delivery Services – Other Insurance Condition endorsement (CR 99 04).
- Staff is working with counsel to draft a CAR-specific Primary and Noncontributory endorsement form.

- Staff recommends that to maintain consistency with the procedures for additional insureds and subrogation waivers, the primary and noncontributory endorsement also stipulate that contracts requiring the primary and noncontributory endorsement be listed on a schedule included with the endorsement.

Other Considerations:

- Staff is asking the Committee for direction regarding what classifications should be eligible for these two endorsements.
- In the prior deliberations, the Committee concluded that a provision requiring Notices of Cancellations be provided to the additional insureds was not appropriate for the residual market as these provisions are not common in the voluntary market and the additional cost to implement and then provide the notice to the additional insureds was not justified. Due to the significant system changes currently being implemented by the Servicing Carriers and absent a compelling argument to the contrary, staff does not recommend further consideration of this notification at this time.