



NATALIE A. HUBLEY  
PRESIDENT

## COMMONWEALTH AUTOMOBILE REINSURERS

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www.commauto.com 617-338-4000

### RECORDS OF MEETING

#### COMMERCIAL AUTOMOBILE COMMITTEE – AUGUST 27, 2025

##### Members Present

Mr. Thomas DePaulo – Chair	Cabot Risk Strategies, LLC
Ms. Annmarie Castonguay	The Hanover Insurance Company
Ms. Sheila Doherty	Doherty Insurance Agency, Inc.
Mr. Andrew Lajzer	Safety Insurance Company
Ms. Sharon Murphy	Acadia Insurance Company
Mr. John Olivieri, Jr.	J.K. Olivieri Insurance Agency, Inc.
Ms. Allison Ratliff	MAPFRE U.S.A. Corporation
Mr. Thomas Skelly, Jr.	Deland, Gibson Insurance Associates, Inc.
Mr. Barry Tagen	Pilgrim Insurance Company
Mr. David Zawilinski	Arbella insurance Group

##### Not in Attendance:

Mr. Tiago Prado, BRZ Insurance, LLC

##### Notes:

Ms. Sheila Doherty left the meeting at 11:45 a.m.

Ms. Sharon Murphy left the meeting at 12:07 p.m.

#### 25.01 Records of Previous Meeting

The Committee voted with eight members in favor and one abstained to approve the Records of the Commercial Automobile Committee meeting of July 18, 2025. The Records have been distributed and are on file.

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

At the previous meeting, the Committee voted to adopt three additional exclusions for use in the residual market. After the meeting, it was brought to the attention of CAR Staff that there were similar exclusions that had not been considered in the discussion. Since then, CAR Staff conducted a review of the AIB's approved exclusionary endorsements and compiled a list to present to the Committee for their consideration.

Ms. Wendy Browne presented the various endorsements, most of which pertain to the Auto Dealer's Policy. For this reason, certain exclusions have separate versions that apply to the Covered Autos or General Liability sections of the policy. These exclusionary endorsements included Abuse &

Molestation, Cannabis, Communicable Disease, Fungi & Bacteria, PNP, Silica/Silica-Related, and Unmanned Aircrafts. Ms. Browne identified for the Committee those endorsements that the Committee had already recommended for adoption, the reasoning behind their choices, and the complimentary endorsements that would also apply to the general liability coverage.

Ms. Allison Ratliff suggested the Committee consider the General Liability section's Communicable Disease endorsement in addition to the Covered Autos endorsement the Committee has already proposed to adopt. Mr. David Zawilinski concurred and recommended adopting all parts of the Silica/Silica-Related endorsement as well.

**After discussion, the Committee voted unanimously to recommend adoption of the two additional exclusionary endorsements – CA 25 57 – Communicable Disease Exclusion for General Liability Coverages and CA 25 39 – Silica or Silica-Related Dust Exclusion for General Liability Coverages for policies effective January 1, 2027 and later.**

## **25.06 Adoption of Non-Fleet PPT Certification for Other Classes**

Ms. Wendy Browne briefly shared some of the history behind the development of the non-fleet PPT certification, including the committee's intent to confirm that a viable commercial entity exists, to verify validly licensed operators, and to specifically exclude the named insured if not listed as an operator. Ms. Browne then opened discussion to the Committee regarding the suggestion that it could be appropriate to expand use of the certification forms to other classifications. Ms. Ratliff thought it feasible to expand the certification to certain TTT classifications. Mr. Barry Tagen suggested that the certification forms be utilized for Fleet-PPT risks. He described examples of vehicles added to commercial fleet policies that are not used for business purposes. He suggested that requiring the certification could reduce instances whereby a vehicle is improperly insured through the commercial residual market.

Significant discussion ensued during which producers recognized the practice of business owners purchasing and registering vehicles in the name of a business for various reasons, even if the majority use is personal. Committee members noted that vehicles owned by a business are ineligible to be written on the MA private passenger auto policy and are ineligible for placement in the MAIP. Some expressed concern that excluding these vehicles from the commercial residual market could create a gap in the availability of coverage. Others indicated that depending on the circumstances the insured should be advised to reregister the vehicle and insure it in the personal lines market. Committee members also questioned CAR's ability to regulate the personal use of vehicles owned by legitimate businesses.

Continued discussion focused on the original intent and purpose of the PPT-NF certification form. CAR Counsel, Attorney Steven Torres, explained that in 2016-2017, it was uncovered that businesses were being created for the sole purpose of placing vehicles in the commercial residual market and that those entities were not actually engaged in business operations. This certification helped ensure that only automobiles owned by businesses legitimately conducting trade or commerce would be insured through the commercial residual market. Further he advised that such requirement has been considered and upheld by Massachusetts courts.

Mr. Tagen noted that the certification form requires that the insured attest to the business use of the vehicle and discloses that insurers are entitled to verify the business use. After discussion, committee members agreed that additional review of the form is prudent. Some members questioned whether a separate certification for fleet PPT vehicles would be appropriate. Staff was directed to initiate the review and consider the points of discussion to develop potential discussion topics and considerations for the next meeting.

## **25.07 Prioritization of Objectives**

Ms. Browne presented a list of potential topics to improve commercial residual market results and enhance consistent procedures among Servicing Carriers, compiled through review of Servicing Carrier Annual Reports and frequent discussions with carriers and producers. Ms. Allison Ratliff suggested prioritizing a review of the On-Hook Coverage rating procedures for clarification and the potential need for instructions when using the Auto Dealers Locations and Operations Not Covered endorsement form.

Staff also suggested that the Committee address some of the items identified under the classification consistency issue, and to consider suggested enhancements to the Taxi/Limousine/Car Service Underwriting Inspection Form.

The Committee agreed to move forward with these recommended topics for future discussions.

## **25.08 Policy Issuance Transition Procedures – Agency Reassignments**

Ms. Natalie Hubley briefly outlined the discussions and concerns of servicing carriers and producers regarding policy issuance transition procedures when implementing the realignment of commercial ceded books of business. She advised that with the recent redistribution for policies effective 3/1/2025, CAR has received comments regarding the lack of continuity in required federal filings when the predecessor carrier terminates a filing prior to the successor carrier issuing a replacement filing. Some carriers have noted they would benefit from additional data relating to policies that would be reassigned. The Committee then began discussion on the continuity of filings issue.

Mr. John Olivieri noted the lapse between the time the predecessor carrier terminates a filing, and the new carrier issues a filing and expressed support for consistency and alignment amongst carriers in this process to reduce disruptive impacts to policyholders during this time. Ms. Elizabeth Tarpey-Kent noted that her agency, World Insurance, has a large fleet book of TTT business, which generally requires federal filings. She indicated that certain clients had received notices that their filings had been non-renewed and could be revoked because the new carrier had not yet made the new filing for policies not yet issued. She asked if there was a way for the filings to be automatically renewed from one carrier to another, rather than the issuance of a non-renewal.

Ms. Sheila Doherty and Ms. Annmarie Castonguay shared similar comments regarding the possible dispatch of a notice to policyholders informing them of upcoming change of servicing carrier to alleviate some confusion.

Ms. Sharon Murphy remarked some of these issues are due to timing. She noted that the prior Servicing Carrier is required to notify the FMSCA that it is no longer insuring the risk. She further commented that it would not be prudent to have the filings automatically updated because the risk may not move to the new Servicing Carrier. Mr. David Zawilinski indicated that there was no lapse in coverage, but rather just the issuance of a notification that the filing would expire on a certain date. In response to a suggestion that the new policy be issued 30 days in advance of the policy effective date, enabling the carrier to complete the filing, Ms. Tarpey-Kent noted difficulties for large fleet policies with frequent endorsement activity.

After discussion, the Committee agreed to gather additional information relating to potential coverage gaps and data needs for further consideration of transition procedures prior to the next redistribution.

RICHARD HEATH  
Actuarial/Statistical Services

Boston, Massachusetts  
September 17, 2025

**ATTACHMENT LISTING**

Docket #CAC25.02, Exhibit #3

Attendance Listing

**COMMERCIAL AUTOMOBILE COMMITTEE MEETING  
MEETING ATTENDEES  
AUGUST 27, 2025**

Individual's Name

Company / Agency

PLEASE PRINT

Thomas DePaulo	Cabot Risk Strategies, LLC
Annmarie Castonguay	The Hanover Insurance Company
Sheila Doherty	Doherty Insurance Agency, Inc.
Andrew Lajzer	Safety Insurance Company
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Barry Tagen	Pilgrim Insurance Company
David Zawilinski	Arbella Insurance Group
Peter Barton	Safety Insurance Company
Michael Brady	Pilgrim Insurance Company
John Magadieu	Arbella Insurance Group
Alexander Choder	Arbella Insurance Group
Nicholas Fyntrilakis	MAIA
Kylee Morfitt	MAPFRE U.S.A. Corporation
Benjamin Hincks	TSH & D – CAR Counsel
Steven Torres	TSH & D – CAR Counsel
Mark Alves	CAR Staff
Wendy Browne	CAR Staff
Shannon Chiu	CAR Staff
Richard Dalton	CAR Staff
Adrienne Donovan	CAR Staff
Timothy Galligan	CAR Staff

**COMMERCIAL AUTOMOBILE COMMITTEE MEETING  
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Individual's Name

Company / Agency

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Katie Morrison	Arbella Insurance Group
Kathy Cormier	MAIA
Linda Zarella	Arbella Insurance Group
Elizabeth Tarpey-Kent	World Insurance Associates, LLC
Matthew Devine	Arbella Insurance Group
Richard Heath	CAR Staff
Matthew Hirsh	CAR Staff
Natalie Hubley	CAR Staff
Cheryl Kopas	CAR Staff
Tiffany Manning	CAR Staff
Katy Proctor	CAR Staff
Evan Ross	CAR Staff
Lynne Rosenberg	CAR Staff
Robin Tigges	CAR Staff