



NATALIE A. HUBLEY
PRESIDENT

COMMONWEALTH AUTOMOBILE REINSURERS

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RECORDS OF MEETING

COMMERCIAL AUTOMOBILE COMMITTEE – AUGUST 27, 2026

Members Present

Mr. Thomas DePaulo – Chair	Cabot Risk Strategies, LLC
Mr. Thomas Bird ⁽¹⁾	Acadia Insurance Company
Mr. Michael Brady	Pilgrim Insurance Company
Ms. Annmarie Castonguay	The Hanover Insurance Company
Mr. Andrew Lajzer	Safety Insurance Company
Mr. John Olivieri, Jr.	World Insurance Associates, LLC
Ms. Allison Ratliff	MAPFRE U.S.A. Corporation
Ms. Tricia Sabulis	Michaud Insurance Agency
Mr. David Zawilinski	Arbella Insurance Group

Substituted for:

⁽¹⁾Ms. Sharon Murphy

Not in Attendance:

Ms. Sheila Doherty, Doherty Insurance Agency, Inc.

26.01 Records of Previous Meeting

The Committee unanimously voted to approve the Records of the Commercial Automobile Committee meeting of May 27, 2026. The Records have been distributed and are on file.

26.07 Primary & Noncontributory and Waiver of Subrogation Endorsements

At the last meeting, the Committee agreed to move forward with the Primary & Noncontributory and Waiver of Subrogation endorsements. Ms. Wendy Browne reviewed the sample endorsement pages and draft of changes to the Commercial Automobile Insurance Manual provided in the Notice of Meeting. She noted that the Committee recommended adoption of the CA 04 44 endorsement that waives the insurer's right to subrogate. This requires a schedule of individuals or organizations for whom the endorsement will apply due to a contractual requirement. Ms. Browne then reviewed the sample endorsement CR 99 12 Primary & Noncontributory – Other Insurance Condition drafted specifically for CAR use. This also requires a schedule of organizations necessitating the endorsement by contract and includes language to integrate it with the other insurance conditions pertaining to TNC activities. Finally, Ms. Browne explained that the proposed Rule 47 of the Commercial Automobile Insurance Manual instructs Servicing Carriers in the use of these endorsements for all ceded commercial classifications.

In response to a question raised by Mr. Mike Brady, Ms. Browne explained that the reference to CR 99 04 is required in the Primary & Noncontributory endorsement to provide the specific exception to ensure that it does not conflict with the Committee's intent that coverage afforded to risks engaged in TNC operations, where applicable, is excess.

After discussion, the Committee voted unanimously to recommend to the Governing Committee adoption of the proposed Primary & Noncontributory and Waiver of Subrogation endorsement forms, as well as the proposed updates to the Commercial Automobile Insurance Manual Common Coverages and Rating Procedures section.

The Committee directed staff to include these changes, if approved, with CAR's planned March 1, 2027 effective date commercial rate filing.

26.10 2026 Annual Evaluation of Market Need for ERP Appointments

Ms. Lynne Rosenberg stated that in accordance with Rule 14 – Exclusive Representative Producer Requirements, 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. The approved criteria include a provision that an annual assessment be made to determine if a market need exists for appointments. She noted that attached to the Notice of Meeting was the approved criteria and data reports to assist the Committee in evaluating accessibility to the residual market throughout the Commonwealth through producers experienced in servicing all classes of commercial automobile risks. She indicated that the Committee should focus on determining whether a market need exists for the appointment of an ERP without a voluntary commercial automobile contract and developing a recommendation for the annual determination of market need for the Governing Committee's consideration.

Ms. Rosenberg informed the Committee that during the past year, 13 new ERP appointments were made to producers with a voluntary contract in place, and 1 request from producer without voluntary contracts was not allowed. No requests are currently pending. The Committee observed that the current data reflects results similar to the prior year. The Committee concluded that there continues to exist ample access to the residual market through qualified producers throughout the Commonwealth with experience servicing complex commercial risks.

Accordingly, the Committee unanimously voted to recommend to the Governing Committee that a market need does not exist for the appointment of new non-voluntary contracted ERPs at this time.

26.11 Consistency in Tow Truck Classifications

Due to recent questions regarding potential differences among the Servicing Carriers in determining classification and corresponding premium for tow trucks, CAR Staff requested Servicing Carriers provide relevant information on their classification and rating procedures for this class. Additional comments on the topic were included in the Servicing Carrier's submissions as well as prior discussions found in annual reports. Ms. Wendy Browne presented and summarized CAR Staff's findings, which highlighted some differences in the Servicing Carriers' approach to classification and rating of tow trucks.

With discussion open to the Committee, Mr. John Olivieri noted that the secondary classification code seems to be where the inconsistency lies. Citing the additional information provided with the agenda, Mr. Olivieri stated that CAR Staff provided their interpretation of the procedures, with only one of the four Servicing Carriers seemingly in agreement with CAR's guidance.

Mr. Brady expressed disagreement with the interpretation that the trucker secondary class applies to all risks engaged in multiple contracts. He further noted that trucker status applies more to those tow trucks having an active status with FMCSA. He also noted his support for the suggestion to add a secondary class code to enable tracking of these risks. Mr. David Zaliwinski further noted that a trucking operation involves vehicles transporting goods of others, including automobiles, and that this secondary class would not apply if the risk is towing its own vehicles.

Ms. Natalie Hubley brought to the Committee's attention that the guidance described in the attachment to the notice has been a long-standing interpretation by staff of Rules 52 and 55. Based upon the conversation and input from the Committee's discussion to this point, Ms. Hubley recommended the Committee allow CAR Staff to draft language to clarify the classification procedures for the Committee's continued discussion.

With that, the Committee resolved to revisit tow truck classification at the next meeting.

TIMOTHY GALLIGAN
Actuarial and Statistical Services Director

Boston, Massachusetts
September 3, 2026

ATTACHMENT LISTING

Docket #CAC26.02, Exhibit #4

Attendance Listing

**COMMERCIAL AUTOMOBILE COMMITTEE MEETING
MEETING ATTENDEES
AUGUST 27, 2026**

Individual's Name

Company / Agency

PLEASE PRINT

Thomas DePaulo	Cabot Risk Strategies, LLC
Thomas Bird	Acadia Insurance Company
Michael Brady	Pilgrim Insurance Company
Annmarie Castonguay	The Hanover Insurance Company
Andrew Lajzer	Safety Insurance Company
John Olivieri, Jr.	World Insurance Associates, LLC
Allison Ratliff	MAPFRE U.S.A. Corporation
Tricia Sabulis	Michaud Insurance Agency
David Zawilinski	Arbella Insurance Group
Peter Barton	Safety Insurance Company
Alexander Choder	Arbella Insurance Group
Caitlyn Morrison	Arbella Insurance Group
Paul Drennan	MAPFRE U.S.A. Corporation
Nicholas Fyntrilakis	MAIA
Marlie Waterman	MAIA
Monique Miller	AIB
William Hughes	Arbella Insurance Group
Linda Zarella	Arbella Insurance Group
Jennifer Costa	Arbella Insurance Group
Mark Winiker	Acrisure East Insurance Services, LLC
Benjamin Hincks	TSH & D – CAR Counsel
Steven Torres	TSH & D – CAR Counsel
Margaret Barao	Division of Insurance
Mark Alves	CAR Staff
Wendy Browne	CAR Staff

**COMMERCIAL AUTOMOBILE COMMITTEE MEETING
MEETING ATTENDEES
AUGUST 27, 2026**

Individual's Name

Company / Agency

PLEASE PRINT

Shannon Chiu	CAR Staff
Adrienne Donovan	CAR Staff
Timothy Galligan	CAR Staff
Steven Gautieri	CAR Staff
Richard Heath	CAR Staff
Matthew Hirsh	CAR Staff
Natalie Hubley	CAR Staff
Cheryl Kopas	CAR Staff
Tiffany Manning	CAR Staff
Katy Proctor	CAR Staff
James Robery	CAR Staff
Evan Ross	CAR Staff
Lynne Rosenberg	CAR Staff
Alison Ruggiero	CAR Staff
Robin Tigges	CAR Staff