Commercial Auto Insurance

Table of Contents

Commercial Auto Insurance

• Hyperpolicies
  o Business Auto Coverage Form (CA 00 01 10 13)
  o Auto Dealers Coverage Form (CA 00 25 10 13)
  o Garage Coverage Form (CA 00 05 03 10)
  o Motor Carrier Coverage Form (CA 00 20 10 13)
  o Not Current Hyperpolicies
    ▪ Business Auto Coverage Form (CA 00 01 03 10)
    ▪ Motor Carrier Coverage Form (CA 00 20 03 10)
    ▪ Not Current 2010 Discussions
      ▪ Business Auto Coverage Form (CA 00 01 03 10)
        ▪ Section I -- Covered Autos
        ▪ Section II -- Liability Coverage
          ▪ Who Is An Insured
          ▪ Supplementary Payments
          ▪ Out-of-State Coverage Extensions
          ▪ Liability Exclusions
          ▪ Limit of Insurance
        ▪ Section III -- Physical Damage Coverage
        ▪ Section IV -- Business and Conditions
          ▪ General Conditions
        ▪ Section V - Definitions
      ▪ Motor Carrier Coverage Form (CA 00 20 03 10)
        ▪ Section I -- Covered Auto
        ▪ Section II -- Liability Coverage
        ▪ Section III -- Trailer Interchange Coverage
        ▪ Section IV -- Physical Damage Coverage
        ▪ Section V -- Motor Carrier Conditions
        ▪ Section VI -- Definitions
  • III: Practical Concerns in Commercial Auto Insurance
    o Evolution of Commercial Auto Coverage Forms
      ▪ 1987 Simplified Commercial Auto Program
        ▪ Compatibility--Commercial General Liability and Business Auto Policy
        ▪ Contractual Liability Coverage
        ▪ Coverage for Temporary Substitute Autos
      ▪ 1990 Commercial Auto Revision
        ▪ Hired Auto Physical Damage as Primary
        ▪ Covered Pollution Cost or Expense
- Garage Premises Aggregate Limit
- 1992 Commercial Auto Revision
- 1993 Motor Carrier Coverage Form Introduced
  - Duty To Defend Provision
  - Revised Exclusions
- 1997 Commercial Auto Revision
  - Limited Liability Companies
  - Employee, Leased Worker, Temporary Worker Defined
  - Supplementary Payments
  - Transportation Expense
  - Radar Detector Exclusion
  - Conditions Precedent Language
  - Diminution in Value--Dealers
  - New Endorsements
- 1998 Multistate Endorsement Revisions
- The 2001 Commercial Auto Revision
  - Loss of Use/Temporary Transportation Expenses
  - Physical Damage Losses
  - Policy Definitions
  - New Endorsements in 2001
- 2006 Commercial Auto Multistate Revisions
  - Revised War Exclusions
  - "Auto" or "Mobile Equipment"?
  - Garage Policy Changes
  - Optional Endorsements
- The 2010 Commercial Auto Revision
- The 2013 Commercial Auto Revision
  - The Auto Dealers Form
  - Other 2013 Changes
  - State Acceptance of Commercial Auto Revisions
- Hired, Borrowed, Nonowned Auto Coverage Issues
  - Insuring Hired and Borrowed Autos
  - Insuring Nonowned Autos
  - Summary
- Rental Car Contracts/Coverage Issues
  - Selected Rental Contract Provisions
    - Parties to the Contract
    - Liability Insurance
    - Uninsured/Underinsured Motorists Insurance
    - No-Fault, Medical Payments, Personal Effects Coverage
    - Physical Damage to the Rental Vehicle
    - Optional Loss Damage Waiver
- Authorized Drivers
- Prohibited Uses of the Rental Vehicle
- Hold Harmless Agreement
- Rental Charges

- The Rental Customer’s Exposures to Loss
  - The Customer’s Liability Exposures
  - Sources of Coverage for Third-Party Direct Liability Exposures
  - Contractually Assumed Liability Exposures
  - Exposures Related to Damage to/Loss of Rental Vehicle
  - Voidance of Coverages
  - Personal Loss Exposures
  - Sorting Out "Other Insurance"/Priority of Coverage Issues
  - A Compendium of Statutes/Amendatory Endorsements

- Corporate Agreements
- Corporate Communications for Companies Renting Vehicles
- Action Items
  - Dealing with the Auto-Mobile Equipment Issue
    - Background
    - Analyzing Interconnected State Laws
    - Structuring the Business Auto Policy To Catch Mistakes
    - Enforceability of the Post-2004/2006 Definitions
  - Commercial Auto Insurance Checklists and How To Use Them
    - Business Auto Coverage Checklist
    - Garage Coverage Checklist
    - Auto Dealers Coverage Checklist
    - Motor Carrier Coverage Checklist

- IV: State Laws
  - Introduction to State Laws
  - Financial Responsibility/Compulsory Liability Insurance
  - Summary of Selected State Auto Laws
  - Auto Insurance Proof of Coverage Form
  - Uninsured/Underinsured Motorists Coverage
    - Overview Uninsured Motorists/Underinsured Motorists Coverage
    - Underinsured/Uninsured Motorist Coverage for the Commercial Insured
      - Determining Coverage Limits
    - Structure of Uninsured/Underinsured Motorists Coverage Endorsements
      - Coverage (Insuring Agreement)
      - Who Is an Insured
      - Exclusions
      - Limit of Insurance
      - Changes in Conditions
      - Additional Definitions
Format of Uninsured/Underinsured State Pages
  ▪ Format of State Pages
  ▪ Policywriting Support Forms/Endorsements
  ▪ Notes
  ▪ Stacking of Limits
  ▪ Other Coverage Details
Uninsured/Underinsured State Pages
Motor Vehicle Statutes Overview
  ▪ Compulsory Liability Statutes
  ▪ Financial Responsibility Statutes
  ▪ Uninsured/Underinsured and No-Fault Statutes
  ▪ Vehicles Subject to Registration Statutes
  ▪ Vehicles Owned by Nonresidents
Motor Vehicle Statutes--State Pages
No-Fault Insurance Overview
  ▪ History of No-Fault Auto Laws
  ▪ No-Fault Auto Insurance Characteristics
  ▪ Tort Threshold
  ▪ How No-Fault Coverage Is Provided
  ▪ Add-On
  ▪ Choice
    ▪ Federal Activity
  ▪ Debate over No-Fault
  ▪ No-Fault Studies
    ▪ Comparing Costs under No-Fault Laws to Traditional Tort Systems
    ▪ Effects of No-Fault Laws on Accident Rates
    ▪ Impact of No-Fault Laws on Claim Rates When Accidents Occur
    ▪ Impact of No-Fault Laws on Average Claim Costs
    ▪ Impact of No-Fault Laws on Fraudulent Activities
    ▪ Impact of No-Fault Laws on Claims Handling and Consumer Satisfaction
    ▪ Impact of No-Fault Laws on Litigation Activities
    ▪ Other Factors
  ▪ State Developments
    ▪ Colorado
    ▪ Florida
  ▪ Conclusion/Recommendations
No-Fault Laws--State Pages
Auto Liability Self-Insurance Overview
  ▪ Summary of State Self-Insurance Laws
VIII: Business Auto
  ▪ ISO Business Auto Policy
  ▪ Policy Introduction/Covered Autos (Section I)
Business Auto Coverage Form

Section I--Covered Autos

- Symbol 1--Any Auto
- Symbol 2--Owned Autos
- Symbol 3--Owned Private Passenger Autos
- Symbol 4--Owned Autos Other than Private Passenger
- Symbol 5--Owned Autos Subject to No-Fault
- Symbol 6--Owned Autos Subject to Compulsory Uninsured Motorist Law
- Symbol 7--Specifically Described Autos
- Symbol 8--Hired Autos
- Symbol 9--Nonowned Autos
- Symbol 19--Mobile Equipment Subject to Motor Vehicle Insurance Law

Newly Acquired Autos

Trailers, Mobile Equipment, Temporary Substitute Autos

Liability Coverage (Section II)

- Insuring Agreement
- Who Is an Insured
  - You for Any "Covered Auto"
  - Permissive Users
  - Vicarious Liability
- Supplementary Payments
- Out-of-State Coverage Extensions
- Liability Exclusions
  - Expected or Intended Injury Exclusion
  - Contractual Liability Exclusion
  - Workers Compensation Exclusion
  - Employee Indemnification/Employers Liability Exclusion
  - Fellow Employee Exclusion
  - Care, Custody, Control Exclusion
  - Handling/Movement of Property Exclusions
  - Operations Exclusion
  - Completed Operations Exclusion
  - Pollution Liability Exclusion
  - War Exclusion
  - Racing Exclusion
- Limit of Insurance

Physical Damage Coverage (Section III)

- Insuring Agreement
  - Comprehensive Specified Causes of Loss/Collision Coverages
  - Towing
  - Glass Breakage
  - Temporary Transportation Expense
- Loss of Use Expenses
  - Exclusions
    - Nuclear and War Exclusion
    - Racing Exclusion
    - "Wear and Tear" Exclusion
    - Electronic Devices/Equipment Exclusion
    - Diminution in Value Exclusion
  - Limit of Insurance
  - Deductible

  o Business Auto Conditions (Section IV)
    - Loss Conditions
      - Appraisal for Physical Damage Loss
      - Duties in the Event of Accident, Claim, Suit, Loss
      - Legal Action Against Insurer
      - Loss Payment Options--Physical Damage
      - Transfer of Rights of Recovery
    - General Conditions
      - Bankruptcy
      - Concealment, Misrepresentation, Fraud
      - Liberalization
      - No Benefit to Bailee--Physical Damage Coverages
      - Other Insurance
      - Premium Audit
      - Policy Period/Coverage Territory
      - Two or More Coverage Forms Issued by Insurer

  o Definitions (Section V)
    - "Accident"
    - "Auto"
    - "Bodily Injury"
    - "Covered Pollution Cost or Expense"
    - "Diminution in Value"
    - "Employee"
    - "Insured"
    - "Insured Contract"
    - "Leased Worker"
    - "Loss"
    - "Mobile Equipment"
    - "Pollutants"
    - "Property Damage"
    - "Suit"
    - "Temporary Worker"
    - "Trailer"
ISO Business Auto Declarations

- Item One of the Declarations
- Item Two--Schedule of Coverages/Covered Autos
- Item Three--Schedule of Covered Autos You Own
- Item Four--Schedule of HIred/Borrowed Covered Auto Coverage/Premiums
- Item--Five Schedule for Non Ownership Liability
- Item Six--Schedule-Gross Receipts/Mileage Basis (Composite Rating)

IX: Auto Dealers

- Garage Coverage Form
  - Garage Coverage Form
  - Policy Introduction/Covered Autos--Section I
    - Garage Coverage Form
    - Section I--Covered Autos
      - Symbol 21--Any Auto
      - Symbol 22--Owned Autos
      - Symbol 23--Owned Private Passenger Autos
      - Symbol 24--Owned Autos Other Than Private Passenger
      - Symbol 25--Owned Autos Subject to No-Fault
      - Symbol 26--Owned Autos Subject to Compulsory UM
      - Symbol 27--Specifically Described Autos
      - Symbol 28--Hired Autos
      - Symbol 29--Nonowned Autos Used in Named Insured's Garage Business
      - Symbol 30--Autos Left for Service, Repair, Storage, Safekeeping
      - Symbol 31--Dealers Autos
      - Newly Acquired Autos
      - Trailers and Temporary Substitute Autos
  - Liability Coverage--Section II
    - Insuring Agreement
      - Garage Operations--Other Than Covered Autos
      - Garage Operations--Covered Autos
      - Who Is an Insured--Covered Autos
      - Who Is an Insured--Other Than Covered Autos
      - Supplementary Payments
      - Out-of-State Coverage Extensions
    - Liability Exclusions
      - Expected/Intended Injury Exclusions
      - Contractual Exclusion
      - Workers Compensation Exclusion
      - Employee Indemnification/Employer's Liability Exclusion
      - Fellow Employee Exclusion
      - Care, Custody, Control Exclusion
- Leased Autos Exclusion
- Pollution Exclusion--Garage Operations--Other Than Covered Autos
- Pollution Exclusion--Garage Operations--Covered Autos
- Racing Exclusion
- Watercraft/Aircraft Exclusion
- Defective Products Exclusion
- Work Performed Exclusion
- Loss of Use Exclusion
- Products Recall Exclusion
- War Exclusion
- Distribution of Material in Violation of Statutes Exclusion

- Limit of Insurance
- Work Performed Deductible

- Garagekeepers Coverage--Section III
  - Garagekeepers Insuring Agreement
    - Who Is an Insured
    - Supplementary Payments
  - Garagekeepers Exclusions
    - Contractual Exclusion
    - Theft/Conversion Exclusion
    - Defective Parts/Faulty Work Exclusions
    - Electronic/Sound Receiving Equipment Exclusion
    - War Exclusion
  - Limit of Insurance and Deductible

- Physical Damage Coverage--Section IV
  - Insuring Agreement
    - Glass Breakage
    - Coverage Extension--Loss Of Use Expenses
  - Exclusions
    - Leased/Rented Auto Exclusion
    - Racing Exclusion
    - Electronic Equipment Exclusion
    - False Pretense Exclusion
    - Miscellaneous Dealer Exclusions
    - Diminution in Value Exclusion
    - Wear and Tear Exclusion
  - Limits of Insurance
  - Comprehensive/Specified Causes of Loss Deductible

- Garage Conditions--Section V

- Loss Conditions
  - Appraisal for Physical Damage Loss
  - Duties in the Event of Accident, Claim, Suit, Loss
• Legal Action Against Insurer
• Loss Payment Options--Physical Damage
• Transfer of Rights of Recovery

• General Conditions
  • Bankruptcy
  • Concealment, Misrepresentation, Fraud
  • Liberalization
  • No Benefit to Bailee--Physical Damage Coverages
  • Other Insurance
  • Premium Audit
  • Policy Period, Coverage Territory
  • Two or More Coverage Forms or Policies Issued by Insurer

• Definitions--Section VI
  • "Accident"
  • "Auto"
  • "Bodily Injury"
  • "Covered Pollution Cost or Expense"
  • "Customer's Auto"
  • "Diminution in Value"
  • "Employee"
  • "Garage Operations"
  • "Insured"
  • "Insured Contract"
  • "Leased Worker"
  • "Loss"
  • "Pollutants"
  • "Products"
  • "Property Damage"
  • "Suit"
  • "Temporary Worker"
  • "Trailer"
  • "Work You Performed"

• ISO Garage Declarations
  • Item One of the Declarations
  • Item Two--Schedule of Coverages/Covered Autos
  • Item Three--Locations Where You Conduct Garage Operations
  • Item Four--Liability Coverage--Premiums
  • Item Five--Liability Coverage for Your Customers
  • Item Six--Garagekeepers Coverages and Premiums
  • Item Seven--Physical Damage Coverage--Covered Autos/ Premium Basis
  • Item Eight--Medical Payments Coverage
  • Item Nine--Schedule of Covered Autos Insured on Specified Car Basis
Item Ten--Liability Premium--Non-Franchised Dealers Only

The ISO Auto Dealers Policy

Covered Autos Coverages--Section I

Covered Auto Designation Symbols

- Symbol 21--Any Auto
- Symbol 22--Owned Autos
- Symbol 23--Owned Private Passenger Autos
- Symbol 24--Owned Autos Other Than Private Passenger
- Symbol 25--Owned Autos Subject to No-Fault
- Symbol 26--Owned Autos Subject to Compulsory Uninsured Motorist
- Symbol 27--Specifically Described Autos
- Symbol 28--Hired Autos
- Symbol 29--Nonowned Autos Used in Your Auto Dealership
- Symbol 30--Autos Left for Service, Repair, Storage, Safekeeping
- Symbol 31--Auto Dealers' Autos (Physical Damage Coverages)
- Newly Acquired Autos
- Certain Trailers/Temporary Substitute Autos

Covered Autos Liability Coverage

- Insuring Agreement
- Who Is an Insured

Coverage Extensions

- Supplementary Payments
- Out-of-State Coverage Extensions

Covered Autos Liability Exclusions

- Expected/Intended Injury
- Contractual Liability
- Workers Compensation
- Employers Liability
- Fellow Employee
- Care, Custody, Control
- Leased Autos
- Pollution
- Racing
- Handling of Property
- Movement of Property by Mechanical Device
- Defective Products
- Work You Performed
- Impaired Property
- Products Recall
- War
- Acts, Errors, Omissions
- Covered Autos Liability Limits of Insurance
- Garagekeepers Coverage
  - The Garagekeepers Insuring Agreement
  - Who Is an Insured
  - Supplementary Payments
  - Garagekeepers Exclusions
  - Garagekeepers Limit and Deductible
- Physical Damage Coverage
  - Physical Damage Insuring Agreement
- Physical Damage Exclusions
  - Nuclear Hazard and War
  - Lease/Rental, Racing, Electronic Equipment
  - False Pretense
  - Miscellaneous Exclusion
  - Diminution in Value
  - Wear and Tear, Etc.
- Limits of Insurance
- Deductibles
- General Liability Coverages—Section II
  - Bodily Injury/Property Damage Liability Insuring Agreement
    - Duty To Defend
    - Right To Investigate or Settle
    - Occurrence-Based Coverage
  - Bodily Injury/Property Damage Liability Exclusions
    - Expected/Intended Injury
    - Contractual
    - Workers Compensation
    - Employee Indemnification/Employers Liability
    - Damage to Property
    - Pollution
  - Bodily Injury/Property Damage Liability Exclusions (cont.)
    - Aircraft, Auto, Watercraft
    - Defective Products
    - Work You Performed
    - Damage to Impaired Property/Property Not Physically Damaged
    - Products Recall
    - War
    - Recording/Distribution of Material/Information in Violation of Law
    - Personal/Advertising Injury
    - Liquor Liability
    - Fire Damage Legal Liability
  - Personal/Advertising Injury Liability Insuring Agreement
• Personal/Advertising Injury Liability Exclusions
  • Knowing Violation of Rights of Another
  • Material Published with Knowledge of Falsity
  • Material Published Prior to Policy Period
  • Criminal Acts
  • Contractual
  • Breach of Contract
  • Quality or Performance of Goods
  • Wrong Description of Prices
  • Infringement of Copyright
  • Electronic Chat Rooms/Bulletin Boards
  • Unauthorized Use of Another's Name/Product
  • "Pollution"
  • "Pollution-Related"
  • "War"
  • "Recording and Distribution of Material"
  • Employment-Related Practices
  • Acts, Errors, Omissions

• Locations/Operations Medical Payments Insuring Agreement

• Medical Payments Exclusions
  • Workers Compensation
  • Any Insured
  • Hired Person
  • Premises Occupants
  • Athletics
  • Away from Auto Dealer Locations
  • Bodily Injury/Property Damage Liability

• Who Is an Insured
• Supplementary Payments
• Limits of Insurance

• Acts, Errors, Omissions Coverage--Section III
  • The Insuring Agreement
    • "Acts, Errors or Omissions"
  • Exclusions
    • Criminal or Intentional Acts
    • Bodily Injury, Property Damage, Personal and Advertising Injury
    • Profit Gain
    • Contractual Liability
    • Noncompensatory Damages
    • Quality of Performance
    • Recording/Distribution of Material
    • Discrimination
- Insurer Bankruptcy/Insolvency
  - Who Is an Insured
  - Supplementary Payments
  - Limit of Insurance and Deductible
- Auto Dealers Conditions--Section IV
  - Loss Conditions
    - Appraisal for Physical Damage Loss
    - Duties in the Event of Accident, Claim, Suit, Loss or Omissions
    - Legal Action Against Insurer
    - Loss Payment Options--Physical Damage Coverages
    - Subrogation
  - General Conditions
    - Bankruptcy
    - Concealment, Misrepresentation, Fraud
    - Liberalization
    - No Benefit to Bailee--Physical Damage Coverages
    - Other Insurance
    - Premium Audit
    - Policy Period, Coverage Territory
    - Two or More Policies of the Insurer
- Auto Dealers Policy Definitions--Section V
  - "Accident"
  - "Act, Error or Omission"
  - "Advertisement"
  - "Auto"
  - "Auto Dealer Operations"
  - "Bodily Injury"
  - "Covered Pollution Cost or Expense"
  - "Customer's Auto"
  - "Diminution in Value"
  - "Employee"
  - "Executive Officer"
  - "Impaired Property"
  - "Insured"
  - "Insured Contract"
  - "Leased Worker"
  - "Loading or Unloading"
  - "Loss"
  - "Personal and Advertising Injury"
  - "Pollutants"
  - "Products"
  - "Property Damage"
- "Suit"
- "Temporary Worker"
- "Trailer"
- "Work You Performed"

- X: Truckers/Motor Carrier
  - Motor Carrier Industry Issues
    - Interstate Motor Carriers
    - Motor Carriers For-Hire
    - Interstate Motor Carrier Regulations
      - The Department of Transportation Act of 1966
      - The Motor Carrier Act of 1980
      - Intermodal Surface Transportation Efficiency Act of 1991
      - The ICC Termination Act of 1995
      - Transportation Equity Act for the 21st Century
      - Motor Carrier Safety Improvement Act of 1999
      - "New Entrant" Safety Assurance Process
      - Safe, Accountable, Flexible, Efficient Transportation Equity Act
      - Unified Carrier Registration Plan and Agreement
    - Intrastate Motor Carrier Regulation
    - Motor Carriers Subject to Various Regulations
      - Common Carrier
      - Contract Carrier
      - Private Carrier
      - Exempt Carrier
      - Carrier of Hazardous Commodities
    - Motor Carrier Endorsement MCS-90
  - Conclusion
  - Glossary of Motor Carrier Terms
  - Motor Carrier Registration and Financial Responsibility Filing
    - Interstate/Foreign Operating Authority and Insurance Filings
    - Interstate/Foreign Motor Carrier Unified Carrier Registration Filing
    - Intrastate Operating Authority/Insurance Filings
    - Intrastate Operating Authority State Pages
  - ISO Motor Carrier Coverage Form
  - Policy Introduction/Covered Autos - Section I
    - Motor Carrier Coverage Form
    - Section I--Covered Autos
      - Symbol 61--Any Auto
      - Symbol 62--Owned Autos
      - Symbol 63--Owned Private Passenger Autos
      - Symbol 64--Owned Commercial Autos
      - Symbol 65--Owned Autos Subject to No-Fault
• Symbol 66--Owned Autos Subject to Compulsory Uninsured Motorist Law
• Symbol 67--Specifically Described Autos
• Symbol 68--Hired Autos
• Symbol 69--Nonowned Trailers in Insured's Possession
• Symbol 70--Owned Trailers in Someone Else's Possession
• Symbol 71--Nonowned Autos
• Symbol 79--Mobile Equipment Subject to a Motor Vehicle Insurance Law
• Newly Acquired Autos
• Trailers, Mobile Equipment, Temporary Substitute Autos

 o Liability Coverage - Section II
  ▪ Insuring Agreement
  ▪ Who Is an Insured
    ▪ Permissive User Insureds/Exceptions
    ▪ Owner of Hired, Borrowed, Leased Auto--Who Is an Insured
    ▪ Vicarious Insureds
    ▪ Motor Carriers for Hire Who Are Not Insureds
    ▪ Intermodal Carriers Who Are Not Insureds
    ▪ Supplementary Payments
    ▪ Out-of-State Coverage Extensions
  ▪ Liability Exclusions
    ▪ Expected/Intended Injury Exclusion
    ▪ Contractual Liability Exclusion
    ▪ Workers Compensation Exclusion
    ▪ Employee Indemnification/Employers Liability Exclusion
    ▪ Fellow Employee Exclusion
    ▪ Care, Custody, Control Exclusion
    ▪ Handling/Movement of Property Exclusions
    ▪ Operations Exclusion
    ▪ Completed Operations Exclusion
    ▪ Pollution Exclusion
    ▪ War Exclusion
    ▪ Racing Exclusion
  ▪ Limit of Insurance

 o Trailer Interchange Coverage - Section III
  ▪ Insuring Agreement
    ▪ Duty To Defend
    ▪ Supplementary Payments
  ▪ Exclusions
  ▪ Limits of Insurance and Deductible

 o Physical Damage Coverage - Section IV
  ▪ Physical Damage Insuring Agreement
    ▪ Comprehensive, Specified Causes of Loss, Collision Coverages
- Towing—Private Passenger Type Autos
- Glass Breakage
- Temporary Transportation Expense
- Hired Auto Loss of Use Expenses

**Exclusions**
- Nuclear and War Exclusion
- Trailer Interchange Exclusion
- Racing Exclusion
- Electronic Devices/Equipment Exclusion
- "Wear and Tear" Exclusion
- "Diminution in Value" Exclusion

**Limits of Insurance**
- Deductible

**Motor Carrier Conditions - Section V**

**Loss Conditions**
- Appraisal for Physical Damage Loss
- Duties in the Event of Accident, Claim, Suit, Loss
- Legal Action Against Insurer
- Loss Payment Options—Physical Damage
- Transfer of Rights of Recovery

**General Conditions**
- Bankruptcy
- Concealment, Misrepresentation, Fraud
- Liberalization
- No Benefit to Bailee—Physical Damage Coverage
- Other Insurance—Power Units
- Other Insurance—Trailers
- Other Insurance—Trailer Interchange
- Other Insurance—Owned/Nonowned Autos
- Other Insurance—Hired Auto Physical Damage
- Other Insurance—Contractual Liability
- Premium Audit
- Policy Period/Coverage Territory
- Two or More Coverage Forms Issued by Insurer

**Definitions - Section VI**
- "Accident"
- "Auto"
- "Bodily Injury"
- "Covered Pollution Cost or Expense"
- "Diminution in Value"
- "Employee"
- "Insured"
• "Insured Contract"
• "Leased Worker"
• "Loss"
• "Mobile Equipment"
• "Motor Carrier" (Motor Carrier Policy Only)
• "Pollutants"
• "Private Passenger Type"
• "Property Damage"
• "Suit"
• "Temporary Worker"
• "Trailer"

  o ISO Motor Carrier Declarations
  ▪ Item One of the Declarations
  ▪ Item Two—Schedule of Coverages/Covered Autos
  ▪ Item Three—Schedule of Covered Autos You Own
  ▪ Item Four—Schedule Hired/Borrowed Covered Auto Coverage/Premiums
  ▪ Item Five—Schedule for Non-Ownership Liability
  ▪ Item Six—Trailer Interchange Coverage
  ▪ Item Seven—Schedule for Gross Receipts Basis—Liability Coverage

  o Truckers Coverage Form (2006 Edition)
  ▪ Definitions
  ▪ Covered Auto Symbols
  ▪ Who Is an Insured
    ▪ Owner/Operators
    ▪ Unattached Trailers
  ▪ "Other Insurance"
  ▪ Conclusion

• XII: Interline Forms
  o Interline Forms
  ▪ Common Policy Conditions
    ▪ Cancellation
    ▪ Changes
    ▪ Examination of Books/Records
    ▪ Inspections/Surveys
    ▪ Premiums
    ▪ Transfer of Rights/Duties

  o Nuclear Energy Liability Exclusion Endorsement (Broad Form)
    ▪ Exclusion A
    ▪ Exclusion B
    ▪ Exclusion C
    ▪ Definitions

• XIII: Endorsements
Introduction to Commercial Auto Endorsements

- Index of ISO Commercial Auto Countrywide Forms and Endorsements
- ISO Commercial Auto State Exception Endorsements -- Alabama - Montana
- ISO Commercial Auto State Exception Endorsements -- Nebraska - Wyoming
- Category 01 Endorsements Countrywide Only
  - Limited Mexico Coverage (CA 01 21)
- Category 02 Cancellation and Suspension Endorsements
  - Reinstatement of Insurance (CA 02 38)
  - Suspension of Insurance (CA 02 40)
- Category 03 Deductible Endorsements
  - Deductible Liability Coverage (CA 03 01 or CA 03 02)
  - Five Hundred Dollar ($500) Deductible for Work You Performed Does Not Apply (CA 03 03)
- Category 04 Miscellaneous Endorsements
  - Exclusion of Federal Employees Using Autos in Government Business (CA 04 42)
  - Waiver of Transfer of Rights of Recovery Against Others to Us (Waiver of Subrogation) (CA 04 44)
  - Golf Carts and Low-Speed Vehicles (CA 04 45)
- Category 05 Special Types Endorsements
  - Lessor--Additional Insured and Loss Payee (CA 20 01)
  - Audio, Visual and Data Electronic Equipment Coverage--Fire, Police and Emergency Vehicles(CA 20 02)
  - Drive-Away Contractors (CA 20 05)
  - Driving Schools--Nonowned Autos (CA 20 06)
  - Emergency Services--Volunteer Firefighters' and Workers' Injuries Limited Exclusion (CA 20 07)
  - Farm Tractors and Farm Tractors Equipment (CA 20 08)
  - Leasing or Rental Concerns Endorsements
  - Leasing or Rental Concerns--Contingent Coverage (CA 20 09)
  - Leasing or Rental Concerns--Conversion, Embezzlement or Secretion Coverage (CA 20 10)
  - Leasing or Rental Concerns--Exclusion of Certain Leased Autos (CA 20 11)
  - Leasing or Rental Concerns--Rent-It-There/Leave-It-Here Autos (CA 20 12)
  - Leasing or Rental Concerns--Schedule of Limits for Owned Autos (CA 20 13)
  - Leasing or Rental Concerns--Second Level Coverage (CA 20 14)
  - Mobile Equipment (CA 20 15)
  - Mobile Home Contents Coverage (CA 20 16)
  - Mobile Home Contents Not Covered (CA 20 17)
  - Professional Services Not Covered (CA 20 18)
  - Repossessed Autos (CA 20 19)
  - Snowmobiles (CA 20 21)
  - Registration Plates Not Issued for a Specific Auto (CA 20 27)
  - Emergency Services--Volunteer Firefighters' and Workers' Injuries Excluded (CA 20 30)
• Autos Leased, Hired, Rented or Borrowed with Drivers—Physical Damage Coverage (CA 20 33)
• Additional Insured—General Liability Coverages—Lessor of Leased Equipment (CA 20 47)
• Designated Insured for Covered Autos Liability Coverage (CA 20 48)
• Additional Insured—General Liability Coverages—Grantor of Franchise (CA 20 49)
• Employee Hired Autos (CA 20 54)
• Fellow Employee Coverage (CA 20 55)
• Fellow Employee Coverage for Designated Employees/Positions (CA 20 56)
• Coverage for Certain Operations in Connection with Railroads (CA 20 70)
• Auto Loan/Lease Gap Coverage (CA 20 71)
• Physical Damage Coverage—Autos Held For Sale By Non-Dealers (CA 20 78)
  o Category 23 Commercial Automobile Endorsements
    • Explosives (CA 23 01)
    • Multipurpose Equipment (CA 23 03)
    • Rolling Stores (CA 23 04)
    • Wrong Delivery of Liquid Products (CA 23 05)
    • Motor Carriers—Excess Coverage for the Named Insured and Named Lessors for Leased Autos (CA 23 08)
    • Motor Carriers—Insurance for Non-Trucking Use (CA 23 09)
      • "In the Business" Exclusion
    • Motor Carriers—Named Lessee as Insured (CA 23 12)
    • Trailer Interchange Fire and Fire and Theft Coverage (CA 23 13)
    • Truckers—Uniform Intermodal Interchange Endorsement (CA 23 17)
    • Agricultural Produce Trailers—Seasonal (CA 23 24)
    • Coverage for Injury to Leased Workers (CA 23 25)
    • Motor Carrier Endorsement (CA 23 30)
    • ISO Terrorism Endorsements
      • Pre-TRIA Terrorism Exclusion Endorsements
      • Terrorism Endorsements Pursuant to Passage of TRIA
      • Conditional Terrorism Exclusion Endorsements
      • Post-TRIA Terrorism Exclusion Endorsements
    • Silica or Silica-Related Dust Exclusion for Covered Autos Exposure (CA 23 94)
    • Amphibious Vehicles (CA 23 97)
    • Trailer Interchange Coverage (CA 23 98)
  o Category 24 Public Transportation Endorsements
    • Transportation of Seasonal or Migrant Agricultural Workers (CA 24 01)
    • Public Transportation Autos (CA 24 02)
  o Category 25 Garage Endorsements
    • Broad Form Products Coverage (CA 25 01)
    • Dealers Driveaway Collision Coverage (CA 25 02)
    • False Pretense Coverage (CA 25 03)
    • Fire, Fire and Theft and Limited Specified Causes of Loss Coverage for Dealers (CA 25 04)
    • Garage Locations and Operations Medical Payments Coverage (CA 25 05)
- Locations and Operations Not Covered (CA 25 07)
- Personal Injury Liability Coverage--Garages (CA 25 08)
- Owners of Garage Premises (CA 25 09)
- Damage to Rented Premises Liability Coverage--Garages (CA 25 10)
- Named Driver Collision Coverage (CA 25 11)
- Broadened Coverage--Garages (CA 25 14)
- Garage Coverage Form--Other Than Covered Autos Exposure--Total Pollution Exclusion (CA 25 16)

- Year 2000 Endorsements
  - Exclusion Year 2000 Computer-Related and Other Electronic Problems (CA 25 18 09 98)
  - Exclusion Year 2000 Computer-Related and Other Electronic Problems Products Work You Performed (CA 25 19 09 98)
  - Year 2000 Limited Coverage Options Computer Related and Other Electronic Problems (CA 25 20 09 98)
  - Exclusion Year 2000 Computer Related and Other Electronic Problems With Exception for Bodily Injury on Your Premises (CA 25 24 09 98)
  - Year 2000 Computer Related and Other Electronic Problems Exclusion of Specified Coverages for Designated Locations Products Services or Work You Performed (CA 25 25 09 98)

- Garage Coverage Form--Other than Covered Autos Exposure--Total Pollution Exclusion With a Building Heating, Cooling and Dehumidifying Equipment Exception and a Hostile Fire Exception (CA 25 36)
- Fungi or Bacteria Exclusion--Garage Operations--Other than Covered Autos (CA 25 37)
- Limited Fungi or Bacteria Coverage for Garage Operations--Other than Covered Autos (CA 25 38)
- Silica or Silica-Related Dust Exclusion for Other than Covered Autos Exposure--Garage Coverage Form (CA 25 39)

- Category 99 Common Coverages/Rating Procedures Endorsements
  - Auto Medical Payments Coverage (CA 99 03)
  - Business Interruption Coverage (CA 99 05)
  - Drive Other Car Coverage--Broadened Coverage for Named Individuals (CA 99 10)
  - Fiduciary Liability of Banks (CA 99 13)
  - Fire, Fire and Theft, Fire, Theft and Windstorm, and Limited Specified Causes of Loss Coverages (CA 99 14)
  - Governmental Bodies Amendatory Endorsement (CA 99 15)
  - Hired Autos Specified as Covered Autos You Own (CA 99 16)
  - Individual Named Insured (CA 99 17)
  - Rental Reimbursement Coverage (CA 99 23)
  - Stated Amount Insurance (CA 99 28)
  - Tapes, Records and Discs Coverage (CA 99 30)
  - Employees as Insureds (CA 99 33)
  - Social Service Agencies--Volunteers as Insureds (CA 99 34)
  - Garagekeepers Coverage (CA 99 37)
  - Exclusion or Excess Coverage Hazards Otherwise Insured (CA 99 40)
- Loss Payable Clause (CA 99 44)
- Employee as Lessor (CA 99 47)
- Pollution Liability--Broadened Coverage for Covered Autos--Business Auto and Motor Carrier Coverage Forms (CA 99 48)
- Covered Auto Designation Symbol (CA 99 54)
- Pollution Liability--Broadened Coverage for Covered Autos--Auto Dealers Coverage Form (CA 99 55)
- Garagekeepers Coverage--Customers' Sound-Receiving Equipment (CA 99 59)
- Audio, Visual and Data Electronic Equipment Coverage Added Limits (CA 99 60)
- Loss Payable Clause--Audio, Visual and Data Electronic Equipment Coverage Added Limits (CA 99 61)
- Optional Limits--Loss of Use Expenses (CA 99 90)
  - Motor Carrier Forms/Endorsements
    - Motor Carrier Certificates of Insurance
      - Motor Carrier Automobile Bodily Injury and Property Damage Liability Certificate of Insurance--BMC 91
      - Motor Carrier Automobile Bodily Injury and Property Damage Liability Certificate of Insurance--BMC 91X
      - Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance--Form E
    - Motor Carrier Endorsements
      - Endorsement for Motor Carrier Policies of Insurance for Automobile Bodily Injury and Property Damage Liability under Section 13906, Title 49 of the United States Code--BMC 90
      - Endorsement for Motor Carrier Policies of Insurance for Public Liability under Sections 29 and 30 of the Motor Carrier Act of 1980--Form MCS-90
      - Endorsement for Motor Carrier Policies of Insurance for Public Liability under Section 18 of the Bus Regulatory Reform Act of 1982--Form MCS-90B
      - Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement--Form F
    - Motor Carrier Notices of Cancellation
      - Notice of Cancellation--Motor Carrier Insurance under 49 U.S.C. 13906--BMC 35
      - Uniform Notice of Cancellation of Motor Carrier Insurance Policies--Form K
    - Motor Carrier Surety Bonds
      - Motor Carrier Public Liability Surety Bond under Sections 29 and 30 of the Motor Carrier Act of 1980--Form MCS-82
      - Motor Carrier Public Liability Surety Bond under Section 18 of the Bus Regulatory Reform Act of 1982--Form MCS-82B
  - Category 25 Auto Dealers Endorsements
    - Broad Form Products Coverage (CA 25 01)
    - Dealers Driveaway Collision Coverage (CA 25 02)
    - False Pretense Coverage (CA 25 03)
    - Fire, Fire and Theft and Limited Specified Causes of Loss Coverage for Dealers (CA 25 04)
    - Locations and Operations Not Covered (CA 25 07)
- Additional Insured--General Liability Coverages--Owners of Leased or Rented Land or Premises (CA 25 09)
- Named Driver Collision Coverage (CA 25 11)
- Full Covered Autos Liability Limit for Customers (CA 25 15)
- Auto Dealers Coverage Form--General Liability Coverages--Total Pollution Exclusion (CA 25 16)
- Year 2000 Endorsements
  - Exclusion--Year 2000 Computer-Related and Other Electronic Problems (CA 25 18)
  - Exclusion--Year 2000 Computer-Related and Other Electronic Problems--Products Work You Performed (CA 25 19)
  - Year 2000 Limited Coverage Options--Computer Related and Other Electronic Problems (CA 25 20)
  - Exclusion--Year 2000 Computer Related and Other Electronic Problems--With Exception for Bodily Injury on Your Premises (CA 25 24)
  - Year 2000 Computer Related and Other Electronic Problems--Exclusion of Specified Coverages for Designated Locations Products Services or Work You Performed (CA 25 25)
- Abuse or Molestation Exclusion for General Liability Coverages (CA 25 28)
- Additional Insured--General Liability Coverages--Concessionaires Trading under Your Name (CA 25 29)
- Additional Insured--General Liability Coverages--Controlling Interest (CA 25 30)
- Additional Insured--General Liability Coverages--Grantor of Licenses--Automatic Status When Required by Licensor (CA 25 31)
- Additional Insured--General Liability Coverages--Grantor of Licenses (CA 25 32)
- Auto Dealers Coverage Form--General Liability Coverages--Total Pollution Exclusion with a Building Heating, Cooling and Dehumidifying Equipment Exception and a Hostile Fire Exception (CA 25 36)
- Fungi or Bacteria Exclusion--General Liability Coverages (CA 25 37)
- Limited Fungi or Bacteria Coverage for Garage Operations--Other Than Covered Autos (CA 25 38)
- Silica or Silica-Related Dust Exclusion for General Liability Coverages (CA 25 39)
- Additional Insured--General Liability Coverages--Lessor of Leased Equipment--Automatic Status When Required in Lease Agreement with You (CA 25 45)
- Additional Insured--General Liability Coverages--Co-Owner of Insured Premises (CA 25 46)
- Limited Contractual Liability Coverage for Personal and Advertising Injury (CA 25 47)
- Employee Benefits Liability Coverage (CA 25 48)
- Limited Product Withdrawal Expense Endorsement (CA 25 49)
- Exclusion--Damage to Rented Premises (CA 25 50)
- Exclusion--Designated Products (CA 25 51)
- Exclusion--Locations and Operations Medical Payments (CA 25 52)
- Exclusion--Newly Acquired or Formed Auto Dealership (CA 25 53)
- Exclusion--Personal and Advertising Injury Liability Coverage (CA 25 54)
- Exclusion--Products and Work You Performed (CA 25 55)
- Exclusion—Designated Work You Performed (CA 25 56)
- Communicable Disease Exclusion for General Liability Coverages (CA 25 57)
- Amendment of Limits of Insurance—General Liability Coverages (CA 25 58)
- Designated Location(s) General Liability Aggregate Limit for Certain General Liability Coverages (CA 25 59)
- Worldwide General Liability Coverages (CA 25 60)
- Expanded Coverage Territory for General Liability Coverages—Additional Scheduled Countries (CA 25 61)
- Changes to the Bankruptcy or Insolvency Exclusion for Acts, Errors or Omissions Liability Coverages (CA 25 62)
- Exclusion—Acts, Errors or Omissions Liability Coverages (CA 25 63)
- Exclusion of Specified Acts, Errors or Omissions Liability Coverages (CA 25 64)
- Total Bankruptcy or Insolvency Exclusion for Acts, Errors or Omissions Liability Coverages (CA 25 65)
- Customer Complaint Legal Defense Coverage (CA 25 66)
- Extended Reporting Period Endorsement for Employee Benefits Liability Coverage (CA 25 67)