

**ALFRED W. GROSS
COMMISSIONER OF INSURANCE**



**P.O. BOX 1157
RICHMOND, VIRGINIA 23218
TELEPHONE: (804) 371-9741
TDD/VOICE: (804) 371-9206
<http://www.state.va.us/scc>**

**STATE CORPORATION COMMISSION
BUREAU OF INSURANCE**

December 30, 2003

ATTENTION: VIRGINIA COMMERCIAL AUTO PRODUCT MANAGER

Re: Split Liability Limits Applicable to Virginia Commercial Auto Policies

The enclosed order approves two new Virginia commercial auto standard forms to allow insurers the option of issuing Simplified Commercial Auto policies with split liability limits, in lieu of combined single limits. The endorsements, which are available for use with policies effective on and after February 1, 2004, have been developed at the request of several insurers that have advised the Bureau that they need to continue to offer the option of split liability limits.

Insurers that intend to use these endorsements must file appropriate rating rules on or before the date they intend to use them. Please contact the Bureau's Commercial Casualty Rates and Forms Section at (804) 371-9298 if you have any questions.

**COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
BUREAU OF INSURANCE**

AT RICHMOND, DECEMBER 30, 2003
ADMINISTRATIVE ORDER NO. 11619

COMMERCIAL AUTOMOBILE INSURANCE

ESTABLISHMENT OF STANDARD FORMS OF POLICIES, RIDERS, ENDORSEMENTS, AND OTHER SPECIAL OR SUPPLEMENTAL AGREEMENTS AND PROVISIONS FOR USE BY ALL INSURANCE COMPANIES IN INSURING (1) AGAINST LOSS OR DAMAGE RESULTING FROM ACCIDENT TO, OR INJURY SUFFERED BY, ANY PERSON, AND FOR WHICH THE PERSON INSURED IS LIABLE, (2) AGAINST LOSS BY LIABILITY FOR DAMAGE TO PROPERTY RESULTING FROM THE OWNERSHIP, MAINTENANCE OR USE OF ANY MOTOR VEHICLE, AND (3) AGAINST LOSS OF OR DAMAGE TO ANY MOTOR VEHICLE OWNED BY THE INSURED, PURSUANT TO THE PROVISIONS OF SECTIONS 38.2-2218 TO 38.2-2223, INCLUSIVE, OF THE CODE OF VIRGINIA.

WHEREAS, Pursuant to the provisions of Sections 38.2-2218 to 38.2-2223, inclusive, of the Code of Virginia, the State Corporation Commission, by other Administrative Orders, has established certain forms of policies, riders, endorsements, and other special or supplemental agreements and provisions for use by all insurance companies in insuring (1) against loss or damage resulting from accident to, or injury suffered by, any person, and for which the person insured is liable, (2) against loss by liability for damage to property resulting from the ownership, maintenance, or use of any motor vehicle, and (3) against loss of or damage to any motor vehicle owned by the insured;

AND IT APPEARING to the Commissioner of Insurance that the use of certain other forms of policies, riders, endorsements, and other special or supplemental agreements and provisions for use in writing the types of insurance herein referred to is so extensive that a standard form thereof should be established;

IT IS, THEREFORE, ORDERED, That the following endorsements for use in connection with the standard forms of policies be, and hereby are, approved by the State Corporation Commission, Bureau of Insurance at its office at Richmond, Virginia for use by all insurance companies, applicable to all policies effective on or after February 1, 2004:

CA 99 27 02 04 (Ed. 02 04) SPLIT LIABILITY LIMITS - VIRGINIA

CA 99 38 02 04 (Ed. 02 04) SPLIT LIABILITY LIMITS - GARAGES - VIRGINIA

IT IS FURTHER ORDERED, That an objection to the provisions of the new standard form must be filed in writing within twenty days from the day upon which this Order is entered. If written objection is

filed, such form shall not become available as a standard form as provided herein and proceedings in reference thereto shall be instituted.

IT IS FURTHER ORDERED, That the Bureau of Insurance shall immediately notify all parties to whom attested copies of the Order are directed, in writing, upon receipt of an objection from any insurance company to the provisions of any proposed standard form of policies, riders, endorsements, and other special or supplemental agreements and provisions.

IT IS FURTHER ORDERED, That attested copies of this order be sent to all rate service organizations, the Bureau of Insurance, and all companies that are affected thereby.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

SPLIT LIABILITY LIMITS - VIRGINIA

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM
MOTOR CARRIER COVERAGE FORM
TRUCKERS COVERAGE FORM

This endorsement changes the policy effective on the inception date of the policy unless another date is indicated below.

Endorsement Effective:	Policy No.
------------------------	------------

Named Insured:

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by the endorsement.

Bodily Injury Liability	\$	Each Person
	\$	Each Accident
Property Damage Liability	\$	Each Accident

Paragraph **C. Limit of Insurance** of Section II is amended as follows:

- A. Regardless of the number of covered "autos", "insureds", premiums paid, claims made, or vehicles involved in the "accident", the most we will pay for damages resulting from any one "accident" is as follows:
 - 1. The most we will pay for all damages resulting from "bodily injury" to any one person caused by any one "accident" is the limit of Bodily Injury Liability shown in this endorsement for "each person".
 - 2. Subject to the limit for "each person", the most we will pay for all damages resulting from "bodily injury" caused by any one "accident" is the limit of Bodily Injury Liability shown in this endorsement for "each accident".
 - 3. The most we will pay for all damages resulting from "property damage" caused by any one "accident" is the limit of Property Damage Liability shown in this endorsement.
- B. All "bodily injury" and "property damage" resulting from continuous or repeated exposure to substantially the same conditions will be considered as resulting from one "accident".

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

SPLIT LIABILITY LIMITS - GARAGES - VIRGINIA

This endorsement modifies insurance provided under the following:

GARAGE COVERAGE FORM

This endorsement changes the policy effective on the inception date of the policy unless another date is indicated below.

Endorsement Effective:	Policy No.
------------------------	------------

Named Insured:

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by the endorsement.

Bodily Injury Liability	\$	Each Person
	\$	Each Accident
Property Damage Liability	\$	Each Accident

Paragraph **C.2 Limit of Insurance - "Garage Operations" - Covered "Autos"** of Section II is amended as follows:

- A. Regardless of the number of covered "autos", "insureds", premiums paid, claims made, or vehicles involved in the "accident", the most we will pay for damages resulting from any one "accident" is as follows:
 - 1. The most we will pay for all damages resulting from "bodily injury" to any one person caused by any one "accident" is the limit of Bodily Injury Liability shown in this endorsement for "each person".
 - 2. Subject to the limit for "each person", the most we will pay for all damages resulting from "bodily injury" caused by any one "accident" is the limit of Bodily Injury Liability shown in this endorsement for "each accident".
 - 3. The most we will pay for all damages resulting from "property damage" caused by any one "accident" is the limit of Property Damage Liability shown in this endorsement.
- B. All "bodily injury" and "property damage" resulting from continuous or repeated exposure to substantially the same conditions will be considered as resulting from one "accident".