

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

AT RICHMOND, March 5, 2002
ADMINISTRATIVE ORDER NO. 11508

ORDER SUSPENDING THE REQUIREMENT OF FILING RULES AND RATES
USED IN WRITING TECHNOLOGY LIABILITY INSURANCE PURSUANT TO
THE PROVISIONS OF § 38.2-1903 OF THE CODE OF VIRGINIA

WHEREAS, it appearing to the Commissioner of Insurance that the requirement of filing rules and rates for writing technology liability insurance should be suspended, pursuant to the provisions of § 38.2-1903 of the Code of Virginia, because rules and rates therefor cannot practicably be filed before they are used by an insurer due to the lack of credible data upon which to develop classification rates;

IT IS, THEREFORE, ORDERED, that the requirement of filing manuals of rates and supplementary rating information used in writing technology liability insurance is hereby suspended pursuant to the provisions of § 38.2-1903, by entry of this order, and until further order of the Commission. Technology liability insurance may include, but is not limited to, liability for errors and omissions in the design, development, production and installation of computer hardware and software, including consulting services, web design, automated systems, E-commerce applications, and liability arising out of related intellectual property rights.

IT IS FURTHER ORDERED, that the rules and rates affected by this order and hereafter used by insurers in this Commonwealth shall not be excessive, inadequate, or unfairly discriminatory, and the Commission hereby reserves the right, either upon its own motion or upon complaint, to make such examination or investigation with respect thereto as it may deem advisable or necessary in order to determine whether any rates affected by such suspension may be, or may become, excessive, inadequate, or unfairly discriminatory.

AN ATTESTED COPY HEREOF shall be sent to all licensed rate service organizations; to Mary M. Bannister, Deputy Commissioner of Insurance; and to all insurance companies affected thereby.