

CHAPTER 8855

DEPARTMENT OF TRANSPORTATION

INTERMODAL PROGRAMS DIVISION

MOTOR CARRIER INSURANCE

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8855.0300 DUPLICATES FURNISHED TO COMMISSIONER.

A motor carrier or interstate carrier shall furnish to the commissioner a duplicate of its public liability and cargo policies and endorsements when requested by the commissioner.

Statutory Authority: *MS s 221.031; 221.141*

History: *13 SR 38*

8855.0400 CERTIFICATE OF INSURANCE; BOND; FEDERAL FORMS.

An insurance company that provides insurance against public liability and property damage for a motor carrier operating under a permit or certificate or for an interstate carrier shall cover all motor vehicles used in the motor carrier's operations whether specifically described in the policy or not. The insurance company shall file with the commissioner either a certificate of insurance naming each motor carrier insured on form E, "Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance," as described in Code of Federal Regulations, title 49, part 1023, as amended through October 1, 1987, which is incorporated by reference, or the forms prescribed in part 8855.0800.

In lieu of an insurance certificate, a bond may be filed on form G, "Uniform Motor Carrier Bodily Injury and Property Damage Liability Surety Bond," as described in Code of Federal Regulations, title 49, part 1023, as amended through October 1, 1987, which is incorporated by reference.

Statutory Authority: *MS s 221.031; 221.141*

History: *13 SR 38*

8855.0410 FINANCIAL RESPONSIBILITY FOR REGULAR ROUTE COMMON CARRIERS OF PASSENGERS AND CHARTER CARRIERS.

A regular route common carrier of passengers or a charter carrier must obtain or cause to be obtained the following minimum amount of coverage against public liability:

- A. limit for bodily injury to or death of one person, \$100,000;
- B. limit for loss or damage to property of others, \$50,000; and
- C. limit for injury to or death of all persons injured or killed in any one accident:
 - (1) seating capacity of 12 passengers or less, \$300,000;
 - (2) seating capacity of 13 to 20 passengers, \$350,000;
 - (3) seating capacity of 21 to 32 passengers, \$400,000; or
 - (4) seating capacity of 33 passengers or more, \$450,000.

Statutory Authority: *MS s 221.031; 221.141*

History: *13 SR 38*

8855.0450 FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS OF PROPERTY.

Subpart 1. **Amount required.** Motor carriers of property operating under a certificate or permit issued by the board shall obtain or cause to be obtained coverage against public liability in the following amounts:

- A. limit for bodily injury to or death of one person, \$100,000;
 - B. limit for bodily injury to or death of all persons in any one accident, \$300,000;
- and
- C. limit for loss or damage to property of others, other than cargo, \$50,000.

Subp. 2. **Exception.** Motor carriers of property that transport hazardous waste, hazardous substances, or hazardous materials in the quantities described in Code of Federal Regulations, title 49, section 387.7, shall obtain or cause to be obtained minimum coverage against public liability as required in that section.

Statutory Authority: *MS s 221.031; 221.141*

History: *13 SR 38*

8855.0500 CARGO SECURITY.

Subpart 1. **Insurance or bond required.** Each petroleum carrier and each regular route common carrier of freight shall obtain or cause to be obtained cargo insurance or bond in the amount of \$5,000 and shall have its insurer file a cargo certificate of insurance or bond with the commissioner.

Subp. 2. **Federal forms, incorporations by reference.** Each insurance company insuring cargo shall file a cargo certificate of insurance, form H, "Uniform Motor Cargo Certificate of Insurance," described in Code of Federal Regulations, title 49, part 1023, as amended through October 1, 1987, or a cargo bond on form J, described in Code of Federal Regulations, title 49, part 1023, as amended through October 1, 1987, which are both incorporated by reference.

Statutory Authority: *MS s 221.031; 221.141*

History: *13 SR 38*

8855.0600 NAMES ON INSURANCE CERTIFICATES AND BONDS.

Certificates of insurance and bonds must be issued in the full and correct name of the person, corporation, or partnership whose operations are being insured.

Statutory Authority: *MS s 221.031; 221.141*

History: *13 SR 38*

8855.0700 CANCELLATION OF INSURANCE; FEDERAL FORMS.

A certificate of insurance or bond for public liability and a certificate of insurance or bond for cargo security may be canceled.

The insurer shall cancel certificates of insurance for public liability or cargo insurance by filing with the commissioner a form K, "Uniform Notice of Cancellation of Motor Carrier Insurance Policies," described in Code of Federal Regulations, title 49, part 1023, as amended through October 1, 1987, which is incorporated by reference.

The insurer shall cancel surety bonds for public liability or cargo insurance by filing with the commissioner a form L, "Uniform Notice of Cancellation of Motor Carrier Surety Bonds," described in Code of Federal Regulations, title 49, part 1023, as amended through October 1, 1987, which is incorporated by reference.

A cancellation notice takes effect 30 days from the day the notice is received by the commissioner.

Statutory Authority: *MS s 221.031; 221.141*

History: *13 SR 38*

8855.0800 AGGREGATION OF INSURANCE.

When insurance is provided by more than one insurer to aggregate coverage required under Minnesota Statutes, chapter 221, each insurer shall file form BMC 91X described in Code of Federal Regulations, title 49, section 1043.7, paragraph (a)(3), as amended through October 1, 1987, which is incorporated by reference.

Statutory Authority: *MS s 221.031; 221.141*

History: *13 SR 38*

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8855.0850 INSURANCE AND BONDING COMPANIES MUST BE AUTHORIZED BY DEPARTMENT OF COMMERCE.

Insurance companies or bonding companies who file certificates of insurance or bonds with the commissioner must be authorized and registered with the Department of Commerce, to do business in the state of Minnesota.

Statutory Authority: *MS s 221.031; 221.141*

History: *13 SR 38*