

8840.6000 INSURANCE.

Subpart 1. **Minimum coverage.** A provider shall have in effect an insurance plan that provides the following minimum coverage for each vehicle:

A. basic economic loss benefits as required by Minnesota Statutes, chapter 65B;

B. residual liability coverage in the following minimum amounts:

(1) for private providers \$100,000 for bodily injury to or death of any one person in a single accident, subject to a maximum of \$300,000 for bodily injuries to or the death of two or more persons in a single accident, and \$50,000 for destruction of or damage to property in a single accident, or if the policy is written on a single limit basis, \$300,000 per occurrence;

(2) for municipalities \$100,000 for bodily injury to or death of any one person in a single accident, subject to a maximum of \$300,000 for bodily injury to or death of two or more persons in a single accident, and \$50,000 for destruction of or damage to property in a single accident; or

(3) for the state \$100,000 for bodily injury to or death of any one person in a single accident, subject to a maximum of \$500,000 for bodily injury to or death of two or more persons in a single accident, and \$100,000 for destruction of or damage to property in a single accident; and

C. uninsured and underinsured motorist coverage as required by Minnesota Statutes, chapter 65B.

Subp. 2. **Certificate of insurance.** A provider shall obtain a certificate of insurance for the special transportation service vehicles it operates, on a form E, "Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance," incorporated by reference in part 8840.5500. The provider's insurer shall mail the certificate of insurance to the Minnesota Department of Transportation as required by part 8840.5500, subpart 2, item B, subitem (1).

Subp. 3. **Self-insurer.** A provider may qualify as a self-insurer by providing evidence that it has complied with the requirements of Minnesota Statutes, section 65B.48, subdivision 3.

Subp. 4. **Cancellation of insurance.** A certificate of insurance, form E filing, may only be canceled by filing with the commissioner a form K, "Uniform Notice of Cancellation of Motor Carrier Insurance Policies," under Code of Federal Regulations, title 49, part 1023, Appendix (1992), which is incorporated by reference except for the last paragraph of form K. A cancellation notice takes effect 30 days from the day the form K is received by the commissioner. The provider's insurer shall mail the certificate of insurance to the Minnesota Department of Transportation.

Subp. 5. **Grounds for suspension.** A certificate of compliance is suspended if the provider fails to maintain and file with the commissioner the insurance required by this chapter. In order to avoid cancellation of the certificate, the provider must do one of the following within 45 days from the date of suspension:

- A. comply with the rules in this chapter by filing proof of insurance; or
- B. request a hearing before the commissioner regarding failure to comply with the rules.

Subp. 6. **Suspension rescission.** If the provider complies with the requirements of this chapter within 45 days after the date of suspension, the commissioner shall rescind the suspension.

Subp. 7. **Hearing.** If the provider requests a hearing within 45 days after the date of suspension, the commissioner shall review the suspension and:

- A. determine that the carrier has complied with the rule and cancel the suspension;
- B. for just cause, grant an extension that must not exceed 20 days; or
- C. schedule a hearing to ascertain whether the provider has failed to comply with the rule. On determining at the conclusion of the hearing that the carrier has failed to comply with the rule, the commissioner shall cancel the provider's suspended certificate.

Subp. 8. **Grounds for cancellation.** Except as provided in subpart 10, failure to comply with the requirements of subpart 5 within 45 days of the date of suspension, is deemed abandonment of the provider's certificate and the certificate must be canceled by the commissioner.

Subp. 9. **Notice of cancellation.** The commissioner shall notify the provider by certified mail, return receipt requested, that the certificate is canceled effective on the date of mailing the notice of cancellation.

Subp. 10. **Reinstatement after cancellation.** A provider whose certificate is canceled for failure to comply with the insurance requirements may ask the commissioner to review the cancellation. Upon review, the commissioner shall rescind the cancellation if:

- A. the provider presents evidence showing that before the effective date of the notice of cancellation issued under subpart 9, the provider had obtained and paid for the insurance required by this chapter; and
- B. the commissioner is satisfied that the provider has complied with the insurance requirements of this chapter.

Statutory Authority: *MS s 174.30*

History: *17 SR 634; 28 SR 1578*

Published Electronically: *October 11, 2007*