



COLORADO
DEPARTMENT
OF PUBLIC SAFETY

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Information Regarding the Insurance Regulations for Intra-State For-Hire Motor Carriers

On August 6, 2009 HB 09- 1244 became law. As written, the law removed any requirement for a property carrier to obtain a permit from the Public Utilities Commission. By definition, a property carrier is one who transports the property of others for-hire. The law did not remove the requirements for both Towing and Household Goods Movers regarding the permit issue. Property carriers will no longer be required to file proper proofs of commercial insurance, purchase the \$50.00 annual vehicle stamp, be subject to the Commission's safety regulations (those operating vehicles under 26,001 GVWR), or maintain a permit..

While the law indeed did de-regulate the above requirements, it did not eliminate the most important requirement- the requirement that motor carriers of property operating for-hire must have insurance meeting specified minimum requirements. In order to maintain federally mandated insurance requirements for **all for-hire carriers of property**, the new law mandated that the Colorado State Patrol adopt as rule and enforce insurance requirements for these carriers. Consequently, the Colorado State Patrol recently enacted rules mandating minimum liability and cargo insurance levels that are consistent with federal law.

For commercial carriers this means the following:

- Commercial carriers must maintain the same levels of liability and cargo insurance that were previously required under the rules as enforced by the PUC.
 - The Colorado State Patrol did not change the minimum level of liability required for all for-hire motor carriers. That level remains at \$750,000 or more for certain higher risk commodities. These are the same levels of liability that are required by federal regulation (49 CFR 387.9).
 - Cargo liability insurance must also be maintained at the same levels as before. The following is the rule regarding cargo liability minimum levels:
 - "Motor carriers subject to these rules shall carry a minimum level of cargo liability coverage of \$10,000 for loss or damage to property carried on any one motor vehicle or an amount

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adequate to cover the value of the property being transported, whichever is less, unless the shipper and the property carrier otherwise agree by written contract to a lesser amount.”

- Carrier must document their compliance with the insurance rules by maintaining proof of insurance documenting the minimum levels of required insurance at the carrier’s principle place of business. Colorado Law also requires proof of insurance to be maintained on all insured vehicles at all times. These documents must also be made available to an enforcement officer upon demand.
- As previously stated intrastate for-hire motor carriers of property are no longer required to pay the annual registration fee or report their insurance information to the PUC.
- Special note for carriers that previously purchased Temporary Registrations for the Seasonal Movement of Unprocessed Agricultural Products;
 - Previously the PUC allowed haulers of seasonal unprocessed agricultural products to purchase 90 day registrations that allowed them to operate as for-hire motor carriers. Essentially these registrations acted the same as the annual permits but were for a shorter time period. With the elimination of the annual registration requirement there is no longer a need for carriers of unprocessed agricultural products to obtain a temporary permit.
 - Carriers of seasonal movement of unprocessed agricultural products must still maintain the minimum levels of insurance that are required by law. Specifically, the minimum levels of insurance that were required under the temporary registrations for carriers of seasonal movement of unprocessed agricultural products remain the same. These levels are listed above.

For further information please contact the Colorado State Patrol-Motor Carrier Safety Section at:

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