

Chapter MVD 2

MOTOR CARRIER INSURANCE CERTIFICATION
REQUIREMENTS

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Note: Chapter MVD 2 as it existed on November 30, 1977, was repealed and a new Chapter MVD was created effective December 1, 1977.

MVD 2.01 Purpose and scope. (1) The purpose of this chapter is to prescribe the requirements of liability insurance policies and surety bonds for persons subject to the provisions of section 194.41, Wis. Stats.

(2) The forms prescribed in this chapter shall also be used by any person required to file evidence of liability security with the department of transportation under section 121.53 (4), 341.267 (7), 341.51 (2m) or 344.51 (1), Wis. Stats.

History: Cr. Register, November, 1977, No. 263, eff. 12-1-77.

MVD 2.02 Form and execution of liability insurance certificate. (1) A certificate of insurance required under this chapter shall recite that the insurer has issued to the named insured a policy of insurance containing an automobile bodily injury and property damage liability endorsement covering the obligations imposed on the named insured under this chapter.

(a) The certificate of insurance shall be made on FORM E, Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance. (Appendix I)

(b) The endorsement shall be attached to the policy and shall be a part of the policy. The endorsement shall be made on FORM F, Uniform Bodily Injury and Property Damage Liability Insurance Endorsement. (Appendix II)

(2) Liability surety bonds required under this chapter shall be executed on FORM G, Uniform Motor Carrier Bodily Injury and Property Damage Liability Surety Bond. (Appendix III)

History: Cr. Register, November, 1977, No. 263, eff. 12-1-77.

MVD 2.03 Scheduled and restricted blanket insurance filings; when allowed. (1) Notwithstanding any other provision of this chapter, scheduled insurance filings may be used to satisfy the requirements of this chapter if the motor carrier making such filing is a resident of this state and is engaged:

(a) Exclusively in intrastate operations in this state; or

(b) Partly in intrastate operation in this state and partly in interstate operations if:

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1. Such interstate operations are exempt from interstate commerce commission regulations;
2. The motor carrier is not registered under the International Registration Plan (IRP);
3. The interstate operations do not involve any other state that is a party to the International Registration Plan (IRP); and
4. The operations are not subject to section 194.04(3) (am), Wis. Stats.

(c) A certificate of insurance filed under this subsection shall be made on FORM (S-1) and shall include the Wisconsin Insurance Endorsement for Scheduled Policies. (Appendix VII). Amendments to scheduled filings shall be made on FORM (S-2), Amended Schedule of Vehicles Insured (Appendix VIII).

(2) (a) Notwithstanding any other provision of this chapter, restricted blanket insurance filings may be used to satisfy the requirements of this chapter if the vehicles covered by such filings are used as:

1. School buses as defined in section 340.01(56), Wis. Stats.;
2. Driver education vehicles; or
3. Motor vehicle dealer demonstrators.

(b) A certificate of insurance filed under this subsection shall be made on FORM (B-1) and shall include the Wisconsin Insurance Endorsement for Blanket Policies. (Appendix IX). The certificate shall bear the legend:

1. "SCHOOL BUSES ONLY";
2. "DRIVER EDUCATION VEHICLES ONLY"; or
3. "MOTOR VEHICLE DEALER DEMONSTRATORS ONLY".

(3) Filings under this section shall be accompanied by any additional administrative fee that may be required by law to defray the additional costs of handling scheduled filings.

History: Cr. Register, November, 1977, No. 263, eff. 12-1-77.

MVD 2.04 Notice of insurance and surety bond cancellation.

(1) Notice of cancellation of motor carrier bodily injury and property damage liability insurance shall be made by an insurer on FORM K, Uniform Notice of Cancellation of Motor Carrier Insurance policies. (Appendix IV)

(2) Notice of cancellation of any motor carrier bodily injury and property damage liability surety bond shall be made by the surety and its principal on FORM L, Uniform Notice of Cancellation of Motor Carrier Surety Bonds. (Appendix V)

(3) The notice of cancellation under sub. (1) or (2) is not effective until after 30 days from the date it is received by the department of transportation. The 30-day notice period may be waived by the

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division if an acceptable replacement undertaking is filed in accordance with this chapter.

History: Cr. Register, November, 1977, No. 263, eff. 12-1-77.

MVD 2.05 Evidence of self-insurance. (1) In accordance with section 194.42, Wis. Stats., the department of transportation may, by order, exempt any common motor carrier of property or of passengers, or other carrier of passengers by motor bus, or contract motor carrier from the liability security requirements imposed under section 194.41, Wis. Stats. and Wis. Stats. and Wis. Adm. Code sections MVD 2.01 to MVD 2.04 if the carrier:

(a) 1. Complies with the requirements set forth in section 194.42, Wis. Stats., and

2. Files an application to qualify as a self-insurer with the department of transportation; or

(b) Complies with the requirements under subsection (2).

(2) Any motor carrier engaged in interstate commerce only or jointly in interstate and intrastate commerce on Wisconsin highways who is qualified as a self-insurer under the rules and regulations of the interstate commerce commission, may qualify as a self-insurer under this section by filing with the department of transportation a certified copy of a currently effective interstate commerce commission order authorizing such motor carrier to self-insure under applicable federal law and regulations.

(3) Applications to qualify as a self-insurer shall be made on forms provided by the department of transportation. (Appendix VI).

History: Cr. Register, November, 1977, No. 263, eff. 12-1-77.

MVD 2.06 Minimum limits of liability security. (1) The minimum limits of liability security for bodily injury and property damage liability required under this chapter are:

(a) Property carriers—for injury to or death of any one person, \$100,000; for any one accident, \$300,000; and for injury to or destruction of property, \$50,000.

(b) For passenger vehicles:

PASSENGER CAPACITY	PERSONAL INJURY		PROPERTY DAMAGE
	ONE PASSENGER	ALL PASSENGERS	
7 or less	\$100,000	\$300,000	\$50,000
8 to 12	\$100,000	\$350,000	\$50,000
13 to 20	\$100,000	\$400,000	\$50,000
21 to 30	\$100,000	\$450,000	\$50,000
31 and over	\$100,000	\$500,000	\$50,000

History: Cr. Register, November, 1977, No. 263, eff. 12-1-77.

MVD 2.07 Completion of forms. (1) All forms required by this chapter shall be completed in triplicate and the information requested thereon shall be typewritten on the blank spaces provided.

(2) The forms shall be printed on rectangular cards measuring 5 inches in height and 8 inches in width.

(3) The forms shall be signed by an authorized representative of the insurer or surety whose signature is on file with the department of transportation. A letter of authorization, signed by a corporate officer of the insurer or surety, together with a 3 x 5 signature card for each authorized representative shall be kept on file by the department of transportation.

(4) Certificates of insurance and surety bonds shall be issued in the full and correct name of the individual, partnership or corporation to whom the certificate, permit or license is or will be issued. In the case of a partnership, all partners shall be named. Only one entity shall be named as the insured on the certificate.

(5) If the insurer or surety does not require the third copy to be returned as proof of the acceptance of such filing, the insurer or surety need only provide the department of transportation with 2 copies of each form required under this chapter.

History: Cr. Register, November, 1977, No. 263, eff. 12-1-77.