

CHAPTER 2 – PART 387

PART 387 — REQUIRED INSURANCE

General Requirements

Distributors who operate delivery vehicles must maintain a minimum amount of insurance or bond. This is liability insurance for your business (*not* for your vehicles). Proof of this financial responsibility must be on a form “MCS-90” (insurance) or form “MCS-82” (bond). DOT inspectors will not accept insurance contracts, canceled checks, etc. — you **must have** a form MCS-90 or MCS-82 maintained at your company’s principal place of business. Ask your insurance agent / broker to provide you with a completed form.

Maintenance

The completed MCS-90 or MCS-82 should be maintained at the principal place of business. It is unnecessary to keep a copy at branch locations or on vehicles.

Vehicle Insurance

There is no Federal DOT requirement to maintain vehicular liability insurance but most States require it. Your State may require drivers to maintain an insurance “cab card” for proof of vehicular liability insurance. This is different from the business insurance required by Part 387.

Renewing MCS-90

If the insurance policy, as identified by the policy number on the Form MCS-90, is still valid upon the renewal of insurance, a new form is not required. If the policy number has changed or the insurance policy has been canceled, then a new Form MCS-90 must be completed and attached to the valid insurance policy.

Subsidiaries

A parent corporation may have a single policy of insurance or surety bond covering the parent and its subsidiaries, provided the name of the parent and the name of each subsidiary are listed on the policy or bond. Further, the required proof (MCS-90 or MCS-82) must list the names of the parent and its subsidiaries. A copy of that proof of financial responsibility coverage must be maintained at each motor carrier subsidiary’s principal place of business.

SCHEDULE OF REQUIRED INSURANCE

[§387.9]

TYPE OF TRANSPORTATION	COMMODITY	JAN 1, 1985
<p>1. For-hire Interstate or foreign commerce with gross vehicle weight rating of 10,000 or more pounds.</p>	<ul style="list-style-type: none"> ■ Property (nonhazardous) 	\$ 750,000
	<p>2. For-hire and Private Interstate, intrastate, or foreign commerce with a gross vehicle weight rating of 10,000 or more pounds.</p>	<ul style="list-style-type: none"> ■ Hazardous substances (as defined in 49 CFR, §171.8) in cargo tanks, portable tanks, or hopper-type vehicles with capacities greater than 3,500 water gallons. ■ In bulk, Division 2.1 or 2.2 material. ■ Highway route controlled quantities of a Class 7 material (as defined in 49 CFR, §173.403) ■ Any quantity of: <ul style="list-style-type: none"> • Division 2.3, Hazard Zone A material, • Division 6.1, PKG 1, Hazard Zone A material, • Division 1.1, 1.2, and 1.3 material.

SCHEDULE OF REQUIRED INSURANCE

TYPE OF TRANSPORTATION	COMMODITY	JAN 1, 1985
<p>3. For-hire and Private</p> <ul style="list-style-type: none"> • Interstate or foreign commerce in any quantity with a gross vehicle weight rating of 10,000 pounds or more <li style="text-align: center;">– or – • Intrastate commerce in bulk with a gross vehicle weight rating of 10,000 pounds or more. 	<ul style="list-style-type: none"> ■ Oil listed in 49 CFR, §172.101 	\$ 1,000,000
	<ul style="list-style-type: none"> ■ Hazardous waste not mentioned in (2) or (4) 	\$ 1,000,000
	<ul style="list-style-type: none"> ■ Hazardous waste not mentioned in (2) or (4) 	\$ 1,000,000
	<ul style="list-style-type: none"> ■ Hazardous substances (as defined in 49 CFR, §171.8) not mentioned in (2) or (4). 	\$ 1,000,000
<p>4. For-hire and Private</p> <p>Interstate or foreign commerce with a gross vehicle weight rating of less than 10,000 pounds.</p>	<ul style="list-style-type: none"> ■ Any quantity of Division 1.1, 1.2, or 1.3 material, or 	\$ 5,000,000
	<ul style="list-style-type: none"> ■ Any quantity of Division 2.3, Hazard Zone A material, or 	\$ 5,000,000
	<ul style="list-style-type: none"> ■ Any quantity of Division 6.1, PKG I, Hazard Zone A material, or 	\$ 5,000,000
	<ul style="list-style-type: none"> ■ Highway route controlled quantities of a Class 7 material (as defined in 49 CFR, §173.403) 	\$ 5,000,000