

**Montana Highway Patrol
Certificate of Insurance
Montana Intrastate Commercial Tow Truck Operations**

Producer _____ Insured's Name _____
 Mailing Address _____ Business Name _____
 City, State, Zip _____ Mailing Address _____
 Phone _____ City, State, Zip _____
 Phone _____
 Tax Payer ID No. _____

Coverage: This certifies that the policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of the Montana Highway Patrol rules and this form. However, all terms, conditions and limitations in the policy to which the HQ MV-5 is attached shall remain in full force and effect as binding between the insured and the company, including agreements by the insured to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this HQ MV-5.

Whenever requested, the Insurance Company agrees to furnish the Highway Patrol a duplicate original of said policy or policies and all endorsements thereon.

By the filing this certificate, the producer acknowledges coverage against loss resulting from liability imposed by law for bodily injury or death or damage to property, regardless of whether the motor vehicles, terminals, warehouses, or other operations are specifically identified in the policy or not, caused by the maintenance or use of a commercial tow truck, as defined in 61-9-416 MCA, or occurring on the business premises of a commercial tow truck operator in an amount not less than:

NOTE: MULTIPLE CLASSES MAY BE SHOWN

\$300,000 for Class A Tow Trucks \$500,000 for Class B Tow Trucks \$750,000 for Class C Tow Trucks

All Tow Operators must have Garage Keepers or On-Hook Legal Liability Insurance, Cargo, or Other Property Insurance in accordance with 61-8-906 MCA and 23.6.101 ARM – see page 2

INSURANCE COMPANY NAME	KIND OF INSURANCE	POLICY NUMBER	EFFECTIVE DATES FROM - TO
	Motor Vehicle Liability		
	Premises Liability		
	Garage Keeper's/On-Hook Legal Liability Not Less than \$50,000 (as defined in 23.6.101(8) ARM)		
	Cargo/Property Not Less than \$20,000 (as defined in 23.6.101(1) ARM)		

This certificate and the insurance coverage it describes may not be cancelled without cancellation of the policy to which it refers. **Such cancellation may be effected by the company or the insured giving 30 days' notice in writing to the Montana Highway Patrol, 3615 Wynne Ave., Butte, MT 59701 using Form HQ MV-5C, such 30 days' notice to run from the day notice is actually received by the Patrol.**

This certificate is not valid unless countersigned by an authorized representative of the companies represented above.

Authorized Company Representative _____ Dated _____

Commercial Tow Truck Insurance Requirements

Questions about statutes or rules related to tow truck operations should be directed to the Department of Justice, Montana Highway Patrol at 406-533-6620.

Montana Codes Annotated Title 69 Chapter 8 (Select Provisions)

61-8-906. Liability insurance – storage requirements.

- (1) Notwithstanding the provisions of [61-6-301](#), a commercial tow truck operator shall continuously provide:
 - (a) insurance against loss resulting from liability imposed by law for bodily injury or death or damage to property caused by the maintenance or use of a commercial tow truck, as defined in [61-9-416](#), or occurring on the business premises of a commercial tow truck operator in an amount not less than:
 - (i) \$300,000 for class A tow trucks;
 - (ii) \$500,000 for class B tow trucks; and
 - (iii) \$750,000 for class C tow trucks;
 - (b) insurance in an amount not less than \$20,000 to cover the damage to cargo or other property entrusted to the care of the commercial tow truck operator; and
 - (c) garage or on-hook liability insurance in an amount not less than \$50,000.
- (2) A commercial tow truck operator shall provide proof of the insurance required in subsection (1) to the public service commission.
- (3) A qualified tow truck operator shall provide a storage facility, either a fenced lot or a building, that is:
 - (a) adequate for the secure storage and safekeeping of stored vehicles;
 - (b) located in a place that is reasonably convenient for public access;
 - (c) available to public access between 8 a.m. and 5 p.m., Monday through Friday, excluding legal holidays;
 - (d) large enough to store all the vehicles towed for law enforcement agencies; and
 - (e) if a fenced lot, constructed of chain link at least 6 feet high or constructed of materials and in a manner sufficient to deter trespassing or vandalism.

History: En. Sec. 6, Ch. 283, L. 1995; amd. Sec. 5, Ch. 88, L. 2003; amd. Sec. 116, Ch. 114, L. 2003.

Administrative Rules of Montana

23.6.101 DEFINITIONS (Select Provisions)

- (1) **“Cargo or other property” means the contents and non-motor vehicle (as defined in the policy), items in, on or attached to the towed or stored vehicle.**
- (8) **"Garage keeper's legal liability insurance or on-hook insurance" means insurance coverage for loss or damage to motor vehicles (as defined in the policy), which are in the care of the insured for towing, storage or repair and for which loss or damage is caused by the insured's failure to exercise the degree of care required by law.**