§1611. Insurance, bond or self-insurance required

1. Insurance, bond or self-insurance required. The Secretary of State may not register any motor vehicle for rent, lease, hire or livery and a person may not operate or cause to be operated on any public way in the State such a motor vehicle until the owner or owners of that vehicle procure insurance or a bond covering the operation of that vehicle by:

A. Presenting a valid and sufficient insurance policy from:

(1) An insurance company authorized by the Superintendent of Insurance to transact business in this State; or

(2) With the approval of the Secretary of State, an insurance company authorized to transact business in any state that provides an indemnity bond bonding the insurance company in an amount the Secretary of State prescribes and having as surety a surety company authorized by the Superintendent of Insurance to transact business in this State; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Presenting a good and sufficient indemnity bond, approved by the Secretary of State, bonding the applicant in an amount the Secretary of State prescribes and having as surety 2 responsible individuals or a surety company authorized to transact business in this State; [PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. B, §16 (AMD); PL 1995, c. 65, Pt. C, §15 (AFF).]

C. Presenting a declaratory judgment issued by the Interstate Commerce Commission authorizing the owner to self-insure; or [PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. B, §16 (AMD); PL 1995, c. 65, Pt. C, §15 (AFF).]

D. Presenting a valid and sufficient insurance policy or bond filed by an insurance company that may do business and is eligible as an excess or surplus lines insurer in a state in which business is written on behalf of those motor carriers that are certified by the Interstate Commerce Commission at the level required by 49 Code of Federal Regulations, Section 1043.2 and its exceptions. [PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. B, §17 (NEW); PL 1995, c. 65, Pt. C, §15 (AFF).]

[PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. B, §§16, 17 (AMD); PL 1995, c. 65, Pt. C, §15 (AFF).]

2. Minimum insurance requirements. The minimum insurance requirements are as follows.

A. Except as provided in paragraph E, there is a $350,000 combined single limit for emergency vehicles and for-hire transportation vehicles for transporting freight or merchandise but not passengers in intrastate-exempt service or service exempted by the federal Department of Transportation, Surface Transportation Board. [PL 2011, c. 78, §1 (AMD).]

B. For vehicles used exclusively to transport passengers for hire between points within the State, including motor vehicles under contract with the State, a municipality or a school district for the transportation of students, but not vehicles defined as school buses in section 2301, subsection 5, there is a combined single limit of:

(1) One hundred twenty-five thousand dollars, or split limits consisting of $50,000 per person and $100,000 per occurrence for bodily injury liability, and $25,000 for property damage liability for vehicles that are designed to carry no more than 3 passengers behind the driver's seat;

(2) Three hundred thousand dollars for vehicles that are designed to carry 4 to 7 passengers behind the driver's seat, including those vehicles under contract with the State, a municipality or a school district for the transportation of students;

(3) Seven hundred fifty thousand dollars for vehicles that are designed to carry 8 to 15 passengers behind the driver's seat;

(4) One million five hundred thousand dollars for vehicles that are designed to carry 16 to 30 passengers behind the driver's seat;

(5) Two million dollars for vehicles that are designed to carry 31 or more passengers behind the driver's seat; and

(6) Four hundred thousand dollars for vehicles registered to a transit district as defined in Title 30-A, section 3501. [PL 2007, c. 703, §23 (AMD).]

C. For vehicles used to transport passengers for hire between points within the State and points outside the State, but not vehicles defined as school buses in section 2301, subsection 5, or vehicles under contract with the State, municipality or school district for the transportation of students, there is a combined single limit of:

(1) For vehicles with 15 or fewer passengers, $1,500,000; and

(2) For vehicles with 16 or more passengers, $5,000,000.

The Secretary of State shall mark or stamp for-hire vehicle registrations not in compliance with this paragraph as "intrastate only." Car pools or van pools as defined in section 556, subsection 6 and taxicabs are exempt from the provisions of this paragraph but are subject to the provisions of paragraph B. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. For school buses as defined in section 2301, subsection 5 there is a combined single limit of:

(1) For school buses with up to 30 passengers behind the driver's seat, $500,000; and

(2) For school buses with 31 or more passengers behind the driver's seat, $1,000,000. [PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. B, §19 (AMD); PL 1995, c. 65, Pt. C, §15 (AFF).]

E. For rental trucks with a registered gross weight of 26,000 pounds or less, rented or leased for fewer than 30 days:

(1) There is a combined single limit of $125,000; or

(2) There is a split limit of $50,000 per person or $100,000 per occurrence for bodily injury liability and $25,000 for property damage liability. [PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. B, §20 (NEW); PL 1995, c. 65, Pt. C, §15 (AFF).]

F. For rental vehicles, the requirements are the same as under section 1605, subsection 1, paragraph C. [PL 2011, c. 78, §2 (NEW).]

G. For intrastate commercial motor vehicles, there is a combined single limit of $750,000. [PL 2025, c. 107, §1 (NEW); PL 2025, c. 107, §2 (AFF).]
[PL 2025, c. 107, §1 (AMD); PL 2025, c. 107, §2 (AFF).]

3. Maintenance of insurance. The owner or owners of any vehicle subject to this section shall maintain at all times the required amount of insurance or bond during the term of the vehicle's registration. Notwithstanding section 1606, the insurance provider must provide at least 30 days' notice of cancellation of insurance to the Secretary of State. For vehicles registered in this State, the Secretary of State shall immediately suspend or revoke, pursuant to chapter 23, the registration certificate and registration plates of any vehicle for which the insurance or bond in the amounts required is not maintained. Any person whose registration certificate and registration plates have been suspended or revoked pursuant to this section shall immediately return the registration certificate and registration plates to the Secretary of State. For vehicles not required to be registered in this State, the Secretary of State shall suspend the person's right to operate in this State.

[PL 2009, c. 598, §36 (AMD).]

4. Additional requirements.
[PL 2009, c. 598, §37 (RP).]

5. Coverage of insurance or bond. The required insurance policy or bond must adequately provide liability insurance for the collection of damages for which the owner of a motor vehicle or vehicles may be liable by reason of the operation of a motor vehicle or vehicles subject to this chapter.
[PL 2009, c. 598, §38 (AMD).]

6. Exemption. All vehicles owned by the State, a municipality or school district are exempt from the insurance requirements established in this section.
[PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. B, §21 (AMD); PL 1995, c. 65, Pt. C, §15 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 65, §§B16-21 (AMD). PL 1995, c. 482, §B20 (AMD). PL 1995, c. 482, §B22 (AFF). PL 1995, c. 645, §A15 (AMD). PL 2001, c. 361, §30 (AMD). PL 2005, c. 573, §5 (AMD). PL 2007, c. 703, §23 (AMD). PL 2009, c. 435, §20 (AMD). PL 2009, c. 598, §§36-38 (AMD). PL 2011, c. 78, §§1, 2 (AMD). PL 2025, c. 107, §1 (AMD). PL 2025, c. 107, §2 (AFF).

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