

**Survey of State Motor Vehicle Financial Responsibility Statutes Updated
as of September 2015
Prepared by the ELFA Legal Committee's Subcommittee on Motor Vehicles**

The following pages contain a 50 state survey of the Financial Responsibility Laws applicable to motor vehicles.

As background, the "Graves Amendment" was enacted by Congress and signed into law in August 2005 as a part of the Highway Bill (now codified at 49 U.S.C. A. § 30106). The passage of the Graves Amendment was driven by a coalition of motor vehicle lessors and rental companies after a string of cases in Rhode Island, Connecticut, and New York held motor vehicle lessors vicariously liable for multi million dollar verdicts in accidents caused by their lessees. Several lessors had stopped offering leases in states such as New York that imposed unlimited vicarious liability on otherwise innocent motor vehicle lessors.

Applicable to any action commenced on or after August 10, 2005 (regardless of whether the accident giving rise to the action occurred before August 10, 2005), the Graves Amendment provides that a non-negligent lessor/owner of a motor vehicle is not liable for damages resulting from the operation or use of the vehicle during the lease term. This exemption is only available so long as the lessor has not been negligent or acted criminally. The Graves Amendment will not protect a lessor under a full service lease who has failed to properly maintain a vehicle from liability for an accident caused by mechanical failure.

Courts in Massachusetts, Connecticut, New York, Florida and the District of Columbia have ruled that the Graves Amendment preempts state vicarious liability laws. Motor vehicle lessors should not expect total immunity, however, in all litigation. Congress expressly recognized the continuing validity of state financial responsibility and/or minimum insurance requirements in the Graves Amendment providing that nothing in the law "supersedes the law of any State . . .":

- (1) imposing financial responsibility or insurance standard laws applicable to the owner of a motor vehicle for the privilege of registering and operating a motor vehicle; or
- (2) imposing liability on business entities engaged in the trade or business of renting or leasing motor vehicles for the failure to meet the financial responsibility or liability insurance requirements under State law.

49 U.S.C.A. § 30106(b).

A number of states, including California, Connecticut, Florida, Idaho, and Rhode Island, currently have minimum insurance requirements or financial responsibility laws applicable to motor vehicle lessors/owners. As some of these laws establish caps on the otherwise unlimited exposure under vicarious liability statutes now preempted by the Graves Amendment, litigation regarding the interpretation of these statutes is expected.

The Graves Amendment has, however, consistently survived attacks that it is unconstitutional.

The attached survey is designed to provide an overview of the respective minimum insurance requirements and financial responsibility laws.

DISCLAIMER: This information is not intended as legal advice and is for informational purposes only. The survey was initially created in 2007¹ to be part of a panel discussion at the ELFA Legal Forum and was updated by the ELFA Legal Committee's Subcommittee on Motor Vehicles to reflect changes since that time² ELFA, the ELFA Legal Committee's Subcommittee on Motor Vehicles, individual contributors, and their law firms or their employers do not warrant the accuracy or completeness of the information or the reliability of any advice, opinion, statement or other information that may be set forth below. Any reliance on any such opinion, advice, statement, or information shall be at your sole risk.

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STATE	FINANCIAL RESPONSIBILITY LAW	STATUTORY REFERENCE	OVERVIEW ³	SPECIAL CONSIDERATIONS/NOTES
ALABAMA	Yes	AL ST § 32-7-2(8); AL ST § 32-7A-4; AL ST § 32-7-34; AL ST § 32-7-6	<p>AL ST § 32-7-2(8): OWNER. A person who holds the legal title of a motor vehicle, or in the event a motor vehicle is the subject of an agreement for the conditional sale or lease of the motor vehicle with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee, or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then the conditional vendee, or lessee, or mortgagor shall be deemed the owner for the purposes of this subdivision.</p> <p>AL ST § 32-7A-4(a): No person shall operate, register, or maintain registration of, and no owner shall permit another person to operate, register, or maintain registration of, a motor vehicle designed to be used on a public highway unless the motor vehicle is covered by a liability insurance policy, a commercial automobile liability insurance policy, motor vehicle liability bond, or deposit of cash.</p> <p>AL ST § 32-7-6(c): Every policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than 25/50/25</p>	<p>AL ST § 32-7A-4(b): The deposit of cash with the State Treasurer shall be in the amount of not less than the minimum amounts set for bodily injury or death and for destruction of property under subsection (c) of Section 32-7-6.</p> <p>AL ST § 32-7-34(a): Any person in whose name more than 25 motor vehicles are registered may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the director as provided in subsection (b) of this section.</p> <p>AL ST § 32-7-34(b): The director may, in his or her discretion, upon the application of such a person, issue a certificate of self-insurance when he or she is satisfied that such person is possessed and will continue to be possessed of ability to pay judgments obtained against such person.</p> <p>Garcia v. Vanguard Car Rental USA, Inc., 540 F.3d 1242 (11th Cir. 2008) (holding that Graves Amendment pre-empts Florida state law imposing vicarious liability on motor vehicle lessors and was not part of financial responsibility scheme so as to fall within Graves Amendment's savings clause).</p>

³ Insurance limits are shown by limits with dollars in 000s: 50/100/25 means \$50,000 for bodily injury or death to one person; \$100,000 for bodily injury or death for two or more persons; and \$25,000 for damage or destruction of property

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ARKANSAS	Yes	<p>AR ST § 27-19-211; AR ST § 27-22-104; AR ST § 27-19-107</p>	<p>AR ST § 27-19-211: "Owner" means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter.</p> <p>AR ST § 27-22-104(a)(1): It is unlawful for a person to operate a motor vehicle within this state unless the motor vehicle and the person's operation of the motor vehicle are each covered by: (A) A certificate of self-insurance under § 27-19-107; or (B) An insurance policy issued by an insurance company authorized to do business in this state (<i>n.b.</i>, applicable to operator of vehicle – does not specify owner)</p> <p>AR ST § 27-22-104(b): The policy shall provide at a minimum the following coverage: 25/50/25.</p>	<p>AR ST § 27-19-107(a): Any religious denomination which has more than twenty-five (25) members who own motor vehicles registered in this state and which prohibits its members from purchasing insurance of any form as being contrary to its religious tenets, or any person in whose name more than twenty-five (25) vehicles are registered in this state or any political subdivision or municipality of this state, individually or collectively, may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the Office of Motor Vehicle as provided in subsection (b) of this section.</p> <p>AR ST § 27-19-107(b)(1): The office may, in its discretion, upon the application of the religious denomination, person, political subdivision, or municipality, individually or collectively, issue a certificate of self-insurance when it is satisfied that the religious denomination, person, political subdivision, or municipality is possessed and will continue to be possessed of ability to pay judgments against them. (2) The certificate may be issued authorizing a religious denomination, person, political subdivision, or municipality, individually or collectively, to act as a self-insurer for either property damage or bodily injury, or both.</p> <p>Carton v. Gen. Motors Acceptance Corp., 611 F.3d 451, 455–56, 457–59 (8th Cir. 2010) (holding that, absent any direct negligence or criminal wrongdoing by lessor, the Graves Amendment protects lessor from owner liability during the period of the lease)</p>

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CALIFORNIA	Yes	Cal. Vehicle Code § 16500.5; Cal. Vehicle Code § 16430; Cal. Vehicle Code § 16053	<p>Cal. Vehicle Code § 16500.5(a)(2): Except as specified in subdivision (b), the owner of the following commercial vehicles shall maintain proof of financial responsibility in the amount required by the director: A vehicle having an unladen weight of over 7,000 pounds which is used in the transportation of property in the conduct of a business.</p> <p>Cal. Vehicle Code § 16500.5(d)(1-4): Proof of financial responsibility may be maintained by any of the following: (1) Being insured under one or more motor vehicle liability policies against that liability. (2) Obtaining a bond of the same kind, and containing the same provisions, as those bonds specified in Section 16434. (3) By depositing with the department five hundred thousand dollars (\$500,000), which amount shall be deposited in a special deposit account with the Controller for the purpose of this section. (4) Qualifying as a self-insurer under Section 16053.</p> <p>Cal. Vehicle Code § 16430: Proof of financial responsibility when required by this code means proof of financial responsibility resulting from the ownership or operation of a motor vehicle and arising by reason of personal injury to, or death of, any one person, of: 15/30/5.</p>	<p>Cal. Vehicle Code § 16053(a): The department may in its discretion, upon application, issue a certificate of self-insurance when it is satisfied that the applicant in whose name more than 25 motor vehicles are registered is possessed and will continue to be possessed of ability to pay judgments obtained against him or her in amounts at least equal to the amounts provided in Section 16056. The certificate may be issued authorizing the applicant to act as a self-insurer for either property damage or bodily injury or both. Any person duly qualified under the laws or ordinances of any city or county to act as self-insurer and then acting as such, may upon filing with the department satisfactory evidence thereof, along with the application as may be required by the department, be entitled to receive a certificate of self-insurance.</p> <p>Vargas v. FMI, Inc., 233 Cal.App.4th 638 (January 23, 2015) (holding that defendants had not established as a matter of undisputed fact that the tractor's owner is entitled to the protection of the Graves Amendment, 49 U.S.C. Section 30106, subdivision (a), which shields owners of leased vehicles "engaged in the business or trade of renting or leasing motor vehicles" from vicarious liability for the alleged negligence of their lessee's drivers.)</p>
COLORADO	Yes	C.R.S.A. § 42-7-103 (14); C.R.S.A. § 42-7-408; C.R.S.A. § 42-7-302; C.R.S.A. § 42-7-501	<p>C.R.S.A. § 42-7-408(b): Proof of financial responsibility for the future in the amounts provided in section 42-7-103(14) shall be maintained for three years from the date last required and shall be furnished for each motor vehicle registered during that period; except that, if during such three-year period the insured has not been licensed to drive pursuant to this title, the insured shall be credited with the nonlicensed time toward the three-year period.</p> <p>C.R.S.A. § 42-7-103(14)(a): "Proof of financial responsibility for the future", also referred to in this article as proof of financial responsibility, means proof of ability to respond in damages for liability, on account of accidents occurring after the effective date of said proof, arising out of the ownership, maintenance, or use of a motor vehicle, in the amount of: 25/50/15.</p>	<p>C.R.S.A. § 42-7-302(1): The requirement of filing security and proof of financial responsibility for the future pursuant to section 42-7-301 shall not apply: (a) To any person who qualifies as a self-insurer under section 42-7-501 or who operates a motor vehicle for a self-insurer under section 42-7-501.</p> <p>C.R.S.A. § 42-7-501(1): Any person in whose name more than twenty-five motor vehicles are registered may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the commissioner of insurance.</p>

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CONNECTICUT	Yes	C.G.S.A § 14-154a; C.G.S.A. § 14-112	<p>C.G.S.A § 14-154a: State statute that previously required \$100k per person and \$300K per occurrence to avoid vicarious liability is pre-empted pursuant to Rodriguez v. Testa, 993 A.2d 955 (Conn. Supr. Ct. May 2010) (holding as a matter of first impression, and citing 11th Cir. in Garcia v. Vanguard, that state statute shielding lessor from vicarious liability, if insurance requirements were satisfied, was preempted by Graves Amendment, and the Amendment is constitutional).</p> <p>C.G.S.A. § 14-112(a) To entitle any person to receive or retain a motor vehicle operator's license or a certificate of registration of any motor vehicle when, in the opinion of the commissioner, such person has a record on file with the commissioner which is sufficient, in the opinion of the commissioner, to require evidence of financial responsibility for the reasonable protection of other persons, the commissioner shall require from such person proof of financial responsibility: 20/40/10.</p>	Rodriguez v. Testa , 993 A.2d 955 (Conn. Supr. Ct. May 2010) (holding as a matter of first impression, and citing 11 th Cir. in Garcia v. Vanguard , that state statute shielding lessor from vicarious liability, if insurance requirements were satisfied, was preempted by Graves Amendment, and the Amendment is constitutional).
DELAWARE	Yes	21 Del. C. § 6101; 21 Del.C. § 2901; 21 Del.C. § 2904	<p>21 Del.C. § 6101(a): The owner of a motor vehicle who is engaged in the business of renting motor vehicles without drivers and who does not carry or cause to be carried public liability insurance in an insurance company or companies approved by the Insurance Commissioner of this State insuring the renter against liability arising out of the renter's negligence in the operation of such rented vehicle in limits of not less than 10/20/5 and shall be jointly and severally liable with the renter for any damages caused by the negligence of the latter in operating the vehicle and for any damages caused by the negligence of renting the vehicle from the owner.</p> <p>21 Del.C. § 2901: Delaware's financial responsibility requirement does not apply to any motor vehicle which is subject to the requirements of §§ 6101 and 6102 of this title. An owner of a motor vehicle must obtain a motor vehicle liability policy or qualify as a self-insurer by obtaining a certificate of self-insurance.</p>	21 Del.C. § 2904: (a) Upon condition of providing the same benefits available under a required vehicle insurance policy, any person in whose name more than 15 motor vehicles are registered in this State may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the Secretary of Transportation as provided in subsection (b) of this section.

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DISTRICT OF COLUMBIA	Yes	DC St § 31-2403; DC St § 31-2406; DC ST § 50-1301.79	<p>DC ST § 31-2403: Each owner of a motor vehicle which is required to be registered or for which a reciprocity sticker is required in the District shall maintain insurance required by § 31-2406</p> <p>DC St § 31-2406(b-c): The minimum amount of Property damage insurance and 3rd-party personal liability coverage shall be: 25/50/10</p>	<p>DC ST § 50-1301.79(a): Any person in whose name more than 25 vehicles are registered in the District of Columbia may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the Mayor as provided in subsection (b) of this section.</p> <p>Johnson v. Agnant, 480 F.Supp.2d 1 (DDC 2006) (court dismisses vicarious liability suit against vehicle leasing company, holding that 49 USC 30106 repeals DC law deeming a vehicle operator to be the agent of the owner).</p>
FLORIDA	Yes	F.S.A. § 324.021(9); F.S.A. § 324.021(7); F.S.A. § 627.7415; F.S.A. § 207.002(1); F.S.A. § 320.01(25);	<p>State statute F.S.A. § 324.021(9)(b)(2) permitting vicarious liability is pre-empted by Graves Amendment pursuant to Vargas v. Enterprise Leasing Co., 60 So.3d 1037 (Fla. Supr. Ct. April 2011) (citing 11th Circuit in Garcia v. Vanguard Car Rental USA, Inc., 540 F.3d 1242 (11th Cir. 2008)).</p> <p>F.S.A. § 324.021(7): Proof of ability to respond in damages for liability on account of crashes arising out of the use of a motor vehicle: 10/20/10</p> <p>F.S.A. § 627.7415: Commercial motor vehicles, as defined in s. 207.002 or s. 320.01, operated upon the roads and highways of this state shall be insured with the following minimum levels of combined bodily liability insurance and property damage liability insurance in addition to any other insurance requirements: \$50,000 (26,000-35,000 pounds) \$100,000 (35,000-44,000 pounds) and \$3,000 (>44,0000 pounds)</p> <p>F.S.A. § 207.002(1): “Commercial motor vehicle” means any vehicle not owned or operated by a governmental entity which uses diesel fuel or motor fuel on the public highways; and which has a gross vehicle weight in excess of 26,000 pounds, or has three or more axles regardless of weight, or is used in combination when the weight of such combination exceeds 26,000 pounds gross vehicle weight.</p> <p>F.S.A. § 320.01(25): “Commercial motor vehicle” means any vehicle which is not owned or operated by a governmental entity, which uses special fuel or motor fuel on the public highways, and which has a gross vehicle weight of 26,001 pounds or more, or has three or more axles regardless of weight, or is used in combination when the weight of such combination exceeds 26,001 pounds gross vehicle weight.</p>	<p>Garcia v. Vanguard Car Rental USA, Inc., 540 F.3d 1242 (11th Cir. 2008) (holding that Graves Amendment pre-empts Florida state law imposing vicarious liability on motor vehicle lessors and was not part of financial responsibility scheme so as to fall within Graves Amendment’s savings clause).</p>

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GEORGIA	Yes	Ga Code Ann. § 40-9-2; Ga Code Ann. § §33-7-11	<p>Ga. Code Ann. § 40-9-2: “Proof of financial responsibility” means proof of ability to respond in damages for liability on account of accidents occurring subsequent to the effective date of said proof in the amounts specified in subparagraph (a)(1)(A) of Code Section 33-7-11.</p> <p>Ga. Code Ann. § 33-7-11(a)(1)(A): No automobile liability policy or motor vehicle liability policy shall be issued or delivered in this state to the owner of such vehicle or shall be issued or delivered by any insurer licensed in this state upon any motor vehicle then principally garaged or principally used in this state unless: 25/50/25.</p>	<p>Garcia v. Vanguard Car Rental USA, Inc., 540 F.3d 1242 (11th Cir. 2008) (holding that Graves Amendment pre-empts Florida state law imposing vicarious liability on motor vehicle lessors and was not part of financial responsibility scheme so as to fall within Graves Amendment’s savings clause).</p>
HAWAII	Yes	HRS §§ 287-1 – 287-48	<p>Owner’s policy of liability insurance shall insure the owner and any person using the vehicle with express or implied permission of owner, for damages arising out of the ownership, maintenance or use of the vehicle to the following limits: 20/40/10</p> <p>* Note new minimum liability coverage.</p>	<p>Bowers v. Alamo Rent-A-Car, Inc., 965 P.2d 1274 (Haw. 1998) In short, every owner of a motor vehicle used or operated at any time shall obtain a motor vehicle insurance policy. HRS 431:10C-104(b); (holding that the “owner of a vehicle has the primary obligation to provide minimum coverage for the owned vehicle and such obligation cannot be shifted to a permissive user of the vehicle under a unilateral contract”.</p> <p>Hi St. 431:10C-103. “Owner” is the person with “legal title . . . except that . . . if subject to a security agreement or lease with a term of not less than one year with the debtor or lessee having the right of possession, such term means the debtor or lessee.”</p>
IDAHO	Yes	ID ST § 49-1229 § 49-1233 § 49-1212(11)(b) §§ 49-116	<p>Every owner of a motor vehicle registered & operated in ID by an owner or with his permission is required to have insurance: 25/50/15.</p> <p>If an owner prefers to post a bond rather than obtain insurance, the bond shall guarantee payment as follows: \$50k for any one accident of which \$15k is for property damage (for each vehicle registered up to a max of \$120k for five or more vehicles).</p> <p>Before registration of a motor carrier, insurance verification is required</p> <p>Lessors are required to carry liability insurance on rented vehicle.</p> <p>Owner means the person legally responsible for the operation of a vehicle whether as owner, lessee, or otherwise.</p>	<p>See, also, §49-117(18) for definition of “proof of financial responsibility.”</p> <p>See, also, § 49-1224 for requirements of self insurers – must have more than 25 vehicles registered in state or engaged in a public utility project. Must annually file financials and prove net worth of over \$500,000 and pay annual fees.</p> <p>Empire Fire & Marine Insurance Co., 905 P.2d 1025 (Idaho 1995) [where 2 policies are in force & damages do not exceed limits, damages are pro-rated).</p>

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ILLINOIS	Yes	625 ILCS 5/7-601	No person shall operate, register or maintain registration of, and no owner shall permit another person to operate, register or maintain registration of, a motor vehicle designed to be used on a public highway unless the motor vehicle is covered by a liability insurance policy of at least 20/40/15	<p>There appears to be no difference for commercial vehicles.</p> <p>5/7-502. Self-insurers. Any person in whose name more than 25 motor vehicles are registered may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the Director of the Department of Insurance as provided in this Section.</p> <p>5/9-103 requires a motor vehicle bond in the penal sum of at least \$100k per occurrence for motor vehicle accidents, including rented motor vehicles.</p> <p>Graves Amendment cases: Nelson v. Artley, 2014 IL App (1st) 121681 (Ill. App. Ct. 1st Dist. 2014) (held that self-insured rental car company liable for entire judgment for damages caused by driver of rental car under IL Vehicle Code). Safeway Ins. Co. v. Hadary, 2014 IL App (1st) 132554 (Ill App. Ct. 1st Dist. 2014) (rejected conclusion that people injured by self-insured rental car company would enjoy unlimited amount of compensation compared to maximum compensation per person where certificate of insurance or bond has been filed); Klaybor v. Flowers Baking Co., 2014 U.S. Dist. LEXIS 143520, 4-5 (SDIL, 2014)(The only way plaintiff can avoid Graves preemption is to plead independent negligence of lessor).</p>
INDIANA	Yes	I.C. 9-25-4-1	A person may not register a motor vehicle; or operate a motor vehicle on a public highway in Indiana if financial responsibility is not in effect with respect to the motor vehicle under section IC 9-25-4-1. Proof of financial responsibility – “proof of ability to respond in damages for each motor vehicle registered by a person for liability that arises out of the ownership, maintenance, or use of the motor vehicle. IC 9-25-4-9. Minimum liability coverage: 25/50/10	<p>There appears to be no difference for commercial vehicles.</p> <p>9-25-4-11 Certificate of self-insurance; cancellation (a) The bureau may, upon the application of a person, issue a certificate of self-insurance when the bureau is satisfied that the person making the application is possessed and will continue to be possessed of the ability to pay a judgment obtained against the person making the application. A certificate may be issued authorizing a person to act as a self-insurer for property damage, bodily injury, or death.</p>

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IOWA	Yes	321A.21	20/40/15	<p>While "commercial motor vehicle" is defined separately under 321.1(11)(e), under the FMR § 102-34.35 "motor vehicle" includes commercial vehicles.</p> <p>321A.34. Self-insurers: 1. Any person in whose name more than twenty-five motor vehicles are registered may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the department as provided in subsection 2 of this section.</p> <p>2. The department may, upon the application of such a person, issue a certificate of self-insurance if the department is satisfied that the person has and will continue to have the ability to pay judgments obtained against the person for damages arising out of the ownership, maintenance, or use of any vehicle owned by the person. A person issued a certificate of self-insurance pursuant to this section shall maintain a financial liability coverage card as provided in section 321.20B, <u>subsection 2</u>, paragraph "b".</p>
KANSAS	Yes	40-3107(e)	25/50/10	<p>There appears to be no difference for commercial vehicles.</p> <p>40-3106. (b) Every insurance company authorized to transact the business of motor vehicle liability insurance in this state shall file with the commissioner as a condition of its continued transaction of such business within this state a form approved by the commissioner declaring that its motor vehicle liability policies, wherever issued, shall be deemed to provide the insurance required by K.S.A. 40-3107, and amendments thereto, when the vehicle is operated in this state. Any nonadmitted insurer may file such a form. A qualified self-insurer, approved by an agency of the state in which the vehicles are registered, may certify its compliance with K.S.A. 40-3107, and amendments thereto, on a form prescribed by the commissioner.</p>
KENTUCKY	Yes	KRS §187.290	<p>(10) owner is the person who holds legal title, or if a lease with right of purchase upon performance of conditions plus immediate right of possession, the lessee, or if a mortgagor of a vehicle is entitled to possession, the mortgagor.</p> <p>25/50/10</p>	

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LOUISIANA	Yes	La. Rev. Stat. § 32:1041(B) 32:774.1 Repealed 32:900(B)(2) & (M)(1)	Those in the business of renting or leasing vehicles only required to furnish proof of financial ability to satisfy judgment against said person, firm, association, or corporation. Insurance required by owners (including lessors): 15/30/25 Gross vehicle weight more than 20k pounds, but not more than 50k pounds: 25/50/25 If gross vehicle weight is more than 50k pounds: 300/300/25	Repealed by Acts 2006, No. 440, § 2 § 32:1042(a) – Owner may self insure if he/she has more than 25 vehicles registered in his/her name or owns real property in LA worth \$100,000 or more after deducting any encumbrance.
MAINE	Yes	29-A M.R.S.A. § 1601 29-A M.R.S.A. § 1611	An operator or owner of a vehicle registered in this State or required to be registered in this State shall maintain the amounts of motor vehicle financial responsibility specified in section 1605: 50/100/25 The Secretary of State may not register any motor vehicle for rent, lease or hire until the owner procures insurance or a bond covering the operation of that vehicle by: <ul style="list-style-type: none"> A. Presenting a valid and sufficient insurance policy; B. Presenting a good and sufficient indemnity bond, approved by the Secretary of State; C. Presenting a declaratory judgment issued by the Interstate Commerce Commission authorizing the owner to self-insurance; or 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. 	

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MARYLAND	Yes	MD Code, Transportation § 17- 104	<p>The State may not issue or transfer the registration of a motor vehicle unless the owner or prospective owner of the vehicle furnishes evidence satisfactory to the State that the required security is in effect Section 104(b). Minimum liability coverage is 30/60/15.</p> <p>**Note new changes to minimum liability coverage.</p>	<p>The form of security required for an owner of a motor vehicle is a vehicle liability insurance policy written by an insurer authorized to write these policies in this State and that provides for at least 20/40/15, now requires minimum of 30/60/15.</p> <p>The State may accept another form of security (i.e., self-insurer) in place of a vehicle liability insurance policy if it finds that the other form of security adequately provides the benefits required by the statute.</p>
MASSACHUSETTS	Yes	<p>Mass. Gen. Laws Ann. ch. 90, § 32E; 34A (West)</p> <p>Mass. Gen. Laws Ann. ch. 90, § 32O (West)</p>	<p>20/40/10</p> <p>Methods of giving proof of financial responsibility:</p> <p>A. A motor vehicle liability insurance policy; or B. A motor vehicle liability bond.</p>	<p>Clarendon Nat'l Ins. Co. v. AMICA Mut. Ins., 441 Mass. 248, 805 N.E.2d 8 (2004) (holding owner/lessor's insurance must provide primary coverage);</p> <p>but see</p> <p>Enter. Rent-A-Car Co. Of Boston, Inc. v. Arbella Mut. Ins. Co., 451 Mass. 264, 884 N.E.2d 973 (2008) (holding lessor had right to subrogation from lessee's personal automobile insurer if lessee was at fault).</p>
MICHIGAN	Yes –short term rentals	257.52 § 257.401, § 257.517	<p>A person engaged in the business of leasing motor vehicles who is the lessor under a lease . . . is not liable at common law for damages for injuries resulting from the operation of the leased motor vehicle.</p> <p>Proof of financial responsibility may be given by filing: certificate of insurance, bond, certificate of deposit of money or securities. Minimum liability coverage is 20/40/10.</p>	<p>While “commercial motor vehicle” is defined separately, under the FMR section “motor vehicle” includes commercial vehicles.</p> <p>MCL 257.31 was repealed by Pub. Acts 2012, No. 204 § 3101d, effective 1/1/13:</p> <p>(1) A person in whose name more than 25 motor vehicles are registered may qualify as a self-insured or by obtaining a certificate of self-insurance issued by the commissioner under subsection (2).</p> <p>(2) The commissioner may, in his or her discretion, on the application of a person who wishes to qualify under subsection (1), issue a certificate of self-insurance to the person if the commissioner is satisfied that the person has and will continue to have the ability to pay judgments obtained against the person.</p> <p>An owner or registrant is not required to maintain collision coverage. If the owner does not have collision coverage then the insurer will not be liable for collision damages.</p>

STATE	FINANCIAL RESPONSIBILITY LAW	STATUTORY REFERENCE	OVERVIEW ³	SPECIAL CONSIDERATIONS/NOTES
MINNESOTA	Yes -	<p>Minn. Stat. Ann. § 169.09(5)(a)</p> <p>§ 65 B.48</p> <p>§ 65B.49(5a)(i)(2)</p> <p>§ 65B.43(4)</p> <p>§ 221.141</p>	<p>Driver deemed agent of owner of vehicle in case of accident. Preempted by Graves Amendment to the extent subdivision applies to rental or leased vehicles.</p> <p>Every owner of a motor vehicle that must be registered with the state must maintain a plan of reparation security that satisfies the minimum requirements created by § 65B.49</p> <p>Notwithstanding §169.09 subd. 5a, an owner of rented vehicle is not vicariously liable for damages from operation of rented vehicle in amount greater than \$100,000 for bodily injury to one person, \$300,000 because of injury to two or more or property damage of \$50,000.</p> <p>If a motor vehicle is subject to a lease with an initial term of six months or longer, the lessee shall be deemed the owner for insurance and liability purposes.</p> <p>Financial responsibility of motor carriers must meet at least the amounts set forth by Code of Federal regulations, title 49, § 387.33: 16 passengers or more: \$5,000,000; 15 passengers or less \$1,500,000.</p>	<p><u>Meyer v. Nwokedi</u>, 777 N.W.2d 218 (Minn. 2010)</p> <p>Owner may self insure after proving financial capacity to do so and paying non-refundable fees. Liability limits adjusted every odd number year.</p> <p>Liability limits adjusted every odd number year.</p> <p>Covers passenger vehicles, pickups, vans and trucks with gross weight of 26,000lbs or less.</p> <p>Increased insurance option in § 65B.49(5a)(i)(2) only applies to short term rentals of one month or less.</p> <p>Commissioner of Transportation may require other amounts.</p> <p>Court may impose liability upon the insurer of the trailer attached to the tractor at time of the accident <u>National Indem. Co. of Minnesota v. Ness</u>, 457 N.W. 755 (Minn. App. 1990). But see, <u>Kolby v. Northwest Produce Co. Inc.</u>, 505 N.W.2d 648 (Minn. App. 1993) where court refused to make the owner of the trailer an omnibus insured because the trailer owner did not have any supervisory control over the trailer.</p>
MISSISSIPPI	Yes	Miss. Code Ann. § 63-15-3	<p>(h) "owner" means person who holds legal title; if motor vehicle is subject to lease with the right of purchase upon performance of conditions stated in agreement plus immediate right of possession, then lessee shall be deemed the owner, or a mortgagor of a vehicle entitled to possession.</p> <p>25/50/25</p>	
MISSOURI	Yes	<p>Mo. Rev. Stat. § 303.25.2</p> <p>§ 303.020 (9)</p>	<p>A motor vehicle owner shall maintain the owner's financial responsibility</p> <p>An owner is a person who holds legal title or if subject to a lease with right of purchase upon performance of conditions stated in agreement and an immediate right of possession, the lessee</p> <p>25/50/10</p>	<p>§ 303.350 This chapter does not apply to any common carrier or contract carrier regulated by the interstate commerce commission or the public service commission and which shall have satisfied any applicable requirements of the regulatory authority with jurisdiction over the carrier's operations.</p>

STATE	FINANCIAL RESPONSIBILITY LAW	STATUTORY REFERENCE	OVERVIEW ³	SPECIAL CONSIDERATIONS/NOTES
MONTANA	Yes	MCA 61-6-301 MCA 61-6-103	<p>Owner of vehicle that is registered and operated in Montana “with the owner’s permission” shall be insured.</p> <p>Owner’s policy of liability insurance must insure the owner and any person using the vehicle with the express or implied permission of the owner against loss arising out of the ownership, maintenance or use of the vehicle, to the following limits: 25/50/10.</p>	<p>MCA 61-1-101(52). “Owner” is a person who holds legal title. If the vehicle is subject to a conditional sale with the right of purchase upon performance plus the immediate right of possession or a lease with an immediate right of possession or control or the mortgagor is entitled to possession, then the “owner” is the person in “whom is vested the right of possession or control.”</p> <p>Commercial motor vehicle is defined separately in MCA 61-1-101(9)(a), but definition of motor vehicle includes self-propelled vehicles used to transport persons or property. MCA 61-1-101(46)(a)</p>
NEBRASKA	Yes	Neb. Rev. Stat. §§ 60-501 and 60-342 § 60-346 § 60-3167 § 25-21239	<p>If vehicle is subject of a lease or conditional sale contract of 30 days or more where possession is vested with the lessee or vendee with the right to purchase upon performance the lessee or vendee is deemed the owner.</p> <p>Liability insurance required of owner: 25/50/25</p> <p>Must have current automotive liability policy, evidence of insurance, or proof of financial responsibility.</p> <p>Lessors of trucks or truck-tractors are jointly and severally liable with the lessee and operator—except if there is a valid liability insurance policy in effect with a minimum limit of \$1 million/occurrence.</p>	<p>See also § 60-501(13) (definition of proof of financial responsibility). Commercial Motor Vehicle definition: § 60-316 Motor Vehicle definition: § 60-123</p> <p>See also <u>Bridgford v. U-Haul Co.</u>, 238 N.W.2d 443 (Neb. 1976).</p>
NEVADA	Yes	N.R.S. § 485.185	15/30/10	<p>N.R.S. § 485.313 excludes certain fleet vehicles from the definition of “motor vehicle.” See N.R.S. § 482.215(5).</p> <p>N.R.S. § 485.380: Self-Insurance: Any person in whose name more than 10 motor vehicles are registered in the State of Nevada may qualify as a self-insurer by obtaining a certificate of self-insurance.</p> <p>Also note that recent case law has eroded the protections of N.R.S. § 482.305 regarding short-term lessors.</p> <p>Short-term lessors may be required to pay damages to persons injured by their short-term lessees when the lessee’s personal insurance has paid the Nevada minimum, but is not sufficient to compensate the injured person. See <u>Hall v. Enter. Leasing Co.-W.</u>, 122 Nev. 685 (2006); <u>Salas v. Allstate Rent-A-Car, Inc.</u>, 116 Nev. 1165 (2000), <u>as amended</u> (Dec. 29, 2000).</p>

STATE	FINANCIAL RESPONSIBILITY LAW	STATUTORY REFERENCE	OVERVIEW ³	SPECIAL CONSIDERATIONS/NOTES
NEW HAMPSHIRE	Yes	N.H. Rev. Stat. Ann. § 259:61 N.H. Rev. Stat. Ann. § 264:21	25/50/25 Methods of giving proof of financial responsibility: A. By filing with the department a certificate of an insurance company or of a surety company; B. By the deposit of money or securities (money in the amount, or securities approved by him of a market value in the amount, required for coverage in a motor vehicle liability policy); or C. By satisfying the director that any corporation has financial ability to comply with the requirements of the statute.	Progressive Nat'l. Ins. v. Enterprise Rent-A-Car , 821 A.2d 991 (NH 2003) (self-insured owner/lessor NOT required to provide primary mandatory financial responsibility protection for benefit of its lessee drivers)
NEW JERSEY	Yes	NJSA § 39:6A-1 et seq. N.J. Stat. Ann. 17:28-1-1	Every owner or registered owner of an automobile registered or principally garaged in the state shall maintain automobile liability insurance coverage. Minimum liability coverage is 15/30/5.	Harrison v. Ford Motor Credit , 655 A.2d 931 (NJ Super. 1994) (owner/lessor's insurance and car lessee's insurance were mutually repugnant, mandating that both policies provide primary coverage). N.J. Stat. Ann. §§ 17:28-1.1 – the coverage requirements - liability, personal injury protection, and optional uninsured and underinsured motorist coverage – are triggered by the place where the automobile is registered or principally garaged rather than by the identity of the policy holder.
NEW MEXICO	Yes	N.M.S. § 66-5-208	25/50/10 If self-insuring, proof of financial responsibility must be a surety bond or cash deposit in a minimum amount of \$60,000.	N.M.S. § 66-5-207 , Exempt Motor Vehicles: A motor vehicle owned by the United States government, any state or any political subdivision of a state; An implement of husbandry or special mobile equipment that is only incidentally operated on a highway; A motor vehicle operated upon a highway only for the purpose of crossing such highway from one property to another; A commercial motor vehicle registered or proportionally registered in this and any other jurisdiction, provided such motor vehicle is covered by a motor vehicle insurance policy or equivalent coverage or other form of financial responsibility in compliance with the laws of any other jurisdiction in which it is registered; A motor vehicle approved as self-insured by the superintendent of insurance pursuant to § 66-5-207.1 (including a self-insured lessor, see Cordova v. Wolfel , 120 N.M. 557 (1995)); and any motor vehicle when the owner has submitted to the department a signed statement, in the form prescribed by the department, declaring that the vehicle will not be operated on the highways of New Mexico and explaining the reasons therefor.

STATE	FINANCIAL RESPONSIBILITY LAW	STATUTORY REFERENCE	OVERVIEW ³	SPECIAL CONSIDERATIONS/NOTES
NEW YORK	Yes	McKinney's Vehicle & Traffic Law § 335 <i>et seq.</i>	<p>Owner/lessor of motor vehicle must maintain insurance satisfying MFR requirements in McKinney's Vehicle & Traffic Law § 335:</p> <p>Minimum Liability Coverage corrected: 25/50/10 (not 100)</p>	<p>Tokio Marine & Fire Ins. V. Pagan, 2003 WL: 1858147 at *2 (SDNY 2003) holding that owner/lessor of a motor vehicle may obtain full indemnity from a long-term commercial lessee. Compared to New York court in ELRAC, Inc. v. Ward, 748 N.E.2d 1 (N.Y. 2001), in a consumer leasing case, holding that indemnification clauses for amounts up to the minimum liability insurance requirements are not enforceable, but that indemnification clauses for amounts exceeding mandatory minimums are permitted and enforceable. ELRAC court found that self-insurance holds no exception and is obligated to cover the minimum liability insurance requirements.</p> <p>Vehicle and Traffic Law § 370(3): Rental car companies with 25 or more registered vehicles may seek permission from the commissioner of motor vehicles to self-insure, and have financial ability to respond to judgments obtained against such person, arising out of the ownership, maintenance, use or operation of any such person's motor vehicle.</p> <p>Graves Amendment cases: Davis v. JMA Taxi, Inc., 2014 N.Y. Misc. LEXIS 4626, 12-14 (NY Sup. Ct. 2014)(Duty of lessor to affirmatively prove its lack of negligence or criminal wrongdoing for Graves protection); Fernandez v. Ean Holdings, LLC, 2014 NY Misc. LEXIS 5202, 3-4 (NY Sup. Ct. 2014) (Owner's Motion to Dismiss denied since court found pleadings sufficiently pled cause of action of independent negligence against Owner); Sratton v. Wallace, 2014 U.S. Distr. LEXIS 105816, 8-9 (WDNY 2014)(Owner and lessee shared parent and were "affiliated", but may not alone be sufficient to impose liability on the owner under Graves); Clarke v. Hirt, 46 Misc. 3d 571 (NY Sup.Ct. 2014)(A claim of negligent maintenance on the part of leasing company could survive Graves).</p>
NORTH CAROLINA	Yes	N.C.G.S.A. § 20-279.1(11) N.C.G.S.A § 20-4.01(26)	<p>30/60/25</p> <p>"Owner": A person holding the legal title to a vehicle or in the event a vehicle is the subject of a chattel mortgage or an agreement for the conditional sale or lease thereof or other like agreement, with the right of purchase upon performance of the conditions stated in the agreement, and with the immediate right of possession vested in the mortgagor, conditional vendee or lessee, said mortgagor, conditional vendee or lessee shall be deemed the owner.</p>	

STATE	FINANCIAL RESPONSIBILITY LAW	STATUTORY REFERENCE	OVERVIEW ³	SPECIAL CONSIDERATIONS/NOTES
NORTH DAKOTA	Yes	<p>N.D. Cent. Code § 39-16-01</p> <p>§ 39-16.1-11</p> <p>§ 39-31-14</p>	<p>If vehicle is subject to a conditional sale contract or lease with the right to purchase upon performance and with vendee or lessee having possession then the vendee or lessee are deemed the owner.</p> <p>Liability insurance required: 25/50/25 for property damage.</p> <p>Motor carrier owner or operator required to obtain public liability insurance in order to receive household goods carrier permit.</p>	<p>§ 39-16.1-14 - Financial responsibility may be evidenced by bond.</p> <p>§ 39-16.1-23 (self insurance) A person may self insure if he has more than 25 motor vehicles registered in his name.</p>
OHIO	Yes	R.C. 4509.51	<p>Every owner's policy of liability insurance shall insure the person named therein and any other person, as insured, using any such motor vehicles with the express or implied permission of the insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of such vehicles. Minimum Liability Coverage: 25/50/25.</p>	<p>There is no separate definition for "commercial vehicle."</p> <p>4509.72 Requirements for self-insurer</p> <p>(A) Any person in whose name more than twenty-five motor vehicles are registered in this state may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the registrar of motor vehicles as provided in division (B) of this section.</p> <p>(B) The registrar shall issue a certificate of self-insurance upon the application of any such person who is of sufficient financial ability to pay judgments against him.</p> <p>A certificate may be issued authorizing a person to act as a self-insurer for either property damage or bodily injury liability, or both.</p>

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OKLAHOMA	Yes	<p>47 Okl.St. Ann. §§ 8-101 and 7-103(2)(b)</p> <p>§ 8-102(a)</p> <p>(c) § 1-141</p> <p>§ 7-103(4)</p>	<p>Owner of “for-rent” vehicle is required to have minimum insurance for operator of the rental vehicle in amounts of: 25/50/25</p> <p>Upon registration of vehicle owner may self insure by providing proof of financial responsibility in sum of 20/40 (for registration of more than one vehicle \$20,000 additional for each vehicle in excess of one up to \$200,000 for any number of vehicles).</p> <p>Owner of “for-rent” vehicle choosing to self insure under § 8-102 rather than § 8-101 is jointly and severally liable for negligence of operator if operator had permission of owner.</p> <p>In the event a motor vehicle is under a lease or conditional sale contract with the right to purchase upon performance of the contract, the vendee or lessee is deemed the owner.</p> <p>Proof of Financial Responsibility defined: 25/50/25</p>	<p>§7-302 was repealed by Laws 2009, SB 1161, c. 62, §41 (Eff. Nov. 1, 2009)</p> <p>§ 7-503 – Owner must have more than 25 motor vehicles registered in his name in order to self insure.</p> <p>See, also, Woods v. Budget-Rent-A-Car Systems, Inc., 825 P.2d 1350, (Okla. 1992). Imposes significant risk upon lessors who self insure.</p> <p>Added in 2009 (Eff. Nov. 1, 2009)</p>
OREGON	Yes	O.R.S. §§ 806.060, 806.070	<p>25/50/20</p> <p>A person who has more than 25 motor vehicles registered in his/her name may qualify as a self-insurer by meeting the requirements of § 806.130.</p>	<p>Oregon law remains unclear on whether a lessor must provide insurance. Compare Farmers Ins. Co. v. Snappy Car Rental, 128 Or.App.516 (1994) (holding that self-insured rental agency was not required to provide its renter with insurance but stating in a concurring opinion that the rental agency was liable for the negligent operation of its vehicle) with Matthews v. Carlson Chevrolet, 122 Or.App.124 (1993) (holding that motor vehicle liability policy must provide coverage when a vehicle is leased to another person).</p>

STATE	FINANCIAL RESPONSIBILITY LAW	STATUTORY REFERENCE	OVERVIEW ³	SPECIAL CONSIDERATIONS/NOTES
PENNSYLVANIA	Yes	67 Pa. Code § 221.1; 75 Pa.C.S. § 1701; §§1781-1787	<p>Pennsylvania's financial responsibility law defines financial responsibility as: The ability to respond in damages for liability on account of accidents arising out of the maintenance or use of a motor vehicle in the amount of \$15,000 because of injury to one person in any one accident, in the amount of \$30,000 because of injury to two or more persons in any one accident and in the amount of \$5,000 because of damage to property of others in any one accident. The financial responsibility shall be in a form acceptable to the Department of Transportation. Minimum Liability Coverage: 15/30/5.</p> <p>No motor vehicle liability insurance policy shall be delivered or issued for delivery in this Commonwealth, with respect to any motor vehicle registered or principally garaged in this Commonwealth, unless uninsured motorist and underinsured motorist coverages are offered therein or supplemental thereto in amounts.</p>	Burnstein v. Prudential Prop. & Cas. Ins. Co. , 809 A.2d 204 (Pa. 2002) (holding that the regularly used, non-owned car exclusion and its contractual restraint on UIM portability comports with the underlying policies of the MVFRL).
RHODE ISLAND	Yes	<p>R.I. Gen. Laws Ann. § 31-32-2 (West)</p> <p>R.I. Gen. Laws Ann. §§ 31-33-6, 31-34-3</p> <p>R.I. Gen. Laws Ann. § 31-32-19 (West)</p> <p>R.I. Gen. Laws Ann. § 31-32-20 (West)</p> <p>R.I. Gen. Laws Ann. § 31-32-21 (West)</p>	<p>25/50/25</p> <p>Owner/lessor jointly and severally liable with operator for operator's negligence. Owner's insurance shall be primary up to the mandatory financial responsibility limits "unless otherwise state in at least ten(10) point type on the face of the rental agreement." See R.I. Gen. Laws Ann. §§ 31-34-4(b), 31-31-7.</p> <p>Proof of financial responsibility can be given:</p> <ul style="list-style-type: none"> A. By a certificate of insurance; B. A bond; C. A certificate of deposit of money or securities; or D. A certificate of self-insurance. 	DeSanto v. Hyundai Motor Fin. Co. , 882 A.2d 561 (R.I. 2005) (holding that release of leased vehicle's operator from liability also released lessor from any vicarious liability).

STATE	FINANCIAL RESPONSIBILITY LAW	STATUTORY REFERENCE	OVERVIEW ³	SPECIAL CONSIDERATIONS/NOTES
SOUTH CAROLINA	Yes	SC ST § 56-9-20 (9) (11)	Owner is a person who holds legal title or, if subject to a lease with right of purchase and immediate right of possession, the lessee Required insurance is: 25/50/25	
SOUTH DAKOTA	Yes	SDCL § 32-35-70 § 32-35-1(10)	Owners of vehicles are required to provide insurance: 25/50/25 Self-insured rental car lessor is responsible for insuring its rental vehicles & must provide primary liability coverage for vehicles it owns and leases. (Pending legislation would make rental car insurance secondary to operator's. 2015 S.D. Senate Bill No. 165) In the event a motor vehicle is under a lease or conditional sale contract with the right to purchase upon performance of the contract, the vendee or lessee is deemed the owner.	<u>Auto Owners Insurance. Co. v. Enterprise Rent-A-Car Company Midwest</u> , 663 N.W.2d 208 (S.D. 2003). § 32-35-90 – An owner who has more than 25 motor vehicles registered in his name may apply for a Certificate of Self insurance upon proof of financial capacity to do so.
TENNESSEE	Yes	T.C.A. § 55-12-102(12)(B)(i)	(a) Single policy limit of \$60,000 or (b) Split limit policy limit of 25/50/15 or (c) Deposit of cash of \$60,000 or (d) Bond of \$60,000	

STATE	FINANCIAL RESPONSIBILITY LAW	STATUTORY REFERENCE	OVERVIEW ³	SPECIAL CONSIDERATIONS/NOTES
TEXAS	Yes	<p>§ 601.072</p> <p>Amended by Acts 2007</p> <p>TXTransp § 643.103(a)</p>	<p>(a-1) Effective January 1, 2011, The minimum amounts of motor vehicle liability insurance coverage required to establish financial responsibility under this chapter are:</p> <p>(1) \$30,000 for bodily injury to or death of one person in one accident;</p> <p>(2) \$60,000 for bodily injury to or death of two or more persons in one accident, subject to the amount provided by Subdivision (1) for bodily injury to or death of one of the persons; and</p> <p>(3) \$25,000 for damage to or destruction of property of others in one accident.</p> <p>(b) The coverage required under Subsection (a) may exclude, with respect to one accident:</p> <p>(1) the first \$250 of liability for bodily injury to or death of one person;</p> <p>(2) the first \$500 of liability for bodily injury to or death of two or more persons, subject to the amount provided by Subdivision (1) for bodily injury to or death of one of the persons; and</p> <p>(3) the first \$250 of liability for property damage to or destruction of property of others.</p> <p>30/60/25</p> <p>643.101(b) -The Department of Transportation will determine the minimum insurance coverage required based on the class and size of the vehicle and the cargo being transported.</p>	<p>§ 601.053. EVIDENCE OF FINANCIAL RESPONSIBILITY. (a) As a condition of operating in this state a motor vehicle to which Section 601.051 applies, the operator of the vehicle on request shall provide to a peace officer, as defined by Article 2.12, Code of Criminal Procedure, or a person involved in an accident with the operator evidence of financial responsibility by exhibiting:</p> <p>(1) a motor vehicle liability insurance policy covering the vehicle that satisfies Subchapter D or a photocopy of the policy;</p> <p>(2) a standard proof of motor vehicle liability insurance form prescribed by the Texas Department of Insurance under Section 601.081 and issued by a liability insurer for the motor vehicle;</p> <p>(3) an insurance binder that confirms the operator is in compliance with this chapter;</p> <p>(4) a surety bond certificate issued under Section 601.121;</p> <p>(5) a certificate of a deposit with the comptroller covering the vehicle issued under Section 601.122;</p> <p>(6) a copy of a certificate of a deposit with the appropriate county judge covering the vehicle issued under Section 601.123; or</p> <p>(7) a certificate of self-insurance covering the vehicle issued under Section 601.124 or a photocopy of the certificate.</p> <p>(b) An operator who does not exhibit evidence of financial responsibility under Subsection (a) is presumed to have operated the vehicle in violation of Section 601.051.</p> <p>§ 643.102 (self insurance) Carrier can self insure if it can demonstrate the financial capacity to do so.</p>

STATE	FINANCIAL RESPONSIBILITY LAW	STATUTORY REFERENCE	OVERVIEW ³	SPECIAL CONSIDERATIONS/NOTES
UTAH	Yes	UT Code § 31A-22-304 UT Code § 41-12a-103 UT Code § 41-12a-407	<p>(1) 25/65/15; or (2) \$80,000 in any one accident whether arising from bodily injury to or the death of others, or from destruction of, or damage to, the property of others.</p> <p>“Owner” means: (a) a person who holds legal title to a motor vehicle; (b) a lessee in possession; (c) a conditional vendee or lessee if a motor vehicle is the subject of a conditional sale or lease with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession in the conditional vendee or lessee; or (d) a mortgagor if a motor vehicle is the subject of a mortgage with the mortgagor entitled to possession.</p> <p>The department may, upon the application of any person, issue a certificate of self-funded coverage when it is satisfied that the person has: (a) more than 24 motor vehicles; and (b) deposits, in a form approved by the department, securities in an amount of \$200,000 plus \$100 for each motor vehicle up to and including</p>	<p>UT Code § 31A-22-314. A rental company shall maintain owner's or operator's security as set forth in UT Code § 31A-22-304.</p>
VERMONT	Yes	Vt. Stat. Ann. tit. 23, § 800 (West) Vt. Stat. Ann. tit. 23, § 801 (West)	<p>25/50/10</p> <p>Owner/lessor of motor vehicle must maintain policies described above OR be self-insured.</p> <p>Method of giving proof of financial responsibility: A. A policy or policies of motor vehicle liability insurance showing it is in full force; B. A surety bond has been duly executed; C. Certificate of self-insurance issued by the Commissioner to show person is in possession of at least \$115,000.</p>	<p>Champlain Cas. Co. v. Agency Rent-A-Car, Inc., 168 Vt. 91, 716 A.2d 810 (1998) (holding that, where lease specifically provides, lessee's insurance is primary).</p>

STATE	FINANCIAL RESPONSIBILITY LAW	STATUTORY REFERENCE	OVERVIEW ³	SPECIAL CONSIDERATIONS/NOTES
VIRGINIA	Yes	VA Code § 46.2-472 & §§ 46.2-705 & 46.2-706	<p>Virginia's financial responsibility law requires every vehicle owner to:</p> <ol style="list-style-type: none"> 1. Insure the motor vehicle with minimum liability coverage through a policy issued by an insurance company licensed to do business in Virginia for: 25/50/20; or 2. Show proof that a Surety Bond has been duly executed, by depositing cash or securities with DMV, or apply for and receive a self-insurance certificate from DMV; or 3. Pay the \$500 Uninsured Motor Vehicle fee. 	
WASHINGTON	Yes, but not in a true finance (conditional sale) situation	<p>RCW § 46.29.090</p> <p>RCW §§ 46.29.020, 46.29.060</p> <p>RCW § 46.30.020.</p>	<p>25/50/10</p> <p>A "driver" or "owner" must provide proof of financial responsibility. An "owner" is the person whose lawful right of possession of a vehicle has most recently been recorded with the state. <u>See</u> § 46.04.460.</p> <p>Any person who "may operate a motor vehicle" must maintain insurance or other proof of financial responsibility.</p>	<p>Washington's Financial Responsibility and Mandatory Liability Insurance Acts exclude a finance lessor whose interest would be recorded as the "legal owner" on the certificate of title. In a true finance situation (a conditional sale), the legal owner does not fall within the purview of the FRA. <u>N.H. Indem. Co. v. Budget Rent-A-Car Sys., Inc.</u>, 148 Wash. 2d 929 (2003) (as to Mandatory Liability Insurance Act); <u>Beatty v. Western Pac. Ins. Co.</u>, 74 Wn.2d 530 (1968) (as to Financial Responsibility Act).</p>
WEST VIRGINIA	Yes	W. Va. Code § 17D-2A-3	<p>Every owner or registrant of a motor vehicle required to be registered and licensed in this state shall maintain security as hereinafter provided:</p> <p>(e)(1) By an insurance policy delivered or issued for the delivery in this state by an insurance company authorized to issue vehicle liability and property insurance policies in this state within limits which shall be no less than the requirements of the statute; or</p> <p>(e)(2) By qualification as a self-insurer under the provisions of this chapter.</p> <p>§ 17D-4-2. The term "proof of financial responsibility" as used in this chapter shall mean: Proof of ability to respond in damages for liability, on account of accident occurring subsequent to the effective date of said proof, arising out of the ownership, operation, maintenance or use of a motor vehicle, trailer or semi trailer in the amount of twenty thousand dollars because of bodily injury to or death of one person in any one accident, and, subject to said limit for one person, in the amount of forty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and in the amount of ten thousand dollars because of injury to or destruction of property of others in any one accident.</p> <p>Required Insurance: 20/40/10</p>	<p>Beginning January 1, 2016, the Required Insurance will be 25/50/25 § 17D-4-2(b)</p>

STATE	FINANCIAL RESPONSIBILITY LAW	STATUTORY REFERENCE	OVERVIEW ³	SPECIAL CONSIDERATIONS/NOTES
WISCONSIN	Yes	<p>Wis. Stat. § 344.01 (2)(b)</p> <p>§344.01subd2(cm)</p> <p>§ 344.01subd.2(d)</p> <p>§ 344.51</p> <p>§ 344.52</p>	<p>Motor vehicle means self propelled vehicles and trailers and semi-trailers designed for use with vehicles.</p> <p>Lessee is deemed owner of leased vehicles if they are required to register vehicle under § 341.07.</p> <p>Proof of financial responsibility means insurance or bond of 25/50/10</p> <p>Lessor or rental companies must file certificate of insurance or bond insuring for damages caused by negligence of operator of motor vehicle in amounts of § 344.01subd.2(d). Failure to do so makes lessor directly liable for damages of operator but limited to statutory amounts.</p> <p>Foreign lessor is directly liable for all damages to persons or property caused by negligent operation of rented vehicle unless operation of vehicle is covered by insurance which provides coverage equal to statutory amounts. Liability imposed shall not exceed amounts imposed by § 344.01subd.2(d)</p>	<p>§ 341.07 requires registration if a motor truck or truck tractor is to be operated in this state under authority of a common carrier certificate or contract carrier license issued by the department to a resident of this state, including a Wisconsin corporation, and such operation is in accordance with a lease or operating agreement with the owner of the motor truck or truck tractor or other person authorized to enter into such lease or operating agreement</p> <p>§ 344.16 (Self insurance) – A person may self insure if he has more than 25 motor vehicles registered in his/her/its name.</p> <p>§ 344.36 – A person may prove financial responsibility with a bond</p> <p>§ 344.55 - Human service vehicles have limits of not less than \$75,000 for bodily injury to each person with aggregate liability per accident between \$150k for vehicles seating 7 persons up to \$500k for vehicles seating of 50 or more passengers.</p>
WYOMING	Yes	<p>W.S.1977 § 31-9-405</p> <p>31-1-101 (xviii)</p>	<p>25/50/20</p> <p>Definition of owner excludes a lessee under a lease not intended as security</p>	<p>While “commercial motor vehicle” is defined separately, under the FMR section “motor vehicle” includes commercial vehicles.</p> <p>§ 31-9-414 Self-insurer. (a) Any person in whose name more than 25 motor vehicles are registered may qualify as a self-insurer by filing cash, securities or a surety bond in the amount of \$200k plus \$100 for each vehicle in excess of 25 to be covered, which cash, securities or surety bond shall otherwise meet the requirements of W.S. 31-9-408 & 31-9-409.</p>