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**IDAPA 18
TITLE 01
Chapter 34**

18.01.34 - CERTIFICATE OF LIABILITY INSURANCE FOR MOTOR VEHICLES

000. LEGAL AUTHORITY.

The statutory authority for this rule is Title 67, Chapter 52, Idaho Code, and Sections 49-1229 and 49-1231, Idaho Code. (7-1-93)

001. TITLE AND SCOPE.

Inasmuch as IDAPA 18.01.34 was promulgated and became effective August 1, 1983, under the authority of then existing Sections 49-243 and 49-244, Idaho Code, and said Section 49-243 having been repealed by the Idaho legislature (1988 Idaho Sess.Laws, ch.265, sec. 3, p. 571) and Section 49-244 having been amended and redesignated by the Idaho Legislature (1988 Idaho Sess.Laws, ch. 265, sec. 319, p. 738) to its present codification at Section 49-1231, Idaho Code, the Director of the Idaho Department of Insurance deems it advisable to modify and restate this rule to conform to the recent amendments to the statutory framework. The purpose of this rule is to supplement the provisions of Sections 49-1229 and 49-1231, Idaho Code, pertaining to a form for a certificate of liability insurance to be prescribed by the Director of the Department of Insurance; to provide that a currently valid original contract, or a copy thereof, of insurance which demonstrates the existence of current liability insurance coverage against loss resulting from liability imposed by law for bodily injury or death or damage to property suffered by any person caused by accident and arising out of the operation, maintenance or use of a motor vehicle or motor vehicles described thereon in an amount not less than that required by Sections 49-117(16) and 49-1229(1), Idaho Code, and also demonstrates the current existence of any other coverage required by Title 41, Idaho Code, qualifies as a certificate of liability insurance in a form prescribed by the Director of the Department of Insurance; to provide minimum specifications of other documents which will be deemed to qualify as a certificate of liability insurance in a form prescribed by the Director of the Department of Insurance; to provide minimum specifications of other documents which will be deemed to qualify as a certificate of liability insurance in a form prescribed by the Director of the Department of Insurance in lieu of the insurance contract or a copy thereof; to provide an example of a form of a certificate of liability insurance, which is not exclusive, but which shall demonstrate the format of a certificate of liability insurance which will qualify as a form prescribed by the Director of the Department of Insurance; to provide that forms for certificate of liability insurance in lieu of the insurance contract or a copy thereof which deviate from the example of the form of a certificate of liability insurance provided in this rule will also be deemed to be a form prescribed by the Director of the Department of Insurance provided that such forms meet the minimum qualifications of this rule; to provide a form for a certificate of liability insurance which may be issued by the Director of the Department of Insurance pursuant to Idaho Code Sections 49-1229(2) and 49-1231; to provide for the separability of this rule; and to provide for an effective date. (7-1-93)

002. -- 010. (RESERVED).

011. CONTRACT OF INSURANCE, OR COPY THEREOF - CERTIFICATE OF LIABILITY INSURANCE.

The original contract of liability insurance, or copy thereof, which demonstrates the current existence of liability insurance against loss resulting from liability imposed by law for bodily injury or death or damage to property suffered by any person caused by accident and arising out of the operation, maintenance or use of a motor vehicle or motor vehicles described therein in an amount not less than that required by Sections 49-117(16) and 49-1212, Idaho Code, and also demonstrates the current existence of any other coverage required by Title 41, Idaho Code, is a form of a certificate of liability insurance prescribed as such by the Director of the Department of Insurance, provided said contract of liability insurance is issued by an insurer or surety authorized to do business in this state. For the purpose of this rule a written binder qualifies as a contract of liability insurance provided that it binds coverage in an amount not less than that required by Section 49-117(16), Idaho Code, and demonstrates the existence of any other coverage required by this rule, and provides further that the binder is not valid beyond issuance of the policy with respect to which it was given or beyond ninety (90) days from its effective date, whichever period is shorter. (7-1-93)

012. MINIMUM SPECIFICATIONS FOR A CERTIFICATE OF LIABILITY INSURANCE IN LIEU OF THE CONTRACT OF INSURANCE, OR COPY THEREOF.

A document, which meets the minimum specifications provided in this rule, is deemed to be a certificate of liability insurance in a form prescribed by the Director of the Department of Insurance which is acceptable in lieu of an original contract of liability insurance or copy thereof, demonstrating the current existence of liability insurance as heretofore described in Section 011 of this rule. The minimum requirement of a document which will be deemed a certificate of liability insurance in lieu of the original contract of liability insurance, or copy thereof, are as follows:

(7-1-93)

01. Name of Insurer. The document shall contain the name of the insurer or surety company authorized to do business in this state. (7-1-93)

02. Name and Address of Motor Vehicle Owner. The document shall set forth the name and address of the owner of the motor vehicle that is insured. (7-1-93)

03. Description of Motor Vehicles. The document shall set forth a description of the motor vehicle including identification number, if there be one, or in lieu of the identification number, the last three digits of the identification number which is commonly known in the insurance industry as the VIN (Vehicle Identification Number), if there be one vehicle, or in lieu of the vehicle identification number, the words "all owned vehicles" may be used if more than one vehicle is insured. (7-1-93)

04. Effective Date. The document shall set forth the effective date the liability insurance coverage commences. (7-1-93)

05. Title of Document. The document may, but is not required to be entitled "Certificate of Liability Insurance," or "Liability Insurance Identification Card." The words "State of Idaho" may be added to the title at the insurer's option, but the words "State of Idaho" are not required. (7-1-93)

06. Date Coverage Ceases. The document may set forth the date the liability insurance coverage ceases, or in lieu thereof and at the insurer's option, the document may state "not valid beyond _____, provided that the phrase is completed to indicate termination of coverage at the end of a fixed period, or "not valid for more than one year", or "continuous until cancelled". (7-1-93)

07. Policy Number. The number of the insurance policy or the document is suggested, but is nevertheless optional and need not be placed on the document. (7-1-93)

08. Suggested Language. The sentence "KEEP THIS CERTIFICATE IN YOUR AUTOMOBILE AT ALL TIMES" is suggested, but nevertheless is optional and need not be placed on the document. (7-1-93)

013. EXAMPLE OF A NONEXCLUSIVE FORMAT FOR A DOCUMENT WHICH MEETS THE REQUIREMENTS OF A CERTIFICATE OF LIABILITY INSURANCE IN A FORM PRESCRIBED BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE.

Appendix "A" to this rule is a format for a document which meets the requirements of a certificate of liability insurance in a form prescribed by the Director of the Department of Insurance; provided, however, that the following form is not exclusive, and other formats for documents which meet the minimum specifications provided in Section 004 of this rule are also deemed to qualify as a certificate of liability insurance in a form prescribed by the Director of the Department of Insurance. (7-1-93)

014. EXAMPLE OF CERTIFICATE OF LIABILITY INSURANCE TO BE ISSUED BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE.

The Director of the Department of Insurance will issue a certificate of liability insurance to the owner(s) of a motor vehicle who posts an indemnity bond in a form approved by the Director of the Department of Insurance, pursuant to Section 49-1229(2), Idaho Code in an amount of not less than fifty thousand dollars (\$50,000) for any one (1) accident of which fifteen thousand dollars (\$15,000) shall be for property damage for each vehicle registered up to a maximum of one hundred twenty thousand dollars (\$120,000) for five (5) or more vehicles. Exhibit "B" to this rule reflects the format for a certificate of liability insurance to be issued by the Director of the Department of Insurance when an indemnity bond is posted with the Department pursuant to Section 49-1229(2), Idaho Code, in lieu of

purchasing a policy of insurance.

(7-1-93)

015. SEVERABILITY.

If any provision of this rule shall be held invalid, the remainder of the rule shall not be affected thereby.

(7-1-93)

016. -- 999. (RESERVED).

EXHIBIT "A"

DEPARTMENT RULE NO. 34

(FRONT SIDE)

(STATE)

INSURANCE IDENTIFICATION CARD

COMPANY NUMBER

COMPANY

POLICY NUMBER

EFFECTIVE DATE

EXPIRATION DATE

YEAR

MAKE/MODEL

VEHICLE IDENTIFICATION NUMBER

AGENCY/COMPANY ISSUING CARD

INSURED

(

(

SEE IMPORTANT NOTICE ON REVERSE SIDE

(REVERSE SIDE)

**THIS CARD MUST BE KEPT IN THE INSURED
VEHICLE AND PRESENTED UPON DEMAND**

IN CASE OF ACCIDENT: Report all accidents to you Agency/Company as soon as possible. Obtain the following information:

1. Name and address of each driver, passenger and witness.
2. Name of Insurance Company and policy number of each vehicle involved.

EXHIBIT "B"
DEPARTMENTAL RULE NO. 34

CERTIFICATE OF LIABILITY INSURANCE

(Name and Address of Owner(s) of Registered Motor Vehicles):

(Name) (Address)

(Name) (Address)

(Name) (Address)

The above-named owner(s) of the following described motor vehicle(s) with identification number(s):

in lieu of obtaining a policy of liability insurance has posted bond pursuant to Idaho Code Section 49-1229(2) in a form approved by the Director of the Department of Insurance:

(Surety) _____

Bond No. _____

Bond Amount _____

Effective Date: _____

Expiration Date: _____

DATED this _____ day of _____, 19____.

(SEAL)

Director,

Department of Insurance