

MINIMUM INSURANCE REQUIREMENTS for WisDOT PERMITS

Anyone, any company or corporation, or any of its subsidiary companies requesting one of the Wisconsin Department of Transportation (WisDOT) permits listed below must provide WisDOT with evidence of minimum insurance requirements *when required by WisDOT* for certain work on, over or under the highway right-of-way.

- Application/Permit to Construct, Operate and Maintain Utility Facilities on Highway Right-of-Way
- Application/Permit to Work on Highway Right-of-Way
- Application/Permit for Connection to State Trunk Highway

In no way do these minimum requirements limit the liability assumed elsewhere in the permit. All parties shall, at their sole expense, maintain the following insurance:

(1) **Commercial General Liability Insurance including contractual coverage:**

The limits of this insurance for bodily injury and property damage combined shall be at least:

- Each Occurrence Limit \$1,000,000
- General Aggregate Limit \$2,000,000
- Products-Completed Operations Limit \$2,000,000
- Personal and Advertising injury Limit \$1,000,000

(2) **Business Automobile Liability Insurance:**

Should the performance of this permit involve the use of automobiles, the *applicant* shall provide comprehensive automobile insurance covering the ownership, operation and maintenance of all owned, non-owned and hired motor vehicles. The *applicant* shall maintain limits of at least \$1,000,000 per accident for bodily injury and property damage combined.

(3) **Workers' Compensation Insurance:**

Such insurance shall provide coverage in amounts not less than the statutory requirements in the state where the work is performed, even if such coverages are elective in that state.

(4) **Employers Liability Insurance:**

Such insurance shall provide limits of not less than \$500,000 policy limit.

(5) **Excess/Umbrella Liability Insurance:**

Such insurance shall provide additional limits of not less than \$2,000,000 per occurrence in excess of the limits stated in (1) above.

Additional Requirements:

- (6) The *applicant* shall require the same minimum insurance requirements, as listed above, of all its contractors, and subcontractors, and these contractors, and subcontractors shall also comply with the additional requirements listed on the next page.

- (7) The insurance specified in (1), (2) and (5) above shall:
- Name WisDOT including its directors, officers, employees and agents as additional insureds by endorsement to the policies, and
 - Provide that such insurance is primary coverage with respect to all insureds and additional insureds.
- (8) The above insurance coverages may be obtained through any combination of primary and excess or umbrella liability insurance. ***WisDOT may require higher limits or other types of insurance coverage(s) as necessary and appropriate under the applicable permit.***
- (9) Except where prohibited by law, all insurance policies shall contain provisions that the insurance companies waive the rights of recovery or subrogation, by endorsement to the insurance policies, against WisDOT, its subsidiaries, its agents, servants, invitees, employees, co-lessees, co-venturers, affiliated companies, contractors, subcontractors, and their insurers.
- (10) The ***applicant*** shall provide a “Certificate of Liability Insurance” (CLI) evidencing the coverages, limits and provisions specified above on or before the permit approval and thereafter upon the renewal of any of the policies. After approval, the ***permittee*** shall require all insurers to provide WisDOT with a 30-day advanced written notice of any cancellation, nonrenewal, carrier change, or material change (e.g., exposure, exclusions coverage amounts, etc.) in any of the policies maintained in accordance with a permit. Coverage must be placed with carriers with an A. M. Best rating of A- or better.

When an insurance change occurs, a new CLI shall be sent to WisDOT documenting the information and referencing the current, authorized WisDOT permit number. In addition, WisDOT may require a CLI be resubmitted annually as proof that the required insurance coverage is being maintained. A CLI may be submitted via regular mail or email attachment to the WisDOT permit coordinators listed in each of the links below:

Utility permits:

<http://wisconsindot.gov/Documents/doing-bus/real-estate/permits/09-15-70.pdf> (page 3)

Work on Highway Right-of-Way permits:

<http://wisconsindot.gov/Documents/doing-bus/real-estate/permits/contact-row.pdf>

STH Connection permits:

<http://wisconsindot.gov/Documents/doing-bus/real-estate/permits/contact-connections.pdf>