

Financial Responsibility Requirements for an Operating Authority

All motor carriers applying for an operating authority from the New Mexico Public Regulation Commission must maintain minimum levels of financial responsibility (insurance) in the amounts required under Commission rule, 18.3.3.10 NMAC.

The most common way for a motor carrier to prove to the Commission that the motor carrier carries the required amount of coverage is for the motor carrier to have their insurance company file a Form E with the Commission. The insurance company filing the Form E must be authorized to transact insurance business in New Mexico. Insurance companies must mail original uniform filing form E's to the Transportation Division at P.O. Box 1269, Santa Fe, New Mexico 87504-1269, or electronically transmit uniform filing form E through the Tyler Tech system (previously known as the National Online Registries (NOR) system).

The required amount of public liability insurance coverage covered by the Form E varies by the seating capacity of the motor vehicles you use and the type of transportation you are seeking to provide. In most cases, Commission rule 18.3.3.10 NMAC adopts and incorporates by reference the financial responsibility limits required under federal law. Although not listed below, please be advised that there are also cargo insurance requirements for household goods carriers and on-the-hook and garage-keepers' liability insurance for towing services.

The amounts of insurance coverage required under 18.3.3.10 NMAC are listed below:

Passenger services providing service in vehicles with a seating capacity of sixteen (16) passengers or more;	\$5,000,000
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Passenger services providing service in vehicles with a seating capacity of fifteen (15) passengers or less, excluding taxicab services having a seating capacity of less than seven (7) passengers;	\$1,500,000
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Taxicab services having a seating capacity of less than seven (7) passengers;	\$1,000,000
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Towing services, repossession services, household goods movers, and motor carriers of property with a gross vehicle weight rating of 10,001 pounds or more (additional amounts of public liability insurance covering environmental restoration are applicable for motor carriers of property transporting hazardous materials);	\$750,000
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Towing services, repossession services, household goods Movers, and motor carriers of property with a gross vehicle weight rating of 10,000 pounds or less must maintain a combined single-limit public liability insurance policy;	\$750,000
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Motor carries of property transporting hazardous matter in intrastate commerce must maintain the minimum levels of financial responsibility required by 49 CFR 387.9 for interstate commerce regardless of gross vehicle weight and depending on the substance and other factors could be either \$1,000,000 or \$5,000,000.