

Insurance for vehicles not owned by the counties

Many counties have some level of involvement in providing transportation services to community members for various purposes—for example, a caseworker might drive a child to a medical appointment. In many cases, employees use their own vehicles for these transportation services. In other cases, an outside agency provides the transportation services—for example, senior center volunteers sometimes drive seniors to their appointments.

Properly covering vehicles for auto liability insurance is of great importance. In certain instances, an *inaccurate assumption* has been made that coverage is being provided through CAPP.

In fact, vehicles must be owned or leased by the CAPP member county and used for county business to be insured through CAPP.

We urge you to check with your drivers to determine how auto liability insurance is being addressed. There are three basic methods of insuring the vehicles used for transportation services:

- The county owns or leases the vehicle and CAPP provides the coverage.
- The CAPP member county owns the vehicle and permits an organization to use it for a county function. Coverage is provided through CAPP.
- The drivers use their own vehicles and provide coverage through their personal auto liability insurance policies.

Tort System for Auto Insurance

With the change in Colorado law in 2003, auto insurance has changed from a no-fault system to a tort system. In the event of an accident, for non-employees, each person is responsible for their own medical costs until a determination of liability is established. As before, the owner of the vehicle is responsible for maintaining liability insurance on the vehicle and assumes the liability for any accidents.

Regarding injuries to drivers, if drivers are being paid for their services, other than expense reimbursement, they may be considered to be employees and their employer must provide workers' compensation insurance. The County Workers' Compensation Pool can *only* provide coverage to *county* employees, so if the drivers are not related to the county, they cannot be covered through CWCP.

For more information, please contact CTSI at 303.861.0507.

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