
Loaning of County Mobile Equipment to Other Entities

With the recent wave of fires across the state, CAPP and CWCP member counties have inquired about the insurance coverage they may have under various circumstances.

Use of Mobile Equipment for Wildfire Firefighting

The county's insurance through the CAPP is intended to cover your equipment while it is being used for county purposes. It is our opinion that using mobile equipment for wildfire firefighting purposes is within the scope of county purposes and CAPP does provide property and liability coverage in accordance with the CAPP insuring agreements.

The county may allow non-county personnel to operate the equipment under CAPP's permissive use language. The county should make sure that the individual is qualified to operate such equipment and that they have workers' compensation coverage from their employer.

Loaning of Mobile Equipment to Outside Entities

If another entity wants to borrow your mobile equipment for non-county purposes, it is recommended that your county and the other entity enter into a simple lease agreement so it is clear that the borrowing entity is providing the property and liability coverage.

Without a lease agreement, the county's exposure is very high with no recourse should an accident occur. Mobile equipment is very expensive so the county should take good care that equipment is covered by the other entity's insurance. The other entity should provide a certificate of insurance evidencing such coverage.

Operators of Mobile Equipment

The employees operating the equipment should be insured by each entity's workers compensation insurance.

County employees who are directed by the county to participate in firefighting operations are covered through CWCP for workers compensation. Include the extra pay in your payroll audit for the next year. You can put the pay in their main work classification (i.e., 5506 Road & Bridge) since the firefighting duties are temporary.

In addition, the county and its employees are covered for liability through CAPP while they are acting in the scope and course of their duties for the county assisting with firefighting. Even if they are not formally trained in firefighting, they and the county would have coverage. However, if an employee feels they are not qualified to do this type of work, they should not be required to do so.

What This Means to Counties

CAPP coverage is broad and is intended to insure counties in their day-to-day operations as well as the occasional emergency situation. If you have any questions or concerns about coverage, contact CTSI at (303) 861 0507. 