**Section 1425.40 Cargo Damage Coverage**

a) The minimum amounts of cargo damage coverage required of all motor common carriers of property shall be as required by the provisions of 49 CFR 1043.2(c), November 13, 1990, except as specified in subsection (b) below.

b) The minimum amounts of cargo damage coverage required of intrastate motor common carriers of property transporting unprocessed agricultural commodities and ordinary livestock shall be $5,000 liability for the unprocessed agricultural commodities, milk in bulk, commodities in dump-type vehicles, or ordinary livestock carried on each vehicle at any one time.

c) Waiver of Requirement. An intrastate motor common carrier of property may be excused from the requirement of filing proof of cargo insurance if:

1) The carrier has filed with the Commission a completed copy of the Commission's Cargo Insurance Waiver Affidavit form stating that the carrier will not, at any time, carry in any vehicle cargo with a value exceeding $5,000, and the carrier does not, at any time, carry cargo in any vehicle with a value exceeding $5,000; and

2) The carrier advises each shipper in writing, prior to rendition of the service, that it does not carry the minimum level of cargo insurance. The burden of proving compliance with this latter requirement shall be on the carrier.

(Source: Amended at 18 Ill. Reg. 11162, effective July 1, 1994)