LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC – CSXT RAILROAD INSURANCE REQUIREMENTS.
(REV 5-4-20) (FA 8-24-20) (FY 2027-28)

ARTICLE 7-13.3 is expanded by the following new Subarticle:

7-13.3.1 CSXT Protective Public Liability and Property Damage Liability Insurance: Furnish the Department with the following original insurance policies and two copies, along with all notices and correspondence regarding the insurance policies that, with respect to the operations performed, will provide for and in behalf of the Railroad:

Railroad protective liability insurance providing coverage for bodily injury and property damage limited to a combined single limit of $5,000,000 per occurrence with an aggregate annual limit of $10,000,000 for the term of the policy for this specific project. The insurance shall satisfy the following additional requirements:

1. All insurance companies must be A.M. Best rated A- and Class VII or better.
2. The Railroad protective insurance policy must be on the Insurance Services Office (ISO)/RIMA Form of Railroad Protective Insurance – ISO Form CG 00 35.
3. The Railroad must be named insured on the Railroad protective insurance policy.
4. Name and address of Contractor and Department must be shown on the Declarations page.
5. Description of operations must appear on the Declarations page and must match the project description, including project or contract identification numbers.
6. Authorized endorsements must include the Pollution Exclusion Amendment CG 28 31 – unless using form CG 00 35 version 96 and later.
7. Authorized endorsements may include:
    a. Broad Form Nuclear Exclusion – IL 00 21.
    b. 30 day Advance Notice of Non-Renewal or Cancellation.
    c. Required State Cancellation Endorsement.
    d. Quick Reference or Index – CL/IL 240
8. Authorized endorsements may not include:
    a. A Pollution Exclusion Endorsement except CG 28 31.
    b. A punitive or Exemplary Damages Exclusion.
    c. A “Common Policy Conditions” Endorsement.
    d. Any endorsement that is not named in 6 or 7 above.
    e. Policies that contain any type of deductible.
9. Such additional or different insurance as the Railroad may require.

Provide Commercial General Liability coverage with limits of not less than $5,000,000 in combined single limits for bodily injury and property damage per occurrence. Such policies shall name the Railroad as an additional insured.

Provide Statutory Worker’s Compensation and Employers Liability Insurance with limits of not less than $1,000,000. The insurance must contain a waiver of subrogation against the Railroad and its affiliates.

Provide Commercial Automobile Liability Insurance with limits of not less than $1,000,000 combined single limit for bodily injury and property damage per occurrence. Such policies shall designate the Railroad as an additional insured.

Do not begin construction or other work on the project as described in Subarticle 7-13.3 until the Department receives written approval from the Railroad for the required insurance policies.