



MOTOR CARRIER INFORMATION

SB 62

Due to Senate Bill 62, effective 5/9/17, the law was modified for motor carriers which may affect your workers' compensation insurance coverage. For more detail, you may review the changes in the Utah Code Annotated (U.C.A.) §§ 34A-2-104 and §§ 34A-2-1003. WCF Mutual Insurance Company encourages you to review the following:

Corporations

Utah law provides that a corporation may elect to exclude from workers' compensation insurance coverage not more than five individuals who are officers or directors of the corporation, except that an officer or director may not be excluded if that officer or director personally operates a motor vehicle for the motor carrier.

Partnerships/Sole Proprietorships/Limited Liability Companies

If the motor carrier employs at least one person who is not a partner or an owner, and the partner or owner personally operates a motor vehicle for the motor carrier, the partner or owner is treated as an employee and must be covered under a workers' compensation insurance policy. If the motor carrier does not employ at least one person who is not a partner or an owner, the partnership or sole proprietorship may elect to include any partner or owner as an employee for workers compensation insurance coverage purposes.

Independent Contractors

If you have independent contractors operating motor vehicles, they will be considered employees unless both an occupational accident policy and a Workers' Compensation Coverage Waiver from the Utah Labor Commission is obtained for each contractor. Without the two documents, they will be covered under WC and considered in the premium calculation.