

RULES – IMPLEMENTATION

APRIL 9, 2024

COMMERCIAL LINES

LI-CL-2024-025

MONTANA GOVERNMENTAL SUBDIVISION RULE REVISIONS FILED AND TO BE IMPLEMENTED

KEY MESSAGE

Montana rules filing [CL-2024-ORU1](#) is being implemented.

BACKGROUND

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Montana Supreme Court generally concluded that if a governmental subdivision's policy does not explicitly provide limits of liability for a governmental subdivision set forth under MONT. CODE ANN. § 2-9-108, then the stated higher limits in the policy shall apply.

ISO ACTION

In response to the Montana Supreme Court's interpretation of MONT. CODE ANN. § 2-9-108, we are revising Commercial Auto Rule **A2**. and the Montana-specific exceptions to the General Liability classifications to reflect that, in a situation where a policy is silent with respect to the limits of liability for a governmental subdivision insured, the statutory limitation on limits of liability set forth under MONT. CODE ANN. § 2-9-108 would be waived and any higher stated policy limits shall apply.

For more information on the status of filings in a particular state, including filed and approved documents, associated circulars and links to Print Ready Manuals and Commercial Lines Manual, please feel free to access our [Filings](#) feature within the ISOnet Circulars product.

EFFECTIVE DATE

The ISO revision is subject to the following rule of application:

These changes are applicable to all policies written on or after August 1, 2024.

COMPANY ACTION

If you have authorized us to file on your behalf and decide:

- To use our revision and effective date, you are not required to file anything with the Insurance Department.
- To use our revision with a different effective date, to use our revision with modification, or to not use our revision, you must make an appropriate submission with the Insurance Department.

For guidance on submission requirements, consult the ISO State Filing Handbook.

In all correspondence with the Insurance Department on this revision, you should refer to ISO Filing Number CL-2024-ORU1 and SERFF Tracking Number ISO-134041083, NOT this circular number. Communications with the regulator concerning a filing affecting multiple lines of business (i.e., CL, PL, AL filing designation) should specify the line(s) of business that you are addressing.

RATING SOFTWARE IMPACT

No new attributes are being introduced with this revision.

POLICYHOLDER NOTIFICATION

If you decide to implement this revision, you should check all applicable laws for the state(s) to which this revision applies to determine whether or not a specific policyholder notice requirement may apply. Please note that circular [LI-CL-2024-016](#) contains the ISO Guide To Renewals With Changed Conditions For Commercial Lines, which is available only as a guide to assist participating companies in complying with various conditional renewal statutes or regulations, for the major commercial lines of insurance serviced by ISO. The information in the Guide does not necessarily reflect all requirements or exceptions that may apply, and it is not intended as a substitute for your review of all applicable statutes and regulations concerning policyholder notification.

REVISION DISTRIBUTION

We will issue a Notice to Manualholders with an edition date of 8-24 (or the earliest possible subsequent date), along with any new and/or revised manual pages.

REFERENCE(S)

[LI-CL-2024-016](#) (03/12/2024) Commercial Lines Revised Lead Time Requirements Listing

ATTACHMENT(S)

Filing CL-2024-ORU1

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Now, as in the past, all of our products and services are advisory, and are made available for optional use by participating insurers as a matter of individual choice. Your company must decide for itself which, if any, ISO products or services are needed or useful to its operation and how those selected for use should be applied. We urge that you be guided by the advice of your attorneys on the legal requirements.

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Phone: 800-888-4476

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Montana Governmental Subdivision Rules Revisions

Applicable Lines of Business

This filing applies to the following lines of business:

- ◆ Commercial Auto
- ◆ Commercial General Liability

About This Filing

This filing is being made in response to the Montana Supreme Court's decision in *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022).

Revised Rules

We are revising the following rules:

- ◆ Division One – Commercial Auto
 - Rule A2. Governmental Subdivisions – Not Federal
- ◆ Division Six – General Liability
- ◆ 44100 Governmental Subdivision – not state or federal – Municipalities – Population 2,500 and under
- ◆ 44101 Governmental Subdivision – not state or federal – Municipalities – Population 2,501 – 10,000
- ◆ 44102 Governmental Subdivision – not state or federal – Municipalities – Population 10,001 – 25,000
- ◆ 44103 Governmental Subdivision – not state or federal – Municipalities – Population 25,001 – 50,000
- ◆ 44104 Governmental Subdivision – not state or federal – Municipalities – Population 50,001 – 100,000
- ◆ 44105 Governmental Subdivision – not state or federal – Municipalities – Population 100,001 – 250,000
- ◆ 44106 Governmental Subdivision – not state or federal – Municipalities – Population over 250,000

- ◆ 44108 Governmental Subdivision – not state or federal – Counties or Parishes Population 10,000 and under
- ◆ 44109 Governmental Subdivision – not state or federal – Counties or Parishes Population 10,001 – 25,000
- ◆ 44110 Governmental Subdivision – not state or federal – Counties or Parishes Population 25,001 – 50,000
- ◆ 44111 Governmental Subdivision – not state or federal – Counties or Parishes Population 50,001 – 100,000
- ◆ 44112 Governmental Subdivision – not state or federal – Counties or Parishes Population 100,001 – 250,000
- ◆ 44113 Governmental Subdivision – not state or federal – Counties or Parishes Population over 250,000

We have used a format of ~~striking-through~~ deletions, underlining additions and inserting a revision bar in the left margin to indicate changes.

Background

In *Daniels*, the Montana Supreme Court generally concluded that if a governmental subdivision's policy does not explicitly provide limits of liability for a governmental subdivision set forth under MONT. CODE ANN. § 2-9-108, then the stated higher limits in the policy shall apply.

Currently, Commercial Auto Rule **A2**. and the Montana-specific exceptions to the above-mentioned classifications generally track MONT. CODE ANN. § 2-9-108.

Explanation of Changes

In response to the Montana Supreme Court's interpretation of MONT. CODE ANN. § 2-9-108, we are revising Commercial Auto Rule **A2**. and the Montana-specific exceptions to the above-mentioned classifications to reflect that in a situation where a policy is silent with respect to the limits of liability for a governmental subdivision insured, the statutory limitation on limits of liability set forth under MONT. CODE ANN. § 2-9-108 would be waived and any higher stated policy limits shall apply.

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DIVISION ONE – AUTOMOBILE

A2. GOVERNMENTAL SUBDIVISIONS – NOT FEDERAL

MONT. CODE ANN. Section 2-9-108 provides that the liability of a governmental subdivision does not exceed:

- aA.** Seven hundred and fifty thousand dollars (\$750,000) for each claim; and
- bB.** One million, five hundred thousand dollars (\$1,500,000) for each occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

DIVISION SIX – GENERAL LIABILITY

-G- CLASSIFICATIONS

The following descriptions are replaced:

44100 Governmental Subdivision – not state or federal – Municipalities – Population 2,500 and under

Class Code: 44100

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

2. Population is to be determined by the latest figures available and should include resident student population of towns with colleges or boarding schools.
3. These classifications embrace all premises and operations exposures of the insured except that the following exposures shall be separately classified and rated:
 - a. Amusement parks
 - b. Dams, levees or dikes – existence hazard
 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:

- a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
- b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.

44101 Governmental Subdivision – not state or federal – Municipalities – Population 2,501 – 10,000

Class Code: 44101

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

2. Population is to be determined by the latest figures available and should include resident student population of towns with colleges or boarding schools.
3. These classifications embrace all premises and operations exposures of the insured except that the following exposures shall be separately classified and rated:
 - a. Amusement parks
 - b. Dams, levees or dikes – existence hazard
 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:

- a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
- b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.

44102 Governmental Subdivision – not state or federal – Municipalities – Population 10,001 – 25,000

Class Code: 44102

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

2. Population is to be determined by the latest figures available and should include resident student population of towns with colleges or boarding schools.
3. These classifications embrace all premises and operations exposures of the insured except that the following exposures shall be separately classified and rated:
 - a. Amusement parks
 - b. Dams, levees or dikes – existence hazard
 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:

- a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
- b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.

44103 Governmental Subdivision – not state or federal – Municipalities – Population 25,001 – 50,000

Class Code: 44103

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

2. Population is to be determined by the latest figures available and should include resident student population of towns with colleges or boarding schools.
3. These classifications embrace all premises and operations exposures of the insured except that the following exposures shall be separately classified and rated:
 - a. Amusement parks
 - b. Dams, levees or dikes – existence hazard
 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:

- a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
- b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.

44104 Governmental Subdivision – not state or federal – Municipalities – Population 50,001 – 100,000

Class Code: 44104

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

2. Population is to be determined by the latest figures available and should include resident student population of towns with colleges or boarding schools.
3. These classifications embrace all premises and operations exposures of the insured except that the following exposures shall be separately classified and rated:
 - a. Amusement parks
 - b. Dams, levees or dikes – existence hazard
 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:

- a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
- b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.

44105 Governmental Subdivision – not state or federal – Municipalities – Population 100,001 – 250,000

Class Code: 44105

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

2. Population is to be determined by the latest figures available and should include resident student population of towns with colleges or boarding schools.
3. These classifications embrace all premises and operations exposures of the insured except that the following exposures shall be separately classified and rated:
 - a. Amusement parks
 - b. Dams, levees or dikes – existence hazard
 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:

- a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
- b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.

44106 Governmental Subdivision – not state or federal – Municipalities – Population over 250,000

Class Code: 44106

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

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 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:

- a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
- b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.

44108 Governmental Subdivision – not state or federal – Counties or Parishes Population 10,000 and under

Class Code: 44108

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

2. Population is to be determined by the latest figures available and should include resident student population of towns with colleges or boarding schools.
3. These classifications embrace all premises and operations exposures of the insured except that the following exposures shall be separately classified and rated:
 - a. Amusement parks
 - b. Dams, levees or dikes – existence hazard
 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:

- a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
- b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.

44109 Governmental Subdivision – not state or federal – Counties or Parishes Population 10,001 – 25,000

Class Code: 44109

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

2. Population is to be determined by the latest figures available and should include resident student population of towns with colleges or boarding schools.
3. These classifications embrace all premises and operations exposures of the insured except that the following exposures shall be separately classified and rated:
 - a. Amusement parks
 - b. Dams, levees or dikes – existence hazard
 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:

- a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
- b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.

44110 Governmental Subdivision – not state or federal – Counties or Parishes Population 25,001 – 50,000

Class Code: 44110

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

2. Population is to be determined by the latest figures available and should include resident student population of towns with colleges or boarding schools.
3. These classifications embrace all premises and operations exposures of the insured except that the following exposures shall be separately classified and rated:
 - a. Amusement parks
 - b. Dams, levees or dikes – existence hazard
 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:

- a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
- b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.

44111 Governmental Subdivision – not state or federal – Counties or Parishes Population 50,001 – 100,000

Class Code: 44111

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

2. Population is to be determined by the latest figures available and should include resident student population of towns with colleges or boarding schools.
3. These classifications embrace all premises and operations exposures of the insured except that the following exposures shall be separately classified and rated:
 - a. Amusement parks
 - b. Dams, levees or dikes – existence hazard
 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:

- a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
- b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.

44112 Governmental Subdivision – not state or federal – Counties or Parishes Population 100,001 – 250,000

Class Code: 44112

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

2. Population is to be determined by the latest figures available and should include resident student population of towns with colleges or boarding schools.
3. These classifications embrace all premises and operations exposures of the insured except that the following exposures shall be separately classified and rated:
 - a. Amusement parks
 - b. Dams, levees or dikes – existence hazard
 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:

- a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
- b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.

44113 Governmental Subdivision – not state or federal – Counties or Parishes Population over 250,000

Class Code: 44113

Premium Base: Total Operating Expenses, Products/Completed Operations are included

Note:

Governmental Subdivision Notes:

1. Attach Montana Changes – Per Claim Limits Of Insurance – Governmental Subdivisions Endorsement **CG 25 06** to all policies issued to governmental subdivisions.

MT. CODE ANN. Section 2-9-108 provides that the limits of liability of a governmental subdivision shall not exceed:

- a. Seven hundred and fifty thousand dollars (\$750,000) for each claim for all damages because of bodily injury or property damage as the result of any one occurrence.
- b. One million and five hundred thousand dollars (\$1,500,000) because of all bodily injury or property damage as the result of any one occurrence.

However, if an insurer agrees, by written endorsement, to insure at higher limits, the statutory limitation will be waived up to the agreed upon higher limit.

In *Daniels v. Gallatin County*, 409 Mont. 220, 513 P.3d 514 (2022), the Supreme Court of Montana found that the statutory limitation would also be waived if a policy does not indicate the statutory limitation, and then any higher stated policy limits shall apply.

2. Population is to be determined by the latest figures available and should include resident student population of towns with colleges or boarding schools.
3. These classifications embrace all premises and operations exposures of the insured except that the following exposures shall be separately classified and rated:
 - a. Amusement parks
 - b. Dams, levees or dikes – existence hazard
 - c. Exhibition or convention buildings (including arenas and auditoriums)
 - d. Golf courses
 - e. Housing projects – e.g., urban development and public housing
 - f. Lakes or reservoirs – existence hazard
 - g. Medical care facilities and services – e.g., hospitals, clinics and sanitariums
 - h. Penal institutions, jails – e.g., correctional institutions
 - i. Schools or colleges
 - j. Ski facilities
 - k. Stadiums, bleachers or grandstands with total seating capacity in excess of 5,000
 - l. Streets, roads, highways or bridges – existence hazard and maintenance hazard
 - m. Street, road, highway or bridge construction
 - n. Transportation systems, facilities and services including airports, bus systems or other mass transit facilities such as subways and aircraft
 - o. Utilities – electric, gas, water, steam, wind and solar
 - p. Wharves, piers, docks, marinas and watercraft
 - q. Wind turbines and solar energy systems – existence hazard
 - r. Zoos
4. Elected or appointed officials for the governmental subdivision are included as additional insureds. Vehicles designed for use on public roads shall be considered "autos". Use Governmental Subdivisions Endorsement **CG 24 09**.

5. With respect to fire departments operated by municipalities:
 - a. This classification includes volunteer workers participating in first aid, rescue squads or ambulance corps operated in connection with fire departments. Professional services are excluded. Use Exclusion – Services Furnished By Health Care Providers Endorsement **CG 22 44**.
 - b. Coverage does not apply to bodily injury or medical payments to any volunteer workers including firefighters, whether or not a member of the insured's organization, while in the course of their duties. Use Exclusion – Injury To Volunteer Firefighters Endorsement **CG 22 56**. If such coverage is required by law, refer to company.