

87.1 Insurance of liability required.

1. Every employer subject to the provisions of [this chapter](#) and [chapters 85, 85A, 85B, and 86](#), unless relieved as hereinafter provided from the requirements imposed under [this chapter](#) and [chapters 85, 85A, 85B, and 86](#), shall insure the employer's liability under [this chapter](#) and [chapters 85, 85A, 85B, and 86](#) in some corporation, association, or organization approved by the commissioner of insurance.

2. A motor carrier who contracts with an owner-operator who is acting as an independent contractor pursuant to [section 85.61, subsection 11](#), paragraph "c", shall not be required to insure the motor carrier's liability for the owner-operator. A motor carrier may procure compensation liability insurance coverage for these owner-operators, and may charge the owner-operator for the costs of the premiums. A motor carrier shall require the owner-operator to provide and maintain a certificate of workers' compensation insurance covering the owner-operator's employees. An owner-operator shall remain responsible for providing compensation liability insurance for the owner-operator's employees.

3. Every such employer shall exhibit, on demand of the workers' compensation commissioner, evidence of the employer's compliance with [this section](#); and if such employer refuses, or neglects to comply with [this section](#), the employer shall be liable in case of injury to any worker in the employer's employ under the common law as modified by statute.

[S13, §2477-m41; C24, 27, 31, 35, 39, §1467; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §87.1]

[91 Acts, ch 209, §2; 94 Acts, ch 1066, §1; 98 Acts, ch 1061, §11; 2007 Acts, ch 22, §22; 2008 Acts, ch 1031, §27, 100](#)

Referred to in [§87.4](#)