



OFATV

Ontario Federation of All Terrain Vehicle Clubs

PO Box 38 Ingersoll, Ontario N5C 3K1

Ph. (705) 797-0797 Fax (519) 513-0212

Email: info@ofatv.org Web: www.ofatv.org

The Insurance Program

The OFATV has secured a third party liability insurance program for the Federation, its member clubs, members, volunteers and landowners.

The policy provides coverage for the operation of an OFATV club and provides a \$5 million dollar liability limit. In order to keep the policy affordable, it was developed to provide protection for the club and its members for the normal day-to-day operations and activities. To avoid a small club paying the same premium as a club with a larger membership potential, a per-member and per permit fee was also established. Any events held by the club beyond the normal activities of the club require a separate special events policy.

What is Included in the Club Policy?

The policy provides coverage for \$5 million Commercial General Liability, \$2 million Non Owned Automobile and \$1 million Tenants Legal Liability. The policy deductible is \$1,000.

What is the Cost of the Club Policy?

There is no cost to the Clubs for liability insurance as it is covered by the membership dues; Clubs are however responsible for the Directors & Officers Liability Insurance at a cost of \$250 per year. Clubs are required to remain a 'Club In Good Standing' by complying with the requirements laid out in the OFATV Club Registration form.

All memberships are to be remitted to the OFATV will full payment. Clubs are not to withhold any portion of the membership premium ensuring that one standard process is in place. The club portion will be sent by the 15th of the month following month end.

Who is Covered?

The OFATV requires land use permits to be completed by all landowners who provide use of land for ATV trails maintained by the OFATV club. This provides protection for the landowner up to the \$5 million limit. The landowner is still required to carry his own personal liability insurance as well.

The policy was developed for and is limited to an OFATV club. Confirmation of insurance that is required from other users on any multi use trails and must be approved by the insurance carrier. The only exception to this is an OFSC trail.

All riders of the trails must be members of the OFATV through a member club and the OFATV trail pass must be visible on the ATV.

There is coverage in the policy to provide protection for Tenants Legal Liability. Should the club host an event or hold meetings at a location where a loss occurs and they are found negligent or cause property damage, the policy will respond up to \$1,000,000.

Should a member using their personal automobile be involved in a negligent auto accident while on Club business, Non Owned Automobile coverage is available to protect the club for up to \$2 million.

Who Can Be A Member?

Membership is open to residents of Canada; there are no provincial boundaries. Residents of the U.S.A. maybe accepted as members as long as they have at a minimum have a seasonal residence in Canada. U.S.A. members may not hold a position on the Club's board of directors, nor are they applicable to sit on the Provincial (OFATV) board. They are entitled to attend the OFATV's Annual General Meeting, however they are not permitted to be one of the voting delegates.

No operator under the age of 12 can be sold a membership. The Off Road Vehicles Act allows the operator to be at least 12 years of age to operate a vehicle manufactured for the rider's age. Any provincial laws, such as Bill 11, must be adhered to in the applicable areas with rider restrictions.

A membership cannot be sold to an operator of a three wheeler, side by side or an Argo.

What are Day-to-Day Activities?

On the application for insurance coverage, the club will be required to provide the insurance company with this type of information. For example, most clubs responded with trail maintenance, club member only rides, parades, picnics, etc. If there is a particular event that you are unsure of, include it in the application. If there is a concern, the insurance company will advise the Federation. If you add any operations to your club activities, it is your responsibility to provide this information in writing to the OFATV office for approval.

What to Do For a Special Event

As previously advised, in order to keep the premium lower for those clubs that do not hold special events which provide a higher exposure than club activities, a Special Events Policy must be applied for. Prior to any event, we ask for at least **60 days** to give time for approval. A ***Special Events Insurance application*** form ***must be submitted*** to the OFATV office for ***review and approval***. To receive the Special Events Insurance application, please contact the OFATV by email at info@ofatv.org, we will then forward the form to you. Since the policy requires all riders and participants to be members of the OFATV, all non-members must purchase a Special Events/Temporary pass in order to participate. This provides them with the protection for insurance while participating in an OFATV event. Special Event/Temporary passes will be made available from the OFATV office along with a Permit log. Each pass sold must be recorded on the log. The cost of this event pass must be submitted to the OFATV office with the Permit log and any unused passes. The club will be responsible for the number of passes issued to the club. This price is to be set by the OFATV Board of Directors.

All riders must sign an Event Waiver form.

Is there Coverage for Liquor Liability?

The OFATV has a **zero tolerance** for alcohol use while operating an ATV. There is no coverage for the serving of alcohol under the present policy. Should an event or activity include the sale of alcohol, please contact the Federation office. A separate policy is required for this coverage, if it is available.

Who is Responsible for the Deductible?

In the event that a loss is reported to the OFATV office, the Club responsible for the loss is subject to the payment of the deductible. The policy deductible is presently \$1,000 and is payable up front. Reimbursement will only be made after loss expenses, including adjusting expenses, are made.

General Remarks

In order to maintain this coverage and keep it at an affordable premium, it is important that OFATV clubs work closely with the Federation to help monitor the activities and ensure that all participants continue to meet the qualifications of membership.

The Federation is only as strong as its weakest member.

We therefore request your cooperation and assistance in ensuring all members adhere to the Federation's policies and procedures (i.e. trail etiquette, signage guidelines, log patrol reports). We cannot emphasize strongly enough the importance to loss control. If you can prevent losses from occurring, you will be able to influence the costs and long- term viability of this insurance program.