

# Proposed resolution – Use of track and field equipment

May 7, 2018 – Support for Findings III-C

## *USA Track & Field General Liability Questions and Answers*

***Q: Do I need a Certificate of Insurance to be covered?***

No. If you (USATF club or event organizer/director) conduct a USATF sanctioned event, coverage is automatically provided for that event and your approved sanction form is proof of coverage. Certificates are issued as proof of insurance for third parties only. Please retain a copy of your sanction through the duration of the statute of limitations period in your state.

***Q: How do I request a Certificate of Insurance?***

Your local Association can provide you with a *Request for Certificate of Insurance* form. See the Certificates of Insurance section of this brochure for more details.

***Q: Can a third party be covered by this insurance?***

Yes. Third parties having an insurable interest may be named an “Additional Insured,” but only with respect to the activities of the Named Insured in connection with USATF sanctioned events. That is, if an additional insured entity is named in a lawsuit because of *your* event activities that entity may qualify for coverage.

***Q: Should I provide a vendor/contractor (such as a concession stand operator) with a certificate of insurance naming the vendor/contractor as an Additional Insured?***

Vendors and contractors should carry their own insurance to cover their negligent acts and omissions. Event organizers/directors should not be liable for the actions of those hired to provide goods and services to events. These contracted parties should be required to provide a certificate of insurance as evidence of their own General Liability coverage with the certificate naming USATF and the club/event organizer as Additional Insureds. If the vendor provides a certificate in favor of USATF, then a reciprocal certificate may be provided to the vendor.

***Q: I already have my own insurance. Why should I buy insurance through USATF?***

You are not buying insurance from USATF. You are obtaining a USATF sanction and one of the benefits of that sanction is liability insurance. In addition to insurance, there are other benefits of USATF sanctioning. Furthermore, many events that have their own insurance do not have satisfactory limits or coverage, such as participant legal liability coverage. However, if you have your own coverage, you should not cancel it because of the USATF policy. If your existing insurance is adequate for your needs and you are able to provide a certificate naming USATF as an additional insured, you can receive a "no insurance" sanction at a reduced cost by submitting a *Waiver of Liability Insurance* form with your *Application for Sanction*. Additional information and forms available at [www.usatf.org/events/sanctions](http://www.usatf.org/events/sanctions).

***Q: What happens to equipment and property that I rent for my event?***

The insurance provided through a USATF sanction is a liability policy. All General Liability policies exclude coverage for theft, loss or damage to Property in the insured’s care, custody and control. It does not matter whether the equipment and personal property is owned, leased, rented or borrowed from others for use, no coverage applies. If you are responsible for rented personal property or equipment, separate Property insurance coverage should be secured. A special endorsement on the USATF General Liability policy makes an exception to the care, custody and control exclusion which provides coverage for specialized sports equipment necessary to conduct a USATF sanctioned event. The coverage is subject to a limit of \$5,000 per occurrence, \$20,000 in the aggregate and a deductible of \$500 per occurrence.

***Q: What about club practices?***

Member club practices are covered if they are regularly scheduled and have filed a *Club Practice Schedule* form and adhere to the conditions detailed on the Club Practice Insurance Information document. The practice must be supervised by a coach, who is a current member of USATF, and the coach must be physically present during the practice. Additional information may be required to fully understand the practice facility and confirm safety features.

***Q: Does coverage include lawsuits brought by a participant who sues a club?***

Yes, the policy provides coverage for Participant Legal Liability (see definition under “*What is covered under the USA Track & Field General Liability policy*” section). – as long as the claim is for something that is covered by the policy.

***Q: Does coverage include lawsuits brought by a participant who sues another participant?***

No, this is excluded under the policy. However, to the extent the Club/Event Organizer or USATF are also named in the lawsuit, the General Liability policy would respond on behalf of the Club/Event Organizer and USATF.

***Q: How are volunteers covered?***

Volunteers are insureds and covered for liability claims arising out of their acts or omissions while acting under the direction of an insured club, USATF association, or the organizer/event director and within the scope of his/her assigned volunteer duties in connection with a USATF sanctioned event. Covered volunteers are insured if someone sues them for negligence that causes injury or property damage. If a volunteer is injured in an accident, this insurance does not cover his/her own medical bills.

***Q: How are officials and judges covered?***

USATF certified officials and judges working under the supervision of the event director, whether paid or not, are covered in the same manner as volunteers. In addition, USATF certified track & field officials are included in USATF’s accident medical insurance program.

***Q: What if I need more than \$3 million in coverage?***

An event or club can access additional General Liability insurance only if a third party contract or governmental permit requires the higher limits. Verbal requests, letters or other non-contractual correspondence will not meet this requirement. A complete copy of the contract or permit must accompany the *Request for Certificate of Insurance* form as the insurance company reviews each request individually.