

# 52.228-8 Liability and Insurance-Leased Motor Vehicles.

As prescribed in [28.312](#) , insert the following clause:

Liability and *Insurance*-Leased Motor Vehicles (*May* 1999)

(a) The Government *shall* be responsible for loss of or damage to-

(1) Leased vehicles, except for-

(i) Normal wear and tear; and

(ii) Loss or damage caused by the negligence of the Contractor, its agents, or employees; and

(2) Property of third persons, or the injury or death of third persons, if the Government is liable for such loss, damage, injury, or death under the Federal Tort *Claims* Act ([28 U.S.C. 2671-2680](#)).

(b) The Contractor *shall* be liable for, and *shall* indemnify and hold harmless the Government against, all actions or *claims* for loss of or damage to property or the injury or death of persons, resulting from the fault, negligence, or wrongful act or omission of the Contractor, its agents, or employees.

(c) The Contractor *shall* provide and maintain *insurance* covering its liabilities under paragraph (b) of this clause, in amounts of at least \$200,000 per person and \$500,000 per occurrence for death or bodily injury and \$20,000 per occurrence for property damage or loss.

(d) Before commencing work under this contract, the Contractor *shall* notify the *Contracting Officer in writing* that the required *insurance* has been obtained. The policies evidencing required *insurance shall* contain an endorsement to the effect that any cancellation or any material change adversely affecting the interests of the Government *shall* not be effective (1) for such period as the laws of the State in which this contract is to be performed prescribe or (2) until 30 days after written notice to the *Contracting Officer*, whichever period is longer. The policies *shall* exclude any *claim* by the insurer for subrogation against the Government by reason of any payment under the policies.

(e) The contract price *shall* not include any costs for *insurance* or contingency to cover losses, damage, injury, or death for which the Government is responsible under paragraph (a) of this clause.

(End of clause)

**Parent topic:** [52.228 \[Reserved\]](#)