**Section 530.50 Indemnification and Insurance**

a) The permittee shall release, defend, indemnify, and hold the State, its employees, and its contractors harmless from all claims for injuries and damages to persons or property (including that of the permittee) relating to the installation, maintenance, relocation, presence, use or removal of the facility.

b) Each District shall determine whether a permittee must provide liability insurance. When making its determination, the District shall consider all relevant factors including, but not limited to, the following:

1) The potential for harm to highway users or other parties that might make a claim against the Department.

2) The ability of the permittee, without insurance, to satisfy a claim against the Department.

c) Any insurance policy (or amendment or rider thereto) required by this Section shall contain the following provisions:

1) The Department, its employees, and its agents must be included as named insureds.

2) The Department will be notified at least 30 days prior to the termination or modification of the coverage.

3) The amount of coverage must be sufficient to protect the Department (including its employees and agents) from estimated projected claims.