

FIRST REGULAR SESSION

SENATE BILL NO. 317

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROMINE.

Read 1st time February 13, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1506S.02I

AN ACT

To repeal section 303.024, RSMo, and to enact in lieu thereof two new sections relating to providing proof of financial responsibility for motor vehicle operation in an electronic format, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 303.024, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 301.149 and 303.024, to read as follows:

301.149. 1. Notwithstanding any law to the contrary, proof of financial responsibility required for vehicle registration under section 301.147 may be provided by displaying an image of an insurance identification card on a mobile electronic device.

2. Whenever a person presents a mobile electronic device as proof of financial responsibility to any employee of the department of revenue or any agent authorized by the department of revenue under section 136.055 to register motor vehicles and trailers, the person presenting such mobile electronic device shall assume all liability for any damage that may occur to the mobile electronic device.

3. When a person provides evidence of financial responsibility using a mobile electronic device pursuant to this section to any employee of the department of revenue or any agent authorized by the department of revenue under section 136.055 to register motor vehicles and trailers, such employees or agents shall only view the evidence of financial responsibility and shall not view any other content on the mobile electronic device.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 **4. As used in this section, the term "mobile electronic device"**
19 **means any small handheld computing or communications device that**
20 **has a display screen with a touch input or a miniature keyboard.**

 303.024. 1. Each insurer issuing motor vehicle liability policies in this
2 state, or an agent of the insurer, shall furnish an insurance identification card
3 to the named insured for each motor vehicle insured by a motor vehicle liability
4 policy that complies with the requirements of sections 303.010 to 303.050,
5 303.060, 303.140, 303.220, 303.290, 303.330 and 303.370. **Such insurance**
6 **identification card may be produced in either paper or electronic**
7 **format. Acceptable electronic forms include display of electronic**
8 **images on a cellular phone or any other type of portable electronic**
9 **device.**

10 2. The insurance identification card shall include all of the following
11 information:

- 12 (1) The name and address of the insurer;
- 13 (2) The name of the named insured;
- 14 (3) The policy number;
- 15 (4) The effective dates of the policy, including month, day and year;
- 16 (5) A description of the insured motor vehicle, including year and make
17 or at least five digits of the vehicle identification number or the word Fleet if the
18 insurance policy covers five or more motor vehicles; and
- 19 (6) The statement "THIS CARD MUST BE CARRIED IN THE INSURED
20 MOTOR VEHICLE FOR PRODUCTION UPON DEMAND" prominently displayed
21 on the card.

22 3. A new insurance identification card shall be issued when the insured
23 motor vehicle is changed, when an additional motor vehicle is insured, and when
24 a new policy number is assigned. A replacement insurance identification card
25 shall be issued at the request of the insured in the event of loss of the original
26 insurance identification card.

27 4. The director shall furnish each self-insurer, as provided for in section
28 303.220, an insurance identification card for each motor vehicle so insured. The
29 insurance identification card shall include all of the following information:

- 30 (1) Name of the self-insurer;
- 31 (2) The word self-insured; and
- 32 (3) The statement "THIS CARD MUST BE CARRIED IN THE
33 SELF-INSURED MOTOR VEHICLE FOR PRODUCTION UPON DEMAND"

34 prominently displayed on the card.

35 5. An insurance identification card shall be carried in the insured motor
36 vehicle at all times. The operator of an insured motor vehicle shall exhibit the
37 insurance identification card on the demand of any peace officer, commercial
38 vehicle enforcement officer or commercial vehicle inspector who lawfully stops
39 such operator or investigates an accident while that officer or inspector is
40 engaged in the performance of the officer's or inspector's duties. If the operator
41 fails to exhibit an insurance identification card, the officer or inspector shall issue
42 a citation to the operator for a violation of section 303.025. A motor vehicle
43 liability insurance policy, a motor vehicle liability insurance binder, [or] receipt,
44 **or a photocopy or an image displayed on a mobile electronic device**
45 which contains the policy information required in subsection 2 of this section,
46 shall be satisfactory evidence of insurance in lieu of an insurance identification
47 card. **The display of an image of the insurance card on a mobile**
48 **electronic device shall not serve as consent for such officer, inspector,**
49 **or other person to access other contents of the mobile electronic device**
50 **in any manner other than to verify the image of the insurance card. As**
51 **used in this section, the term "mobile electronic device" means any**
52 **small handheld computing or communications device that has a display**
53 **screen with a touch input or a miniature keyboard. Whenever a person**
54 **presents a mobile electronic device as proof of financial responsibility**
55 **to any peace officer, commercial vehicle enforcement officer, or**
56 **commercial vehicle inspector pursuant to this section, that person shall**
57 **assume all liability for any damage to the mobile electronic device.**

58 6. Any person who knowingly or intentionally produces, manufactures,
59 sells, or otherwise distributes a fraudulent document, **photocopy, or image**
60 **displayed on a mobile electronic device** intended to serve as an insurance
61 identification card is guilty of a class D felony. Any person who knowingly or
62 intentionally possesses a fraudulent document **or photocopy** intended to serve
63 as an insurance identification card **or knowingly or intentionally uses a**
64 **fraudulent image displayed on a mobile electronic device** is guilty of a
65 class B misdemeanor.

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