

FIRST REGULAR SESSION

SENATE BILL NO. 466

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WHITE.

Read 1st time February 27, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2321S.01I

AN ACT

To amend chapter 303, RSMo, by adding thereto one new section relating to the motor vehicle financial responsibility law.

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

Section A. Chapter 303, RSMo, is amended by adding thereto one new
2 section, to be known as section 303.420, to read as follows:

**303.420. 1. The department of revenue, in cooperation with the
2 director of the department of insurance, financial institutions and
3 professional registration, shall establish an electronically accessible
4 motor vehicle financial responsibility verification system to verify the
5 compliance of a motor vehicle owner or operator with the requirements
6 of this chapter.**

**7 2. The department of revenue may contract with a private
8 vendor or vendors to establish and maintain the system.**

9 3. The system shall:

**10 (1) Send requests to insurers for owners' and operators' proof of
11 financial responsibility using electronic services established by the
12 insurers, through the internet or a similar proprietary or common
13 carrier electronic system in compliance with the specifications and
14 standards of the Insurance Industry Committee on Motor Vehicle
15 Administration and other applicable industry standards;**

**16 (2) Include appropriate precautions to secure its data against
17 unauthorized access;**

18 (3) Maintain a record of all requests and responses;

**19 (4) Be accessible, without fee, to authorized personnel of the
20 department of revenue, the courts, law enforcement personnel, and
21 county treasurers and tax assessors;**

22 (5) Interface, wherever possible, with existing department of
23 revenue, law enforcement, and court systems;

24 (6) Receive insurance data file transfers from insurers to identify
25 vehicles for which there is not proof of financial responsibility;

26 (7) Provide a means by which low-volume insurers that are
27 unable to deploy an online interface with the system can report
28 insurance policy data to the department of revenue or its designee for
29 inclusion in the system;

30 (8) Provide a means to include, track separately, or distinguish
31 motor vehicles for which proof of financial responsibility is maintained
32 in a manner other than through an insurance policy, including a bond
33 as provided in section 303.230, a certificate of deposit of money or
34 securities as provided in section 303.240, or a certificate of self-
35 insurance as provided in section 303.220 supplemented by an agreement
36 by the self-insurer that with respect to accidents occurring while the
37 certificate is in force, the self-insurer shall pay the same judgments and
38 in the same amounts that an insurer would have been obligated to pay
39 under an owner's motor vehicle liability policy if it had issued such a
40 policy to said self-insurer;

41 (9) Be available twenty-four hours a day, seven days a week,
42 subject to reasonable allowances for scheduled maintenance or
43 temporary system failures, to verify proof of financial responsibility of
44 any vehicle in a manner prescribed by the department; and

45 (10) Be used only for information-gathering and educational
46 purposes until the completion of an appropriate testing period of not
47 less than six months.

48 4. Information contained within the system, other than records
49 of verification requests by government entities subject to chapter 610,
50 shall not be considered a public record under section 610.010.

51 5. Insurers shall cooperate with the department of revenue and
52 the department of insurance, financial institutions and professional
53 registration in establishing and maintaining the system, and shall
54 provide access to motor vehicle insurance policy status information to
55 verify proof of financial responsibility:

56 (1) For a vehicle insured by that company and registered or
57 garaged within this state or to a person licensed by this state;

58 (2) If available, for a vehicle that is insured by that company or

59 that is operated in this state and that is the subject of an accident
60 investigation regardless of where the vehicle is registered.

61 **6. This section shall expire on August 28, 2025.**

62 **7. The director of the department of revenue may promulgate**
63 **rules as necessary to implement the provisions of this section. Any rule**
64 **or portion of a rule, as that term is defined in section 536.010 that is**
65 **created under the authority delegated in this section shall become**
66 **effective only if it complies with and is subject to all of the provisions**
67 **of chapter 536, and, if applicable, section 536.028. This section and**
68 **chapter 536 are nonseverable and if any of the powers vested with the**
69 **general assembly pursuant to chapter 536, to review, to delay the**
70 **effective date, or to disapprove and annul a rule are subsequently held**
71 **unconstitutional, then the grant of rulemaking authority and any rule**
72 **proposed or adopted after August 28, 2019, shall be invalid and void.**

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Bill

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