

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/House Bill No. 661, Page 1, Section TITLE, Line 10,

2 by striking "and" and interesting in lieu thereof the  
 3 following: ","; and further amend line 11 by inserting  
 4 after "sections" the following: ", and a delayed effective  
 5 date for a certain section"; and

6 Further amend said bill, page 61, Section 303.020, line  
 7 69, by inserting after all of said line the following:

8 "303.025. 1. No owner of a motor vehicle registered  
 9 in this state, or required to be registered in this state,  
 10 shall operate, register or maintain registration of a motor  
 11 vehicle, or permit another person to operate such vehicle,  
 12 unless the owner maintains the financial responsibility  
 13 which conforms to the requirements of the laws of this  
 14 state. No nonresident shall operate or permit another  
 15 person to operate in this state a motor vehicle registered  
 16 to such nonresident unless the nonresident maintains the  
 17 financial responsibility which conforms to the requirements  
 18 of the laws of the nonresident's state of residence.  
 19 Furthermore, no person shall operate a motor vehicle owned  
 20 by another with the knowledge that the owner has not  
 21 maintained financial responsibility unless such person has  
 22 financial responsibility which covers the person's operation  
 23 of the other's vehicle; however, no owner or nonresident  
 24 shall be in violation of this subsection if he or she fails  
 25 to maintain financial responsibility on a motor vehicle  
 26 which is inoperable or being stored and not in operation, \_

27 provided that such motor vehicle shall not be further  
28 operated until the owner or nonresident provides proof of  
29 financial responsibility and payment of a twenty-five dollar  
30 fee to the department of revenue, and further provided that  
31 operation of a motor vehicle during a period of  
32 inoperability or storage claimed under this subsection shall  
33 be a class B misdemeanor and may additionally constitute a  
34 violation of this subsection. Notwithstanding any provision  
35 of law to the contrary, the department of revenue may verify  
36 motor vehicle financial responsibility as provided by law,  
37 but shall not otherwise take legal or administrative action  
38 to enforce the requirements of this section unless, in the  
39 discretion of the director, the motor vehicle is determined  
40 to have been operated in violation of this section, a motor  
41 vehicle registration is applied for in violation of this  
42 section, or the motor vehicle on two separate occasions  
43 thirty days apart is determined to have its registration  
44 maintained in violation of this section. The director may  
45 prescribe rules and regulations for the implementation of  
46 this section.

47       2. A motor vehicle owner shall maintain the owner's  
48 financial responsibility in a manner provided for in section  
49 303.160, or with a motor vehicle liability policy which  
50 conforms to the requirements of the laws of this state. A  
51 nonresident motor vehicle owner shall maintain the owner's  
52 financial responsibility which conforms to the requirements  
53 of the laws of the nonresident's state of residence.

54       3. Any person who violates this section is guilty of a  
55 misdemeanor. A first violation of this section shall be  
56 punishable as a class D misdemeanor. A second or subsequent  
57 violation of this section [~~shall~~] may be [~~punishable~~]  
58 punished by imprisonment in the county jail for a term not  
59 to exceed fifteen days [~~and/or~~] and shall be punished by a

60 fine not less than two hundred dollars but not to exceed  
61 five hundred dollars. Prior pleas of guilty and prior  
62 findings of guilty shall be pleaded and proven in the same  
63 manner as required by section 558.021. However, no person  
64 shall be found guilty of violating this section if the  
65 operator demonstrates to the court that he or she met the  
66 financial responsibility requirements of this section at the  
67 time the peace officer, commercial vehicle enforcement  
68 officer or commercial vehicle inspector wrote the citation.  
69 In addition to any other authorized punishment, the court  
70 shall notify the director of revenue of any person convicted  
71 pursuant to this section and shall do one of the following:

72 (1) Enter an order suspending the driving privilege as  
73 of the date of the court order. If the court orders the  
74 suspension of the driving privilege, the court shall require  
75 the defendant to surrender to it any driver's license then  
76 held by such person. The length of the suspension shall be  
77 as prescribed in subsection 2 of section 303.042. The court  
78 shall forward to the director of revenue the order of  
79 suspension of driving privilege and any license surrendered  
80 within ten days;

81 (2) Forward the record of the conviction for an  
82 assessment of four points;

83 (3) In lieu of an assessment of points, render an  
84 order of supervision as provided in section 302.303. An  
85 order of supervision shall not be used in lieu of points  
86 more than one time in any thirty-six-month period. Every  
87 court having jurisdiction pursuant to the provisions of this  
88 section shall forward a record of conviction to the Missouri  
89 state highway patrol, or at the written direction of the  
90 Missouri state highway patrol, to the department of revenue,  
91 in a manner approved by the director of the department of

92 public safety. The director shall establish procedures for  
93 the record keeping and administration of this section; or

94 (4) For a nonresident, suspend the nonresident's  
95 driving privileges in this state in accordance with section  
96 303.030 and notify the official in charge of the issuance of  
97 licenses and registration certificates in the state in which  
98 such nonresident resides in accordance with section 303.080.

99 4. Nothing in sections 303.010 to 303.050, 303.060,  
100 303.140, 303.220, 303.290, 303.330 and 303.370 shall be  
101 construed as prohibiting the department of commerce and  
102 insurance from approving or authorizing those exclusions and  
103 limitations which are contained in automobile liability  
104 insurance policies and the uninsured motorist provisions of  
105 automobile liability insurance policies.

106 5. If a court enters an order of suspension, the  
107 offender may appeal such order directly pursuant to chapter  
108 512 and the provisions of section 302.311 shall not apply.

109 6. Any fines owed to the state pursuant to this  
110 section may be eligible for payment in installments. The  
111 director shall promulgate rules for the application of  
112 payment plans, which shall take into account individuals'  
113 ability to pay.

114 303.041. 1. Except as otherwise provided in  
115 subsection 7 of section 303.425, if the director determines  
116 [that as a result of a verification sample or accident  
117 report that the owner of a motor vehicle has not maintained  
118 financial responsibility, or if the director determines as a  
119 result of an order of supervision] that the owner or  
120 operator of a motor vehicle has not maintained the financial  
121 responsibility as required in this chapter, the director  
122 shall thirty-three days after mailing notice, suspend the  
123 driving privilege of the owner or operator and/or the  
124 registration of the vehicle failing to meet such

125 requirement. The notice of suspension shall be mailed to  
126 the person at the last known address shown on the  
127 department's records. The notice of suspension is deemed  
128 received three days after mailing. The notice of suspension  
129 shall clearly specify the reason and statutory grounds for  
130 the suspension and the effective date of the suspension, the  
131 right of the person to request a hearing, the procedure for  
132 requesting a hearing, and the date by which that request for  
133 a hearing must be made. If the request for a hearing is  
134 received by the department prior to the effective date of  
135 the suspension, the effective date of the suspension will be  
136 stayed until a final order is issued following the hearing.

137 2. Except as otherwise provided by law, neither the  
138 fact that subsequent to the date of verification or  
139 conviction, the owner acquired the required liability  
140 insurance policy nor the fact that the owner terminated  
141 ownership of the motor vehicle, shall have any bearing upon  
142 the director's decision to suspend. Until it is terminated,  
143 the suspension shall remain in force after the registration  
144 is renewed or a new registration is acquired for the motor  
145 vehicle. The suspension also shall apply to any motor  
146 vehicle to which the owner transfers the registration.  
147 Effective January 1, 2000, the department shall not extend  
148 any suspension for failure to pay a delinquent late  
149 surrender fee pursuant to this subsection.

150 303.420. 1. As used in sections 303.420 to 303.440,  
151 unless the context requires otherwise, the following terms  
152 shall mean:

153 (1) "Law enforcement agency", the department of  
154 revenue, the Missouri state highway patrol, the prosecuting  
155 attorney or sheriff's office of any county or city not  
156 within a county, the chiefs of police of any city or

157 municipality, or any other authorized law enforcement agency  
158 recognized by the state;

159 (2) "Program", the motor vehicle financial  
160 responsibility enforcement and compliance incentive program  
161 established under section 303.425;

162 (3) "System" or "verification system", the web-based  
163 resource established under section 303.430 for online  
164 verification of motor vehicle financial responsibility.

165 303.422. 1. There is hereby created in the state  
166 treasury the "Motor Vehicle Financial Responsibility  
167 Verification and Enforcement Fund", which shall consist of  
168 money collected under sections 303.420 to 303.440. The  
169 state treasurer shall be custodian of the fund. In  
170 accordance with sections 30.170 and 30.180, the state  
171 treasurer may approve disbursements. The fund shall be a  
172 dedicated fund and money in the fund shall be used solely by  
173 the department of revenue for the administration of sections  
174 303.420 to 303.440.

175 2. Notwithstanding the provisions of section 33.080 to  
176 the contrary, any moneys remaining in the fund at the end of  
177 the biennium shall not revert to the credit of the general  
178 revenue fund.

179 3. The state treasurer shall invest moneys in the fund  
180 in the same manner as other funds are invested. Any  
181 interest and moneys earned on such investments shall be  
182 credited to the fund.

183 303.425. 1. There is hereby created within the  
184 department of revenue the motor vehicle financial  
185 responsibility enforcement and compliance incentive  
186 program. The department of revenue may enter into  
187 contractual agreements with third-party vendors to  
188 facilitate the necessary technology and equipment,  
189 maintenance thereof, and associated program management

190 services. The department of revenue or its third-party  
191 vendor shall utilize technology to compare vehicle  
192 registration information with the financial responsibility  
193 information accessible through the system. The department  
194 of revenue shall utilize this information to identify  
195 motorists who are in violation of the motor vehicle  
196 financial responsibility law. All fees paid to or collected  
197 by such third-party vendors may come from violator diversion  
198 fees generated by the pretrial diversion option established  
199 under this section. The department of revenue may offer  
200 offenders under this program the option of pretrial  
201 diversion as an alternative to statutory fines or  
202 reinstatement fees prescribed under the motor vehicle  
203 financial responsibility law as a method of encouraging  
204 compliance and discouraging recidivism.

205 2. The department of revenue may authorize law  
206 enforcement agencies or third-party vendors to use  
207 technology to collect data for the investigation, detection,  
208 analysis, and enforcement of the motor vehicle financial  
209 responsibility law.

210 3. The department of revenue may authorize traffic  
211 enforcement officers or third-party vendors to administer  
212 the processing and issuance of notices of violation, and the  
213 collection of fees for a violation of the motor vehicle  
214 financial responsibility law, under the program.

215 4. Access to the system shall be restricted to  
216 authorized law enforcement agency users in the program, the  
217 department of revenue, and the third-party vendors with  
218 which the department of revenue contracts for purposes of  
219 the program, provided that any third-party vendor with which  
220 a contract is executed to provide necessary technology,  
221 equipment, or maintenance for the program shall be

222 authorized as necessary to collaborate for required updates  
223 and maintenance of system software.

224 5. For purposes of the program, any data collected and  
225 matched to a corresponding vehicle insurance record as  
226 verified through the system, and any Missouri vehicle  
227 registration database, may be used to identify violations of  
228 the motor vehicle financial responsibility law. Such images  
229 and corresponding data shall constitute evidence of the  
230 violations.

231 6. Except as otherwise provided in this section, the  
232 department of revenue shall suspend, in accordance with  
233 section 303.041, the registration of any motor vehicle that  
234 is determined under the program to be in violation of the  
235 motor vehicle financial responsibility law.

236 7. The department of revenue shall send to an owner  
237 whose vehicle is identified under the program as being in  
238 violation of the motor vehicle financial responsibility law  
239 a notice that the vehicle's registration may be suspended  
240 unless the owner, within thirty days, provides proof of  
241 financial responsibility for the vehicle or proof, in a form  
242 specified by the department of revenue, that the owner has a  
243 pending criminal charge for a violation of the motor vehicle  
244 financial responsibility law. The notice shall include  
245 information on steps an individual may take to obtain proof  
246 of financial responsibility and a web address to a page on  
247 the department of revenue's website where information on  
248 obtaining proof of financial responsibility shall be  
249 provided. If proof of financial responsibility or a pending  
250 criminal charge is not provided within the time allotted,  
251 the department of revenue shall provide a notice of  
252 suspension and suspend the vehicle's registration in  
253 accordance with section 303.041, or shall send a notice of  
254 vehicle registration suspension, clearly specifying the



255 reason and statutory grounds for the suspension and the  
256 effective date of the suspension, the right of the vehicle  
257 owner to request a hearing, the procedure for requesting a  
258 hearing, and the date by which that request for a hearing  
259 must be made, as well as informing the owner that the matter  
260 will be referred for prosecution if a satisfactory response  
261 is not received in the time allotted, informing the owner  
262 that the minimum penalty for the violation is three hundred  
263 dollars and four license points, and offering the owner  
264 participation in a pretrial diversion option to preclude  
265 referral for prosecution and registration suspension under  
266 sections 303.420 to 303.440. The notice of vehicle  
267 registration suspension shall give a period of thirty-three  
268 days from mailing for the vehicle owner to respond, and  
269 shall be deemed received three days after mailing. If no  
270 request for a hearing or agreement to participate in the  
271 diversion option is received by the department of revenue  
272 prior to the date provided on the notice of vehicle  
273 registration suspension, the director shall suspend the  
274 vehicle's registration, effective immediately, and refer the  
275 case to the appropriate prosecuting attorney. If an  
276 agreement by the vehicle owner to participate in the  
277 diversion option is received by the department of revenue  
278 prior to the effective date provided on the notice of  
279 vehicle registration suspension, then upon payment of a  
280 diversion participation fee not to exceed two hundred  
281 dollars, agreement to secure proof of financial  
282 responsibility within the time provided on the notice of  
283 suspension, and agreement that such financial responsibility  
284 shall be maintained for a minimum of two years, no points  
285 shall be assessed to the vehicle owner's driver's license  
286 under section 302.302 and the department of revenue shall  
287 not take further action against the vehicle owner under

288 sections 303.420 to 303.440, subject to compliance with the  
289 terms of the pretrial diversion option. The department of  
290 revenue shall suspend the vehicle registration of, and shall  
291 refer the case to the appropriate prosecuting attorney for  
292 prosecution of, participating vehicle owners who violate the  
293 terms of the pretrial diversion option. If a request for  
294 hearing is received by the department of revenue prior to  
295 the effective date provided on the notice of vehicle  
296 registration suspension, then for all purposes other than  
297 eligibility for participation in the diversion option, the  
298 effective date of the suspension shall be stayed until a  
299 final order is issued following the hearing. The department  
300 of revenue shall suspend the registration of vehicles  
301 determined under the final order to have violated the motor  
302 vehicle financial responsibility law, and shall refer the  
303 case to the appropriate prosecuting attorney for  
304 prosecution. Notices under this subsection shall be mailed  
305 to the vehicle owner at the last known address shown on the  
306 department of revenue's records. The department of revenue  
307 or its third-party vendor shall issue receipts for the  
308 collection of diversion participation fees. All such fees  
309 received by the department of revenue or its third-party  
310 vendor shall be deposited into the motor vehicle financial  
311 responsibility verification and enforcement fund established  
312 in section 303.422. A vehicle owner whose registration has  
313 been suspended under sections 303.420 to 303.440 may obtain  
314 reinstatement of the registration upon providing proof of  
315 financial responsibility and payment to the department of  
316 revenue of a nonrefundable reinstatement fee equal to the  
317 fee that would be applicable under subsection 2 of section  
318 303.042 if the registration had been suspended under section  
319 303.041.

320 8. Data collected or retained under the program shall  
321 not be used by any entity for purposes other than  
322 enforcement of the motor vehicle financial responsibility  
323 law. Data collected and stored by law enforcement under the  
324 program shall be considered evidence if noncompliance with  
325 the motor vehicle financial responsibility law is  
326 confirmed. The evidence, and an affidavit stating that the  
327 evidence and system have identified a particular vehicle as  
328 being in violation of the motor vehicle financial  
329 responsibility law, shall constitute probable cause for  
330 prosecution and shall be forwarded in accordance with  
331 subsection 7 of this section to the appropriate prosecuting  
332 attorney.

333 9. Owners of vehicles identified under the program as  
334 being in violation of the motor vehicle financial  
335 responsibility law shall be provided with options for  
336 disputing such claims which do not require appearance at any  
337 state or local court of law, or administrative facility.  
338 Any person who presents timely proof that he or she was in  
339 compliance with the motor vehicle financial responsibility  
340 law at the time of the alleged violation shall be entitled  
341 to dismissal of the charge with no assessment of fees or  
342 fines. Proof provided by a vehicle owner to the department  
343 of revenue that the vehicle was in compliance at the time of  
344 the suspected violation of the motor vehicle financial  
345 responsibility law shall be recorded in the system  
346 established by the department of revenue under section  
347 303.430.

348 10. The collection of data or use of any technology  
349 pursuant to this section shall be done in a manner that  
350 prohibits any bias towards a specific community, race,  
351 gender, or socioeconomic status of vehicle owner.

352 11. Law enforcement agencies, third-party vendors, or  
353 other entities authorized to operate under the program shall  
354 not sell data collected or retained under the program for  
355 any purpose or share it for any purpose not expressly  
356 authorized in this section. All data shall be secured and  
357 any third-party vendor may be liable for any data security  
358 breach.

359 12. The department of revenue shall not take action  
360 under sections 303.420 to 303.440 against vehicles  
361 registered as fleet vehicles under section 301.032, or  
362 against vehicles known to the department of revenue to be  
363 insured under a policy of commercial auto coverage, as such  
364 term is defined in subdivision (10) of subsection 2 of  
365 section 303.430.

366 13. Following one year after the implementation of the  
367 program, and every year thereafter, the department of  
368 revenue shall provide a report to the president pro tempore  
369 of the senate, the speaker of the house of representatives,  
370 the chairs of the house and senate committees with  
371 jurisdictions over insurance or transportation matters, and  
372 the chairs of the house budget and senate appropriations  
373 committees. The report shall include an evaluation of  
374 program operations, information as to the costs of the  
375 program incurred by the department of revenue, insurers, and  
376 the public, information as to the effectiveness of the  
377 program in reducing the number of uninsured motor vehicles,  
378 and anonymized demographic information including the race  
379 and zip code of vehicle owners identified under the program  
380 as being in violation of the motor vehicle financial  
381 responsibility law, and may include any additional  
382 information and recommendations for improvement of the  
383 program deemed appropriate by the department of revenue.  
384 The department of revenue may, by rule, require the state,

385 counties, and municipalities to provide information in order  
386 to complete the report.

387 303.430. 1. The department of revenue shall establish  
388 and maintain a web-based system for the verification of  
389 motor vehicle financial responsibility, shall provide access  
390 to insurance reporting data and vehicle registration and  
391 financial responsibility data, and shall require motor  
392 vehicle insurers to establish functionality for the  
393 verification system, as provided in sections 303.420 to  
394 303.440. The verification system, including any exceptions  
395 as provided for in sections 303.420 to 303.440 or in the  
396 implementation guide developed to support the program, shall  
397 supersede any existing verification system, and shall be the  
398 sole system used for the purpose of verifying financial  
399 responsibility required under this chapter.

400 2. The system established pursuant to subsection 1 of  
401 this section shall be subject to the following:

402 (1) The verification system shall transmit requests to  
403 insurers for verification of motor vehicle insurance  
404 coverage via web services established by the insurers  
405 through the internet in compliance with the specifications  
406 and standards of the Insurance Industry Committee on Motor  
407 Vehicle Administration, or "IICMVA". Insurance company  
408 systems shall respond to each request with a prescribed  
409 response upon evaluation of the data provided in the  
410 request. The system shall include appropriate protections  
411 to secure its data against unauthorized access, and the  
412 department of revenue shall maintain a historical record of  
413 the system data for a period of no more than twelve months  
414 from the date of all requests and responses. The system  
415 shall be used for verification of the financial  
416 responsibility required under this chapter. The system  
417 shall be accessible to authorized personnel of the

418 department of revenue, the courts, law enforcement  
419 personnel, and other entities authorized by the state as  
420 permitted by state or federal privacy laws, and it shall be  
421 interfaced, wherever appropriate, with existing state  
422 systems. The system shall include information enabling the  
423 department of revenue to submit inquiries to insurers  
424 regarding motor vehicle insurance which are consistent with  
425 insurance industry and IICMVA recommendations,  
426 specifications, and standards by using the following data  
427 elements for greater matching accuracy: insurer National  
428 Association of Insurance Commissioners, or "NAIC", company  
429 code; vehicle identification number; policy number;  
430 verification date; or as otherwise described in the  
431 specifications and standards of the IICMVA. The department  
432 of revenue shall promulgate rules to offer insurers who  
433 insure one thousand or fewer vehicles within this state an  
434 alternative method for verifying motor vehicle insurance  
435 coverage in lieu of web services, and to provide for the  
436 verification of financial responsibility when financial  
437 responsibility is proven to the department to be maintained  
438 by means other than a policy of motor vehicle insurance.  
439 Insurers shall not be required to verify insurance coverage  
440 for vehicles registered in other jurisdictions;

441 (2) The verification system shall respond to each  
442 request within a time period established by the department  
443 of revenue. An insurer's system shall respond within the  
444 time period prescribed by the IICMVA's specifications and  
445 standards. Insurer systems shall be permitted reasonable  
446 system downtime for maintenance and other work with advance  
447 notice to the department of revenue. Insurers shall not be  
448 subject to enforcement fees or other sanctions under such  
449 circumstances, or when systems are not available because of

450 emergency, outside attack, or other unexpected outages not  
451 planned by the insurer and reasonably outside its control;

452 (3) The system shall assist in identifying violations  
453 of the motor vehicle financial responsibility law in the  
454 most effective way possible. Responses to individual  
455 insurance verification requests shall have no bearing on  
456 whether insurance coverage is determined to be in force at  
457 the time of a claim. Claims shall be individually  
458 investigated to determine the existence of coverage.

459 Nothing in sections 303.420 to 303.440 shall prohibit the  
460 department of revenue from contracting with a third-party  
461 vendor or vendors who have successfully implemented similar  
462 systems in other states to assist in establishing and  
463 maintaining this verification system;

464 (4) The department of revenue shall consult with  
465 representatives of the insurance industry and may consult  
466 with third-party vendors to determine the objectives,  
467 details, and deadlines related to the system by  
468 establishment of an advisory council. The advisory council  
469 shall consist of voting members comprised of:

470 (a) The director of the department of commerce and  
471 insurance, or his or her designee, who shall serve as chair;

472 (b) Two representatives of the department of revenue,  
473 to be appointed by the director of the department of revenue;

474 (c) One representative of the department of commerce  
475 and insurance, to be appointed by the director of the  
476 department of commerce and insurance;

477 (d) Three representatives of insurance companies, to  
478 be appointed by the director of the department of commerce  
479 and insurance;

480 (e) One representative from the Missouri Insurance  
481 Coalition;

482           (f) One representative chosen by the National  
483 Association of Mutual Insurance Companies;

484           (g) One representative chosen by the American Property  
485 and Casualty Insurance Association;

486           (h) One representative chosen by the Missouri  
487 Independent Agents Association; and

488           (i) Such other representatives as may be appointed by  
489 the director of the department of commerce and insurance;

490           (5) The department of revenue shall publish for  
491 comment, and then issue, a detailed implementation guide for  
492 its online verification system;

493           (6) The department of revenue and its third-party  
494 vendors, if any, shall each maintain a contact person for  
495 insurers during the establishment, implementation, and  
496 operation of the system;

497           (7) If the department of revenue has reason to believe  
498 a vehicle owner does not maintain financial responsibility  
499 as required under this chapter, it may also request an  
500 insurer to verify the existence of such financial  
501 responsibility in a form approved by the department of  
502 revenue. In addition, insurers shall cooperate with the  
503 department of revenue in establishing and maintaining the  
504 verification system established under this section, and  
505 shall provide motor vehicle insurance policy status  
506 information as provided in the rules promulgated by the  
507 department of revenue;

508           (8) Every property and casualty insurance company  
509 licensed to issue motor vehicle insurance or authorized to  
510 do business in this state shall comply with sections 303.420  
511 to 303.440, and corresponding rules promulgated by the  
512 department of revenue, for the verification of such  
513 insurance for every vehicle insured by that company in this  
514 state;



515           (9) Insurers shall maintain a historical record of  
516 insurance data for a minimum period of six months from the  
517 date of policy inception or policy change for the purpose of  
518 historical verification inquiries;

519           (10) For the purposes of this section, "commercial  
520 auto coverage" shall mean any coverage provided to an  
521 insured, regardless of number of vehicles or entities  
522 covered, under a commercial coverage form and rated from a  
523 commercial manual approved by the department of commerce and  
524 insurance. Sections 303.420 to 303.440 shall not apply to  
525 vehicles insured under commercial auto coverage; however,  
526 insurers of such vehicles may participate on a voluntary  
527 basis, and vehicle owners may provide proof at or subsequent  
528 to the time of vehicle registration that a vehicle is  
529 insured under commercial auto coverage, which the department  
530 of revenue shall record in the system;

531           (11) Insurers shall provide commercial or fleet  
532 automobile customers with evidence reflecting that the  
533 vehicle is insured under a commercial or fleet automobile  
534 liability policy. Sufficient evidence shall include an  
535 insurance identification card clearly marked with a suitable  
536 identifier such as "commercial auto insurance identification  
537 card", "fleet auto insurance identification card", or other  
538 clear identification that the vehicle is insured under a  
539 fleet or commercial policy;

540           (12) Insurers shall be immune from civil and  
541 administrative liability for good faith efforts to comply  
542 with the terms of sections 303.420 to 303.440;

543           (13) Nothing in this section shall prohibit an insurer  
544 from using the services of a third-party vendor for  
545 facilitating the verification system required under sections  
546 303.420 to 303.440.

547           3. The department of revenue shall promulgate rules as  
548 necessary for the implementation of sections 303.420 to  
549 303.440. Any rule or portion of a rule, as that term is  
550 defined in section 536.010, that is created under the  
551 authority delegated in this section shall become effective  
552 only if it complies with and is subject to all of the  
553 provisions of chapter 536 and, if applicable, section  
554 536.028. This section and chapter 536 are nonseverable and  
555 if any of the powers vested with the general assembly  
556 pursuant to chapter 536 to review, to delay the effective  
557 date, or to disapprove and annul a rule are subsequently  
558 held unconstitutional, then the grant of rulemaking  
559 authority and any rule proposed or adopted after August 28,  
560 2021, shall be invalid and void.

561           303.440. The verification system established under  
562 section 303.430 shall be installed and fully operational by  
563 January 1, 2023, following an appropriate testing or pilot  
564 period of not less than nine months. Until the successful  
565 completion of the testing or pilot period in the judgment of  
566 the director of the department of revenue, no enforcement  
567 action shall be taken based on the system, including but not  
568 limited to action taken under the program established under  
569 section 303.425."; and

570           Further amend said bill, page 116, Section B, line 12,  
571 by inserting after all of said line the following:

572           "Section C. The repeal and reenactment of section  
573 303.025 of this act shall become effective on January 1,  
574 2023."; and

575           Further amend the title and enacting clause accordingly.