

HCS SCS SBs 317 & 319 -- MOTOR VEHICLE INSURANCE

SPONSOR: Romine

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Insurance Policy by a vote of 7 to 0.

This substitute allows the insurance identification card that contains proof of insurance information for a motor vehicle to be produced in a paper or an electronic format. Acceptable electronic forms include the display of electronic images on a cellular phone or any other type of portable electronic device.

Police officers, commercial vehicle enforcement officers, and commercial vehicle inspectors are immune from liability for any damage to a mobile electronic device when it is present as proof of financial responsibility, except for damages willfully or maliciously caused by the officer or inspector. A person inspecting insurance information will not have permission to search other features on a cell phone or electronic device and an insurance card on a mobile electronic device must not serve as consent for an officer or inspector to access other content on the device. A persons who knowingly produces, manufactures, distributes, or sells fake insurance card images for use on electronic devices will be guilty of a class D felony, and a person who knowingly possess these images will be guilty of a class B misdemeanor.

The substitute specifies that the apportionment plan for providing service to applicants for insurance under Section 303.200, RSMo, applies to personal automobile and commercial motor vehicle liability policies. The types of personal automobiles are specified in the substitute. The substitute requires a vote of a governing body of a plan to excuse the plan from servicing applicants during the next calendar year if personal automobile risks exceed \$10 million and the insurance company has more than 5% of automobile risks in Missouri.

The substitute also allows motor vehicle insurance policies and endorsements to be mailed, issued, delivered, or posted on an insurer's website if it does not contain personally identifiable information and the customer provides consent. The method the insurance company must use in obtaining the customer's consent is specified in the substitute, and the customer must be allowed to withdraw his or her consent without a fee. If a policy and endorsement is posted to a website, it must be easily accessible for as long as the policy is in force, retained and stored for five years after the policy is no longer in force and made available upon request, and printable and able to be saved in an electronic

format. The insurer must provide notice in the manner it customarily communicates with the insured at the time of issuance and renewal of the method the insured may use to obtain a paper or electronic copy of his or her policy or endorsements, any changes to the forms or endorsements, and the insured's right to obtain a paper or electronic copy of the forms or endorsements without charge.

PROPOSERS: Supporters say that the bill has broad support and will make insurance transactions and proof of insurance much easier.

Testifying for the bill were Senator Romine; and Missouri Insurance Coalition.

OPPOSERS: There was no opposition voiced to the committee.