

SECOND REGULAR SESSION

HOUSE BILL NO. 2632

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MORRIS (140).

5627H.011

DANA RADEMAN MILLER, Chief Clerk

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 section, to be known as section 303.420, to read as follows:

- 303.420. 1. The department of revenue, in cooperation with the director of the department of commerce and insurance, shall establish an electronically accessible motor vehicle financial responsibility verification system to verify the compliance of a motor vehicle owner or operator with the requirements of this chapter.**
- 2. The department of revenue may contract with a private vendor or vendors to establish and maintain the system.**
- 3. The system shall:**
- (1) Send requests to insurers for owners' and operators' proof of financial responsibility using electronic services established by the insurers, through the internet or a similar proprietary or common carrier electronic system, in compliance with the specifications and standards of the Insurance Industry Committee on Motor Vehicle Administration and other applicable industry standards;**
 - (2) Include appropriate precautions to secure its data against unauthorized access;**
 - (3) Maintain a record of all requests and responses;**
 - (4) Be accessible, without fee, to authorized personnel of the department of revenue, the courts, law enforcement personnel, and county treasurers and tax assessors;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **(5) Interface, wherever possible, with existing department of revenue, law**
18 **enforcement, and court systems;**

19 **(6) Receive insurance data file transfers from insurers to identify vehicles for which**
20 **there is no proof of financial responsibility;**

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

24 **(8) Provide a means to include, track separately, or distinguish motor vehicles for**
25 **which proof of financial responsibility is maintained in a manner other than through an**
26 **insurance policy including, but not limited to:**

27 **(a) A bond as provided in section 303.230;**

28 **(b) A certificate of deposit of money or securities as provided in section 303.240;**

29 **and**

30 **(c) A certificate of self-insurance as provided in section 303.220,**

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32 **supplemented by an agreement by the self-insurer that, with respect to accidents occurring**
33 **while the bond or certificate is in force, the self-insurer shall pay the same judgments and**
34 **in the same amounts that an insurer would have been obligated to pay under an owner's**
35 **motor vehicle liability policy if it had issued such a policy to said self-insurer;**

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

39 **(10) Be used only for information-gathering and educational purposes until the**
40 **completion of an appropriate testing period of no less than six months.**

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

44 **5. Insurers shall cooperate with the department of revenue and the department of**
45 **commerce and insurance in establishing and maintaining the system and shall provide**
46 **access to motor vehicle insurance policy status information to verify proof of financial**
47 **responsibility:**

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

50 **(2) If available, for a vehicle that is insured by that company or that is operated in**
51 **this state and that is the subject of an accident investigation regardless of where the vehicle**
52 **is registered.**

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

54 **7. The director of the department of revenue may promulgate rules as necessary**
55 **to implement the provisions of this section. Any rule or portion of a rule, as that term is**
56 **defined in section 536.010, that is created under the authority delegated in this section shall**
57 **become effective only if it complies with and is subject to all of the provisions of chapter**
58 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
59 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
60 **to delay the effective date, or to disapprove and annul a rule are subsequently held**
61 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
62 **after August 28, 2020, shall be invalid and void.**

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