



Substitute House Bill No. 5203

Public Act No. 18-108

AN ACT CONCERNING ELECTRONIC PROOF OF AUTOMOBILE INSURANCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 14-12b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2018*):

(a) No motor vehicle registration shall be issued by the commissioner for any private passenger motor vehicle, as defined in subsection (e) of section 38a-363, or a vehicle with a commercial registration, as defined in section 14-1, unless (1) the application for registration is accompanied by a current automobile insurance identification card containing the information required in section 38a-364 or a copy of a current insurance policy or endorsement issued by a company licensed to issue such insurance in this state or an approved self-insurer or issued pursuant to the plan established under section 38a-329, verifying that the applicant has the required security coverage, and (2) the applicant signs and files with the commissioner, under penalty of false statement as provided for in section 53a-157b, a statement on a form approved by the commissioner that the owner of the vehicle has provided and will continuously maintain throughout the registration period the minimum security required by section 38a-371. In the case of an owner with a vehicle located outside of the

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United States or Canada, the commissioner may accept in lieu of the insurance identification card required to be presented for issuance of the registration, an affidavit, in such form as the commissioner shall require, executed by the owner and stating that the vehicle will not be operated in the United States or Canada. In the case of a special use registration issued pursuant to subsection (j) of section 14-12, the commissioner may, in lieu of proof of insurance as otherwise required by this section, accept proof, satisfactory to the commissioner, of substantially equivalent or similar insurance issued by an insurer licensed to transact business in the state in which the motor vehicle is to be registered. The commissioner may require an applicant for renewal of a motor vehicle registration for any private passenger motor vehicle or vehicle with a commercial registration to sign and file with the commissioner, under penalty of false statement as provided for in section 53a-157b, a statement on a form approved by the commissioner that the owner of the vehicle will continuously maintain throughout the registration period the minimum security required by said section 38a-371. Such form shall call for and contain the name of the applicant's insurance company and policy number.

(b) For the purposes of this title, the requirement that a person present an automobile insurance identification card to the commissioner or a law enforcement officer may be satisfied by electronic means, including by an in-person display of an electronic image on a cellular mobile telephone or other electronic device. If a person presents such insurance identification card by display of an electronic image on a cellular mobile telephone or other electronic device, the commissioner or law enforcement officer may not view, and offering such display shall not be construed to be consent for the commissioner or law enforcement officer to view, any content on such telephone or electronic device other than the insurance identification card. Neither the state nor a municipality, nor any agency or employee of the state or a municipality, shall be liable for any damage to or

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destruction of a cellular mobile telephone or other electronic device provided to the commissioner or a law enforcement officer for the purpose of displaying an electronic image of an automobile insurance identification card.

[(b)] (c) For the purposes of this section and sections 14-12c, as amended by this act, 14-213b, 14-217 and 38a-364, a false statement includes presentation of a false or fraudulent insurance identification card to the commissioner or to a law enforcement officer. For purposes of this section, the term "current automobile insurance identification card" includes a permanent card with a future effective date provided the word "renewal" appears in close proximity to the effective date on the card.

[(c)] (d) A person presenting an insurance identification card to the commissioner or to a law enforcement officer is deemed to have full knowledge and understanding that presentation of the card means the owner of the vehicle so registered has provided and will continuously maintain throughout the registration period the minimum security required by section 38a-371.

[(d)] (e) The commissioner shall, upon receiving prima facie evidence of a violation of this section, immediately forward the information to an appropriate prosecuting official of the state of Connecticut.

Sec. 2. Section 38a-343a of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2018*):

(a) (1) The Commissioner of Motor Vehicles may require each insurer that issues policies in this state to notify said commissioner monthly, on a date specified by said commissioner, of the cancellation or issuance by the insurer of all such policies that occurred during the

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preceding month. Such notice shall include the name of the named insured in the policy, the policy number, the vehicle identification number of each automobile covered by the policy and the effective date of the policy's cancellation or issuance. Said commissioner shall specify an acceptable method of notification. The method of notification specified may include computer tapes or electronic transmission.

(2) Said commissioner may require each insurer that issues policies in this state to provide monthly, on a date specified by said commissioner, the policy information required for purposes of the Online Insurance Verification System, as provided in section 14-112a.

(3) The failure of an insurer to comply with the requirements of this section shall not affect the cancellation or issuance of any policy.

(b) The Commissioner of Motor Vehicles shall receive or accept all notices of policy cancellation or issuance or all policy information from insurers, as required pursuant to subsection (a) of this section. Said commissioner shall review and analyze the cancellation or issuance data or policy information submitted, together with such other information as said commissioner may obtain from the insurers, from the records of the Department of Motor Vehicles, or from any other public or private agency or firm in possession of relevant information, for the purpose of determining whether any registered owner identified in any such notice has failed to continuously maintain insurance coverage in violation of sections 14-12c, as amended by this act, and 38a-371. In conducting such an inquiry to determine insured status, said commissioner may contact registered vehicle owners by mail and require that such mail inquiries be answered in not less than thirty days, in a satisfactory manner containing such information and verification of insurance coverage as said commissioner deems necessary and acceptable.

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Sec. 3. Section 14-12c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2018*):

The commissioner may at any time require any owner of a private passenger motor vehicle or a vehicle with a commercial registration, as defined in section 14-1, to submit further information to verify the required security coverage within the time specified by the commissioner. If the commissioner is unable to verify the insurance information furnished, the commissioner shall, unless such registrant has been reported as cancelled or issued in accordance with this section and sections 14-12f to 14-12i, inclusive, 38a-343 and 38a-343a, as amended by this act, afford such owner an opportunity for a hearing in accordance with chapter 54 to determine whether such owner's application for registration contains a material false statement or whether such owner has failed to continuously maintain the security required under section 38a-371. If the commissioner finds that such owner did not have the required security in effect on the date of registration, or that such owner presented a false or fraudulent insurance identification card to the commissioner, the application for registration shall be deemed to contain a material false statement. Any registration issued as a result of such application shall be void from the date of issue and the registration number plates shall be surrendered to the commissioner or the commissioner shall issue a notice of suspension of the registration in accordance with the provisions of section 14-12g. If the commissioner finds that the owner had the required security in effect at the time such application was submitted but failed to maintain it continuously during the registration period, the commissioner shall issue a notice of the suspension of the registration in accordance with the provisions of section 14-12g. The commissioner may use information contained in the Online Insurance Verification System established in accordance with section 14-112a to verify or enforce security coverage requirements or impose sanctions in accordance with any provision in this chapter or chapter 700.

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Approved June 6, 2018