

Enrolled House Bill 2107

Sponsored by Representatives GARRETT, THATCHER; Representative DAVIS (Presession filed.)

CHAPTER

AN ACT

Relating to electronic proof of insurance; creating new provisions; amending ORS 742.447, 806.011 and 806.012; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 742.447 is amended to read:

742.447. (1) Every insurer that issues motor vehicle insurance that is designed to meet either the financial or future responsibility requirements of ORS chapter 806 shall issue with the policy [a card] **proof of insurance** that shows the effective date and the expiration date of the insurance.

(2) **An insurer may provide proof of insurance under this section by issuing a card or, if the insured agrees, through electronic means.**

(3) **Nothing in this section requires an insurer to provide proof of insurance at any time other than when the policy is issued or renewed.**

SECTION 2. ORS 806.011 is amended to read:

806.011. (1) [An unexpired card] **Proof of insurance** issued as provided in ORS 742.447, or other current proof of compliance with financial or future responsibility requirements approved by rule by the Department of Transportation, shall be carried in each motor vehicle that is operating in this state and that is not exempt from compliance with financial or future responsibility requirements.

(2) **The use of an electronic device to display proof of insurance does not constitute consent for a police officer to access other contents of the electronic device.**

(3) Failure of the driver of a motor vehicle to show [a valid card] **proof of insurance** or other proof of compliance when asked to do so by a police officer is reasonable grounds for the officer to believe that the person is operating the vehicle in violation of ORS 806.010.

SECTION 3. ORS 806.012 is amended to read:

806.012. (1) A person commits the offense of failure to carry proof of compliance with financial responsibility requirements if the person operates a motor vehicle in this state and does not have in the vehicle current proof of compliance with financial responsibility requirements.

(2) The Department of Transportation shall determine by rule what constitutes proof of compliance with financial responsibility requirements.

(3) This section does not apply:

(a) To persons operating motor vehicles that are exempt from financial responsibility requirements by ORS 806.020; or

(b) **If a police officer verifies proof of compliance with financial responsibility requirements through the Law Enforcement Data System.**

(4) The court shall dismiss any charge under this section if, prior to the court appearance date listed on the citation, the person charged delivers to the clerk of the court named on the citation proof of compliance with financial responsibility requirements at the time of the violation.

(5) The offense described in this section, failure to carry proof of compliance with financial responsibility requirements, is a Class B traffic violation.

SECTION 4. The amendments to ORS 806.012 by section 3 of this 2013 Act apply to violations committed on or after the effective date of this 2013 Act.

SECTION 5. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by House April 10, 2013

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 6, 2013

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Peter Courtney, President of Senate

Received by Governor:

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Approved:

.....M,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2013

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Kate Brown, Secretary of State