

**A-Engrossed**  
**House Bill 2107**

Ordered by the House April 8  
Including House Amendments dated April 8

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

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Permits person to electronically verify proof of motor vehicle insurance.

**Provides exemption to offense of failure to carry proof of compliance with financial responsibility requirements when police officer verifies compliance through Law Enforcement Data System.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to electronic proof of insurance; creating new provisions; amending ORS 742.447, 806.011  
3 and 806.012; and declaring an emergency.

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

5 **SECTION 1.** ORS 742.447 is amended to read:

6 742.447. (1) Every insurer that issues motor vehicle insurance that is designed to meet either  
7 the financial or future responsibility requirements of ORS chapter 806 shall issue with the policy  
8 [a card] **proof of insurance** that shows the effective date and the expiration date of the insurance.

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

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

13 **SECTION 2.** ORS 806.011 is amended to read:

14 806.011. (1) [*An unexpired card*] **Proof of insurance** issued as provided in ORS 742.447, or other  
15 current proof of compliance with financial or future responsibility requirements approved by rule  
16 by the Department of Transportation, shall be carried in each motor vehicle that is operating in this  
17 state and that is not exempt from compliance with financial or future responsibility requirements.

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

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

23 **SECTION 3.** ORS 806.012 is amended to read:

24 806.012. (1) A person commits the offense of failure to carry proof of compliance with financial  
25 responsibility requirements if the person operates a motor vehicle in this state and does not have  
26 in the vehicle current proof of compliance with financial responsibility requirements.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 (2) The Department of Transportation shall determine by rule what constitutes proof of compli-  
2 ance with financial responsibility requirements.

3 (3) This section does not apply:

4 (a) To persons operating motor vehicles that are exempt from financial responsibility require-  
5 ments by ORS 806.020; or

6 (b) **If a police officer verifies proof of compliance with financial responsibility require-**  
7 **ments through the Law Enforcement Data System.**

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

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

13 **SECTION 4. The amendments to ORS 806.012 by section 3 of this 2013 Act apply to vio-**  
14 **lations committed on or after the effective date of this 2013 Act.**

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

18