

2022 -- H 7495

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE REPARATIONS  
ACT

Introduced By: Representatives Perez, Vella-Wilkinson, and C Lima

Date Introduced: February 16, 2022

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-47-9 of the General Laws in Chapter 31-47 entitled "Motor  
2 Vehicle Reparations Act" is hereby amended to read as follows:

3 **31-47-9. Penalties.**

4 (a) Any owner of a motor vehicle registered or required to be registered in this state who  
5 shall knowingly operate the motor vehicle or knowingly permit it to be operated in this state without  
6 having in full force and effect the financial security required by the provisions of this chapter, and  
7 any other person who shall operate in this state any motor vehicle registered or required to be  
8 registered in this state with the knowledge that the owner of it does not have in full force and effect  
9 financial security, except a person who, at the time of operation of the motor vehicle, had in effect  
10 an operator's policy of liability insurance with respect to his or her operation of the vehicle, may be  
11 subject to a mandatory suspension of license and registration as follows:

12 (1) For a first offense, a suspension of up to three (3) months and may be fined [a maximum](#)  
13 ~~of one hundred dollars (\$100) up to five hundred dollars (\$500)~~ [one hundred twenty-five dollars](#)  
14 [\(\\$125\)](#);

15 (2) For a second offense, a suspension of six (6) months and may be fined five hundred  
16 dollars (\$500); and

17 (3) For a third and subsequent offense, a suspension of up to one year. Additionally, any  
18 person violating this section a third or subsequent time shall be punished as a civil violation and

1 may be fined one thousand dollars (\$1,000).

2 (b) An order of suspension and impoundment of a license or registration, or both, shall  
3 state that date on or before which the person is required to surrender the person's license or  
4 certificate of registration and registration plates. The person is deemed to have surrendered the  
5 license or certificate of registration and registration plates, in compliance with the order, if the  
6 person does either of the following:

7 (1) On or before the date specified in the order, personally delivers the license or certificate  
8 of registration and registration plates, or causes the delivery of those items, to the administrator of  
9 the division of motor vehicles or court, whichever issued the order; or

10 (2) Mails the license or certificate of registration and registration plates to the administrator  
11 of the division of motor vehicles, in an envelope or container bearing a postmark showing a date  
12 no later than the date specified in the order.

13 (c) The administrator of the division of motor vehicles shall not restore any operating  
14 privileges or registration rights suspended under this section or return any license, certificate of  
15 registration, or registration plates impounded under this section unless the rights are not subject to  
16 suspension or revocation under any other law and unless the person, in addition to complying with  
17 all other conditions required by law for reinstatement of operating privileges or registration rights,  
18 complies with all of the following:

19 (1) Pays a reinstatement fee of thirty dollars (\$30.00). The reinstatement fee may be  
20 increased, upon approval of the administrator of the division of motor vehicles, up to an amount  
21 not exceeding fifty dollars (\$50.00); and

22 (2) Files and maintains proof of financial security. To facilitate the administration of this  
23 chapter the clerk of the courts shall notify the administrator of the division of motor vehicles of all  
24 persons against whom judgments have been entered arising out of a motor vehicle collision.

25 (d) For the purpose of this section, an "operator's policy of liability insurance" means a  
26 policy issued by an insurance carrier duly authorized to transact business in this state that shall  
27 insure the person named in it as insured, against loss from the liability imposed upon him or her by  
28 law for damages, including damages for care and loss of services, because of bodily injury to or  
29 death of any person and injury to or destruction of property arising out of the use by him or her of  
30 any motor vehicle not owned by him or her, subject to the same minimum provisions and approval  
31 required by this chapter with respect to an owner's policy of liability insurance. With respect to a  
32 nonresident, the policy may also be issued by a nonadmitted insurance carrier provided the  
33 requirements of this chapter, with respect to issuance of an owner's policy of liability insurance by  
34 the carrier, have been met.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1           This act would amend the fine imposed for a first offense for failure to maintain financial
- 2 security, to a maximum of one hundred twenty-five dollars (\$125).
- 3           This act would take effect upon passage.

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