

2018 -- S 2426

=====
LC004777
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

—————
A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - UNINSURED MOTORIST
IDENTIFICATION DATABASE PROCEDURE

Introduced By: Senators Lombardi, Lynch Prata, Archambault, Ciccone, and
Nesselbush

Date Introduced: February 15, 2018

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-47.4-3 and 31-47.4-4 of the General Laws in Chapter 31-47.4
2 entitled "Uninsured Motorist Identification Database Procedure" are hereby amended to read as
3 follows:

4 **31-47.4-3. Motor vehicle insurance reporting -- Penalty.**

5 (a) Each insurer that issues a policy that includes motor vehicle liability coverage,
6 uninsured motorist coverage, underinsured motorist coverage, or personal injury coverage under
7 this section shall, ~~before the seventh (7th) day of each calendar month,~~ provide weekly to the
8 division of motor vehicles designated agent selected in accordance with the uninsured motorist
9 identification database program, a record of each motor vehicle insurance policy in effect for
10 vehicles registered or garaged in Rhode Island as of the date of the previous submission that was
11 issued by the insurer.

12 (b) This subsection does not preclude more frequent reporting by an insurer on a
13 voluntary basis.

14 (c) (1) A record provided by an insurer under subsection (a) shall include:

15 (i) The make, year, and vehicle identification number of each insured vehicle; and

16 (ii) The policy number, effective date, and expiration date of each policy.

17 (iii) The name, date of birth, and if available, driver's license number of each insured
18 owner or operator, and the address of the named insured; and

1 (d) Each insurer shall provide this information by an electronic means or by another form
2 the division of motor vehicles designated agent agrees to accept.

3 (e) (1) The division of motor vehicles may, following procedures adopted pursuant to
4 chapter 42-35, "The Administrative Procedures Act," assess a fine against an insurer of up to two
5 hundred fifty dollars (\$250) for each day the insurer fails to comply with this section.

6 (2) The division of motor vehicles shall excuse the fine if an insurer shows that the failure
7 to comply with this section was:

8 (i) Inadvertent;

9 (ii) Accidental; or

10 (iii) The result of excusable neglect.

11 **31-47.4-4. Notice -- Proof -- Revocation of registration -- False statement --**

12 **Penalties.**

13 (a) If the comparison under § 31-47.4-2 shows that a motor vehicle is not insured for
14 ~~three (3)~~ four (4) consecutive reporting periods as set forth in § 31-47.4-3(a), ~~months~~, the division
15 of motor vehicles shall direct that the designated agent provide notice to the owner of the motor
16 vehicle that the owner has fifteen (15) days to provide to the designated agent:

17 (1) Proof of owner's or operator's security; or

18 (2) Proof of exemption from the owner's or operator's security requirements.

19 (b) If an owner of a motor vehicle fails to provide satisfactory proof of owner's or
20 operator's security to the designated agent, the designated agent shall:

21 (1) Provide a second (2nd) notice to the owner of the motor vehicle that the owner now
22 has fifteen (15) days to provide:

23 (i) Proof of owner's or operator's security; or

24 (ii) Proof of exemption from the owner's or operator's security requirements;

25 (c) For each notice provided, the designated agent shall:

26 (i) Indicate information relating to the owner's failure to provide proof of owner's or
27 operator's security in the database;

28 (ii) Provide this information to the division of motor vehicles; and

29 (d) If the designated agent notifies the department of motor vehicles that an owner of a
30 motor vehicle failed to provide satisfactory proof of owner's or operator's security to the
31 designated agent, the division of motor vehicles:

32 (1) Shall revoke the registration;

33 (2) Shall provide appropriate notices of the revocation, the legal consequences of
34 operating a vehicle with revoked registration and without owner's or operator's security and

1 instructions on how to get the registration reinstated.

2 (e) A registration that has been revoked under this section shall not be reinstated and a
3 new license or registration shall not be issued to the holder of the revoked registration until the
4 person:

5 (1) Pays to the division of motor vehicles an administrative reinstatement fee of two
6 hundred fifty dollars (\$250), the fee imposed by the section is in addition to any other fines or
7 penalties imposed by law;

8 (2) Complies with the other requirements of this act. The fee imposed by this section is in
9 addition to any other fees or penalties imposed by law.

10 (f) The department of motor vehicles may direct the designated agent to provide the
11 notices under subsection (d)(2).

12 (g) Any action by the division of motor vehicles to revoke the registration of a motor
13 vehicle under this section may be in addition to an action by a law enforcement agency to impose
14 the penalties.

15 (h) (1) A person may not provide a false or fraudulent statement to the division of motor
16 vehicles or designated agent.

17 (2) In addition to any other penalties, a person who violates paragraph (h)(1) is guilty of a
18 misdemeanor.

19 (i) This section does not affect other actions or penalties that may be taken or imposed for
20 violation of the owner's and operator's security requirements of this title.

21 SECTION 2. This act shall take effect on January 1, 2019.

=====
LC004777
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - UNINSURED MOTORIST
IDENTIFICATION DATABASE PROCEDURE

1 This act would mandate each insurer that issues a policy that includes motor vehicle
2 liability coverage, uninsured motorist coverage, underinsured motorist coverage, or personal
3 injury coverage to provide weekly to an agent of the department of motor vehicles, a record of
4 each policy. The agent would also give notice to an owner of a vehicle who for four (4)
5 consecutive reporting periods is shown not to be insured to provide information to the department
6 within fifteen (15) days.

7 This act would take effect on January 1, 2019.

=====
LC004777
=====