

*The Financial Responsibility &  
Insurance Committee*

# **Resource Guide**

*A Project of the AAMVA Financial  
Responsibility & Insurance Standing  
Committee*

# Table of Contents

<b>PART 1: INTRODUCTION</b>	<b>6</b>
<b>THE BEGINNING OF THE PROJECT</b>	<b>6</b>
<b>PROJECT ACKNOWLEDGMENTS</b>	<b>7</b>
Working Group Members	7
<b>THE PROJECT</b>	<b>7</b>
The Intent of the Working Group	7
The Format of the Guide	8
<b>GUIDE OVERVIEW</b>	<b>8</b>
<b>PART 2: THE AMERICAN HISTORY</b>	<b>11</b>
<b>THE ARGUMENT FOR COMPULSORY INSURANCE</b>	<b>11</b>
Early Legislative Developments	11
Public Support	12
The Role of Enforcement	12
<b>REPORTING PROGRAMS</b>	<b>12</b>
Privatization	13
Random Sampling	13
Jurisdictions Vary on Approach	13
<b>DO THESE PROGRAMS WORK?</b>	<b>14</b>
What Do the Measurements Reveal?	14
Reporting Standards	15
Standardizing the Way We Measure	15
<b>WAYS TO LOOK AT THE UNINSURED ISSUE</b>	<b>16</b>
The General Public	16
The Lawmakers	16
The Law Enforcement Community	16
The Motor Vehicle Administrators	16
The Service Providers	17
The Insurance Industry	17
<b>HISTORY CONCLUSION</b>	<b>17</b>
<b>PART 3: U.S. PROFILES</b>	<b>18</b>
<b>THE BREAKDOWN</b>	<b>18</b>
<b>ALABAMA</b>	<b>19</b>
<b>ARIZONA</b>	<b>22</b>

<b>ARKANSAS</b>	<b>25</b>
<b>CALIFORNIA</b>	<b>27</b>
<b>FLORIDA</b>	<b>30</b>
<b>HAWAII</b>	<b>33</b>
<b>IDAHO</b>	<b>35</b>
<b>ILLINOIS</b>	<b>38</b>
<b>INDIANA</b>	<b>42</b>
<b>LOUISIANA</b>	<b>45</b>
<b>MARYLAND</b>	<b>47</b>
<b>MICHIGAN</b>	<b>50</b>
<b>MINNESOTA</b>	<b>52</b>
<b>MISSOURI</b>	<b>55</b>
<b>NEBRASKA</b>	<b>59</b>
<b>NEVADA</b>	<b>62</b>
<b>NORTH DAKOTA</b>	<b>65</b>
<b>OHIO</b>	<b>68</b>
<b>OKLAHOMA</b>	<b>71</b>
<b>OREGON</b>	<b>74</b>
<b>PENNSYLVANIA</b>	<b>77</b>
<b>SOUTH CAROLINA</b>	<b>80</b>
<b>SOUTH DAKOTA</b>	<b>82</b>
<b>TENNESSEE</b>	<b>85</b>
<b>TEXAS</b>	<b>87</b>
<b>UTAH</b>	<b>89</b>
<b>VIRGINIA</b>	<b>92</b>
<b>WASHINGTON</b>	<b>95</b>
<b>WASHINGTON, D.C.</b>	<b>98</b>
<b>WEST VIRGINIA</b>	<b>101</b>

<b>WISCONSIN</b>	<b>104</b>
<b>WYOMING</b>	<b>106</b>
<b>PART 4: VEHICLE INSURANCE IN CANADA</b>	<b>109</b>
<b>INTRODUCTION</b>	<b>109</b>
<b>AUTOMOBILE INSURANCE HISTORY</b>	<b>110</b>
Compulsory Automobile Insurance	110
Uninsured Vehicle Coverage	111
Unsatisfied Judgement Fund	111
<b>INDIVIDUAL PROVINCE AND TERRITORY BREAKDOWN</b>	<b>113</b>
NEWFOUNDLAND & LABRADOR	113
NOVA SCOTIA	114
NEW BRUNSWICK	114
PRINCE EDWARD ISLAND	115
QUEBEC	116
ONTARIO	117
MANITOBA	118
SASKATCHEWAN	119
ALBERTA	120
BRITISH COLUMBIA	121
NORTHWEST TERRITORIES & NUNAVUT	122
YUKON	123
<b>SOME CANADIAN AUTO INSURANCE COVERAGES EXPLAINED</b>	<b>124</b>
<b>PART 5: PROVINCIAL/TERRITORIAL PROFILES</b>	<b>126</b>
<b>THE BREAKDOWN</b>	<b>126</b>
<b>YUKON</b>	<b>127</b>
<b>NOVA SCOTIA</b>	<b>130</b>
<b>SASKATCHEWAN</b>	<b>133</b>
<b>ONTARIO</b>	<b>136</b>
<b>ALBERTA</b>	<b>145</b>
<b>NORTHWEST TERRITORIES</b>	<b>148</b>
<b>NEW BRUNSWICK</b>	<b>150</b>
<b>BRITISH COLUMBIA</b>	<b>153</b>
<b>QUÉBEC</b>	<b>156</b>
<b>PART 6: CONCLUSION</b>	<b>158</b>

<b>UPDATES REQUESTED</b>	<b>158</b>
<b>CONTACT INFORMATION</b>	<b>158</b>
<b>ATTACHMENTS: AMERICAN CHARTS</b>	<b>159</b>

# Part 1: Introduction

## *The Uninsured Motorist / Vehicle Issue*

### THE BEGINNING OF THE PROJECT

Almost from the beginning of the motoring vehicle era, uninsured motorists have been a featured component of public and legislative debates. These debates have focused on auto insurance and liability for automotive crashes. Currently, lawmakers continue to author legislation aimed at reducing the number of uninsured motorists and vehicles from the road. Forty-seven American jurisdictions have some form of compulsory insurance, and that number is likely to increase. All Canadian provinces and territories require compulsory insurance on vehicles. All American states have some form of Financial Responsibility law that holds motorists accountable for bodily injury and damages to vehicles.

Each year, according to some estimates, losses from automobile collisions in the United States exceed \$150 Billion. Canadian estimates are in the order of \$7.5 Billion. Although it is very difficult to determine, the insurance industry estimates the uninsured motorist population in each U.S. jurisdiction to range from as low as five percent to as high as 30 percent. Estimates provided by the Canadian insurance industry range from 4 percent to 15 percent. Because of the high level of importance of Financial Responsibility Issues, the Financial Responsibility & Insurance (FRI) Committee has remained one of the most active of the ten standing committees of AAMVA.

Throughout the years, FR Issues have been a hot topic in the halls of legislatures throughout the United States and Canada. Legislators continue to seek innovative ways to decrease the number of uninsured motorist/vehicles on our highways. Motor Vehicle Administrators have been called to testify on FR issues on a regular basis. They have faced questions such as:

*“What can be done about the uninsured motorist problem?”*

*“What has been done in the past?”*

*“How are other jurisdictions handling the problem?”*

*“What can we do today to deal with the issue?”*

In order to assist jurisdictions with these issues, the FRI Steering Committee placed the project in the FRI AAMVA Master Plan. A Working Group was formed in 1999 and the project began. The group was given the mission to catalog the FR programs for each jurisdiction in the United States and Canada. The intent was for the Guide to be a comprehensive resource for jurisdiction to use when going before the legislatures throughout the United States and Canada.

## PROJECT ACKNOWLEDGMENTS

The Legislative Guide Working Group of AAMVA held its first meeting in September of 1999. The Working Group first outlined the scope of the project and developed a basic outline. This was followed by the writing of a comprehensive survey that was then distributed to the jurisdictions. When the survey was completed, the Working Group analyzed it and placed it into a narrative template. Before publication, the Working Group mailed the narrative of each jurisdiction to them for approval and verification of data.

During the course of the project, the FRI Resource Guide Working Group Members consisted of the following:

### Working Group Members

- ? Gordon Wayman, Illinois, Chair of Working Group and International FRI Chair
- ? Frank D’Onofrio and Janice Orlando-Sottile, Ontario, Region I Representatives
- ? James Junius, Virginia, Region II Representative
- ? Lynn Heinert, North Dakota and Virginia Lockman, Minnesota, Region III Representatives
- ? Julie Montoya, California, Region IV Representative
- ? Bill Todd, South Carolina and Keith Magnusson, North Dakota, Legal Services Representatives
- ? Captain Steven Cumoletti, New York, Police Traffic Services Representative
- ? Kay Hodges, Louisiana, AAMVA FRI Board Advisor
- ? William Gengler, California, Public Affairs and Consumer Education Representative
- ? Tony Rocha, State Farm and William Hinds, GEICO, IICMVA Representatives
- ? Dan Kummer, National Association of Independent Insurers
- ? Cheye Calvo, National Conference of State Legislatures
- ? Nathan Root and Harold Kocken, AAMVA Staff

## THE PROJECT

### The Intent of the Working Group

It is the intent of the FRI Committee for this guide to represent a resource document concerning the uninsured motorist problem and methods individual jurisdictions use to address that problem. It is our intent that this will be a “living” document, being updated regularly as jurisdictions enhance current programs dealing with the

uninsured motorist/vehicle. This publication can be used as a guide to provide information to the legislatures and others on the perceptions, laws and regulations surrounding uninsured motorists.

This publication includes information obtained from the Survey by our Working Group as well as general data on the history of FR issues. The Uninsured Motorist/Vehicle Resource Guide covers information on current:

*Uninsured motorist/vehicle programs;*  
*Vehicle registration;*  
*Insurance reporting programs;*  
*Uninsured motorist collisions; and*  
*Enforcement and motorist/vehicle identification programs.*

### **The Format of the Guide**

We have divided the Resource Guide into six sections. They are as follows:

1. Introduction
2. History of the Uninsured Motorist Issue in the United States
3. Profile Narratives for each U.S. Jurisdiction
4. Vehicle Insurance in Canada
5. Provincial and Territorial Profiles
6. Charts and other Resource Data
7. Conclusion

The Committee has attempted to present all information in a nonbiased matter. We intend it to be updated regularly. We hope the information will assist jurisdictions when looking at the Uninsured Motorist/Vehicle Issue.

## **GUIDE OVERVIEW**

The FRI Resource Guide scrutinizes the position of the jurisdictions and the insurance industry in regard to the effectiveness and cost efficiency of newly developed electronic programs.

U.S. jurisdictions have come up with a variety of programs to deal with the uninsured motorist problem. They are identified as preemptive, sampling and passive-reactive. Preemptive programs attempt to identify all uninsured motorists, while sampling programs seek to identify uninsured motorists or vehicles by looking at a statistical sample of the motoring population. Passive-reactive programs identify only those who are shown to be unwilling or unable to make restitution in the event of an incident.



Currently, Canadian provinces and territories primarily use on-road enforcement as the most effective means to deal with uninsured vehicles. In recent years, many U.S. jurisdictions have adopted laws and regulations requiring motorist and/or insurance carriers to provide evidence of insurance or financial responsibility at the time of registration and/or if requested by law enforcement during a traffic stop.

This document looks at all viewpoints concerning the effectiveness of these new programs, as well as the effectiveness of those that are less intense in their enforcement.

The Resource Guide provides information on the availability of records and addresses privacy concerns, public records and freedom of information requirements. It addresses the type and the amount of information in insurance records that is considered appropriate for disclosure.

The jurisdictions' collective contention that a strong FR program does reduce the number of uninsured motorists is stated in a number of ways. Also recorded is the contention that the FR program has a positive impact on the number of collisions recorded in the various jurisdictions.

In response, this guide presents information from the insurance industry that is critical of the programs now in place, identifying them as costly and not effective in deterring the number of uninsured motorists. It analyzes the differences between jurisdictions and insurance providers in regard to the effectiveness of programs in place. It also provides a balanced analysis of each collective position.

The comprehensive review of insurance laws and procedures also assesses the types of penalties and fines levied upon those caught driving without insurance. It points out that lawmakers are reacting to abuse of the law by imposing stiffer penalties and larger fines on those who do not have the required vehicle insurance.

A sampling of laws now on the books shows that it is common to suspend the driver license or vehicle registration of motorist failing to pay damage judgments. Fines for not having insurance ranges from \$50 to \$5000 for first time offenders. In some jurisdictions, law enforcement officers confiscate vehicle tags or driver licenses. A few jurisdictions now authorize vehicle impoundment.

The guide gives readers an overview of reporting programs and methods, cancellation procedures, and reporting formats used in the United States and Canada. It provides an overview of systems used including electronic data interchanges, file transfer, magnetic tape and paper transfer.

Finally, the guide looks at the varying motorist reporting and filing requirements for crashes/collisions and discusses the processes adopted by the various jurisdictions for damage retrieval, either administratively or in the courts.

It appears that there is a heightened awareness of the uninsured motorist/vehicle problem in Legislatures across the United States. According to the National Council of State Legislatures (NCSL), they have received calls from lawmakers and staff in more than 20 states that plan on reviewing uninsured motorist laws during upcoming sessions. Likewise, Canadian jurisdictions also share a desire to reduce the number

of uninsured vehicles on all roads as a means to enhance road user safety and provide insurance premium equity for all drivers.

It is the hope of the AAMVA FRI Committee that this Guide will help lawmakers, administrators and members of the insurance industry frame appropriate legislation that will ultimately achieve a joint goal of reducing the number of uninsured motorists/vehicles in the United States and Canada.

# Part 2: The American History

## *The Background of the Uninsured Motorist Insurance Issue*

### THE ARGUMENT FOR COMPULSORY INSURANCE

Since the infancy of the modern automobile, there has been a recognition that motor vehicle owners be held responsible for injury and damage done to others. This became particularly apparent by 1920 when car ownership had spread beyond the affluent who had the assets to pay for any harm caused by their negligence. For many low-income families with little property that could be seized to pay for damages they caused, liability insurance seemed to offer the only solution.

#### **Early Legislative Developments**

Conventional wisdom suggested a law that would require all motor vehicle owners to carry liability insurance. Massachusetts was the first to enact such legislation in 1927. By that time, about half the states had introduced compulsory insurance bills. But, none were to be enacted for another 30 years. Instead, the states took a different approach to the problem. They adopted a proposal for a financial responsibility law, which had been included in the Uniform Vehicle Code in 1924 by the National Conference on Street and Highway Safety. Instead of requiring all motorists to carry liability insurance, this proposal would require motorists who were in an accident to show they had the financial means to compensate their victims. These financial responsibility laws exist in most states to this day, the first such law passed in Connecticut in 1925.

In 1956, a compulsory insurance system was established in New York and in 1957, North Carolina became the third compulsory insurance state. Today, there are 47 compulsory jurisdictions. Some of these laws were enacted in the 1970's as part of some type of no-fault insurance package. Many legal authorities believed no-fault laws would have a stronger constitutional footing if they compelled motorists to buy auto insurance. Whether these laws are in the best interest of the public is a subject of great debate.

## **Public Support**

Compulsory insurance laws usually have the support of the general public. Yet, compliance is mixed at best. As will be observed later, there are a variety of reasons why compliance can never be 100%. As expected, the public support comes from compliant citizens who have assets to protect or who have been victims at the hands of uninsured drivers. Such experiences bring expressions of outrage, which ultimately reach the attention of legislators.

## **The Role of Enforcement**

Compelling citizens to purchase and maintain auto insurance is not easy as the jurisdictions have found. Enforcement is very costly. Non-funded mandates have made implementation of these laws quite difficult in many states. Yet, enforcement is the most critical element if these laws have any chance to work. Compliance usually begins with the registration process, when the vehicle owner must provide evidence of insurance in order to register the vehicle. While there are several ways to show evidence of insurance, the most practical method is presentation of the insurance identification card which insurers provide to their customers. In most states, there is a requirement that the ID card be carried in the vehicle at all times. In several states, a signed affidavit is obtained in lieu of the ID card. This is called “self-certification.” In a few cases, this process is employed at the time of driver license application or renewal.

Once evidence of insurance is provided, the job of enforcement turns to law enforcement or administrative action in situations where the motorist fails to show evidence, such as during a traffic stop or after an accident. The latter scenario demonstrates the operation of financial responsibility laws mentioned earlier. It continues to be a viable enforcement tool, although a few jurisdictions eliminated that process upon enactment of compulsory insurance.

## **REPORTING PROGRAMS**

According to many in the Insurance Industry, Compulsory insurance laws did not achieve their objective. Fortunately, and with a touch of irony, uninsured motorists insurance laws were not repealed, thereby offering relief to victims of uninsured drivers. But, lawmakers sought other solutions to the uninsured problem and turned to the insurance industry. The movement toward insurance verification reporting began in the 1970s, picked up momentum in the 1980s, and continues into the new millennium. Each generation of reporting requirements seeks to accomplish what the previous one failed to do, i.e., reduce or eliminate uninsured drivers.

The earliest of these data reporting measures involved the insurer sending notice to the state whenever a policy terminated for any reason. Recognizing that many terminations occur for legitimate reasons such as sale of the vehicle or switching insurance companies, several jurisdictions only required reporting of cancellations within a certain number of days from policy inception. This reporting time frame ranged from 60 to 180 days. The rationale is that if individuals maintain a policy for

that long, they are not part of the problem. Shorter time periods are designed to catch the person who obtains insurance to meet a legal requirement (such as registration), then cancels the policy. The theory is that the jurisdiction could pursue sanctions against the uninsured driver following such a cancellation.

The period that followed saw the early stages of “database” concept. Cancellations only told part of the story. There was a need to know about new policies so those records could be matched against the vehicle registration file at the DMV. Reporting of policy changes such as additions and changes of vehicles followed this. Only one element remained – downloading an insurer’s entire book of business to the DMV, thereby making the database complete.

As technology evolved, the transfer of data became increasingly sophisticated. The earliest reporting format was on paper sent via regular mail. Paper reporting still exists in a few states, but the most prevalent medium is magnetic tape. The current trend is EDI (Electronic Data Interchange) using a dial-up or electronic mailbox process. Use of the Internet has already surfaced and is likely to become the medium of choice, provided that security issues can be resolved.

### **Privatization**

Since the early 1990’s, a new phenomenon has unfolded. The movement in state government to privatize many of its processes has combined with advances in technology to spawn an industry of information and service providers. There are numerous vendors actively seeking contracts with jurisdictions to manage their insurance database. They lobby lawmakers and DMV officials. They each have a product that promises reduction of the uninsured motorist population. Currently, three states have contracted with vendors (three different ones) to handle their insurance database. They are Connecticut (1994), Utah (1995), and Colorado (1999). A few other states have utilized vendors in a consulting capacity to help set up their programs.

### **Random Sampling**

Another enforcement measure utilized by several jurisdictions with varying degrees of success is random sampling. A letter is sent to the sample of vehicle owners asking for the name of the insurer. The state then follows up with the insurer to provide verification. For the most part, these programs are not preferred by jurisdictions. The chief complaint is public disapproval of requiring the insured motorist to submit insurance data to the DMV. However, Illinois has found that the people who complain the most are actually part of the uninsured problem. The Illinois program is very successful and is endorsed by the insurance industry.

### **Jurisdictions Vary on Approach**

Of the 47 compulsory insurance states, there are 22 that require some type of data reporting. There are two that have a voluntary program, and three in the pre-implementation stage. No two programs are alike. So, about half of the states rely on traditional financial responsibility enforcement to deal with uninsured motorists.

However, with the influence of the vendor community, several of these states are considering database reporting.

## DO THESE PROGRAMS WORK?

Many have questioned the success of the reporting programs in ridding the highways of uninsured motorists. The objective receives unanimous support from all stakeholders. Where opinions diverge lies with the reporting process itself, the results, and how the results are measured. Most states have a method of measuring the uninsured motorist population, usually using crash data. Over the years, a few states have shown improvement, while others experienced opposite results. The insurance industry uses a ratio of uninsured motorist to bodily injury liability coverage claims as its measurement. While a reasonable estimate, it is not an absolute number. The important thing for both government and industry to keep in mind is that using the same methodology on a consistent basis provides a baseline with which to compare. Then, you look at the UM trend – is it going up, down, or staying the same?

### What Do the Measurements Reveal?

The Insurance Research Council (IRC) has been providing industry UM estimates for quite some time. In its research studies from 1984, 1989, 1999, and 2000, the United States uninsured motorist rate has remained fairly steady at about 14%. The range is 4.1% (Maine) to 29.7% (New Mexico). The studies find that the UM rate can vary from one part of a state to another, and is typically higher in urban areas. Among the uninsured driver group, 82% indicated they either can't afford insurance or the vehicle is inoperable or not in use.

In general, there is no correlation between compulsory insurance and the number of uninsured motor vehicles on the highway. The same absence of correlation can be said of insurance data reporting programs. Between the 1989 and 1999 IRC studies, of the 18 states with reporting programs in place for 5 years or more, 12 showed an increase in uninsured motorists and 6 experienced improvement. These results suggest there may be other factors involved such as level of enforcement and consistency of penalties.

There are a number of reasons why compliance can never be 100%. Notwithstanding compulsory insurance laws, vehicle owners will continue to violate the mandate, just as we see with DUI and other traffic laws.

*There will always be a segment of the population that chooses for whatever reason to drive without insurance. That percentage is not precisely known and may vary between states. This group either takes a chance or pursues fraudulent compliance measures.*

*There will always be a segment of the population that does not register a vehicle. This percentage is also an elusive number and we can safely presume these motorists also do not bother to purchase insurance. Note that this group never becomes part of an insurance database.*

However, the purpose of the Financial Responsibility laws should continue to focus on reducing the uninsured motorist population as well as dealing with the uninsured motorist after crashes through Safety Responsibility laws.

## **Reporting Standards**

The American National Standards Institute (ANSI) is the clearinghouse for developing standards of various types for most industries. The insurance industry is one of the subscribers and several years ago formed a committee (called the X12 committee) to develop a standardized electronic reporting format. Input from jurisdictions was obtained. This is basically a set of data elements or specifications transmitted in a certain format and the jurisdictions can pull off the data they need. The objective is to avoid new programming for each state as it adopts a reporting program. The Accredited Standards Committee (ASC) of ANSI developed the X12/811 Transaction Set requirements for insurance reporting. It's called "X12" for short. Many jurisdictions have developed their own format or modified X12. These are called "proprietary" formats. Any proprietary format does not meet the objective of standardization. It is important to know that X12 is a format, not a medium for reporting. In other words, the X12 format can be used with paper, tape, electronic mailbox, or Internet protocols. The X12 format is currently a recommended policy of the FR Committee of AAMVA.

## **Standardizing the Way We Measure**

The FR Committee has also produced a document titled "Standardizing the Way we Measure the Uninsured Motor Vehicle Rate." This document is available on the AAMVA Web Site at the following address:

*(<http://www.aamva.org/committees/comFRUninsuredMotoristsWG.asp>)*

The report outlines four measurement methods.

1. The Database Method of Calculating the UMR
2. The Random Sampling Method
3. The Law Enforcement Method
4. The Crash Statistics Method

The formulas for each method are outline in the report.

## WAYS TO LOOK AT THE UNINSURED ISSUE

Not surprisingly, each stakeholder approaches the issue of uninsured motorists from their own perspective. The following summary attempts to capture the essence of the points of view.

### **The General Public**

There must be compensation when hit by an uninsured driver. Better yet, everyone should be compelled to have insurance in order to eliminate the problem. Any uninsured driver should be subject to stiff penalties and should be limited in their amount of recovery. But, if I am poor and have no assets to protect, why force me to buy insurance to protect the other person? After all, there are other priorities like putting food on the table and paying rent.

### **The Lawmakers**

Victims of uninsured drivers must have an avenue for restitution. Victims become the vocal constituents in calls for action to their legislators. It seems only logical that since insurance is the best and most practical means to prove financial responsibility, every vehicle owner should be required to carry at least the minimum level of liability insurance. Those who do not are subject to enforcement sanctions. Insurance companies should assist with the enforcement process by reporting insurance policy status to the Department of Motor Vehicles (DMV).

### **The Law Enforcement Community**

How is time best spent - chasing speeders and drunk drivers, or uninsured motorists? Are there resources and funding for enforcing compulsory laws? Do I remember to ask for evidence of insurance at every traffic stop? If the evidence is not available, what are the chances the vehicle is actually insured? As a judge, how can I apply the penalties when the only crime is being uninsured?

### **The Motor Vehicle Administrators**

Compulsory insurance enforcement and tracking is very expensive. If the mandate is not funded properly, the department must make do with what's available. In some cases, enforcement is non-existent. In short, the DMV must implement the enacted law to the best of its capability. Insurance follows the vehicle, not the driver, but some states impose sanctions on the driver. In most cases, the vehicle owner is subject to penalties, not the driver. Insurance reporting complicates the verification process due to mismatches of data, plus vehicle registration and driver license files that are not linked. Having said that, many jurisdictions support compulsory insurance and data reporting and feel they have achieved positive results.



## **The Service Providers**

Technology and proprietary software provide the answer to the uninsured problem. Programs are well suited for jurisdictions that wish to privatize or outsource the database management process. The funding issue is solved if legislation includes an addition to the fee for vehicle registration. Vendors in Utah and Colorado indicate their program has resulted in a dramatic reduction in uninsured motorists.

## **The Insurance Industry**

The theory underlying compulsory insurance is sound, but when put to the test, falls short of expectations. It seems contradictory that insurers don't support mandatory insurance when it potentially means more sales. The reality is that any increased sales are short-lived, spiking upward when a new law is enacted, then retreating to prior levels after a few months. Further, reporting programs are expensive to implement and maintain and have not demonstrated any positive impact on the uninsured population. The number of uninsured motorist coverage claims can measure any immediate or long-term results. Generally those claims have not decreased, even in Utah and Colorado.

Every compulsory state requires that uninsured motorist coverage be carried or offered. That feature, plus a well-crafted and enforced financial responsibility (SR22) laws are viewed as the necessary ingredients for a reasonable approach to the uninsured problem. That way, victims are compensated and the perpetrators are punished. It focuses on the problem, where as compulsory and reporting programs are directed at the population in general.

The issue of privacy and data confidentiality cannot be overlooked. Transmission of private policyholder information is risky without proper safeguards.

## **HISTORY CONCLUSION**

From a technological viewpoint, insurance data reporting, particularly via electronic means works well in moving data between entities. What happens beyond that has achieved mixed results. Matching of data is critical, but may never reach comfortable levels due to data accuracy issues, differences in database elements and formats, and a laundry list of items that generate false negatives on the DMV database. Unreliable data raises questions about the intensity of law enforcement measures, if indeed law enforcement is incorporated into a state's program.

This guide describes the various programs currently being pursued by jurisdictions. Care should be exercised in determining if any of these is right for your needs or if your current approach is adequate. Considerations must weigh the costs, the payback realities, and intrusion on law-abiding citizens.

# Part 3: U.S. Profiles

*The Narrative for each Jurisdiction in the United States*

## THE BREAKDOWN

The following narratives are profiles of each state that completed our survey. It is the intent of the Working Group to have all the jurisdictions in the future listed in our Guide. It is also our intent for this document to be a “living” document being updated as changes occur. Please submit your changes to the FR Committee of AAMVA. If your jurisdiction is not listed, please submit your profile to the FR Committee for publication. *(The Canadian profiles are provided in Part 5 of this document.)*

Where available, profile information has been organized into the following categories.

- Uninsured Motorist/Vehicle Programs*
- Registration*
- Reporting Programs*
- Uninsured Motorist Crashes*
- Enforcement / Identification Programs*
- General Comments*
- Contact Information*

## ALABAMA

### UNINSURED VEHICLE PROGRAM

Alabama relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to encourage vehicle owners to obtain and maintain financial protection for themselves and other highway users. The Financial Responsibility Law has been in effect since 1984. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. The Compulsory Insurance Law was enacted in May 15, 2000. This law is enforced by showing proof at time of registration, proof upon traffic stop, proof required in vehicle at all times, and after accidents.

When a motorist applies for a vehicle registration, proof of insurance must be presented. Proof must also be shown at the time of any law enforcement stop and crash. Proof is required in vehicles at all times.

Minimum Liability Amounts - \$20,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$40,000 to cover two persons, and \$10,000 to cover property damages. Insurance is required for the vehicle and the driver under the Compulsory Law.

Proof of insurance is acceptable in the form of Insurance ID Cards. The current declaration page of liability insurance policy is also acceptable.

***Financial Responsibility Law***—Enacted in 1984 Alabama’s financial responsibility requires every driver and every owner of a motor vehicle to maintain financial responsibility (liability coverage) at all times.

When a motorist applies for a vehicle registration, proof of insurance must be presented. Policy binder, ID card, self-declaration and policy declaration page, are accepted. Proof must also be shown at the time of any law enforcement stop and crash. Proof is required in vehicles at all times.

### REGISTRATION

All vehicles in Alabama are required to be registered within 30 days of owner’s residency in jurisdiction.

A vehicle does not have to be registered if the plates are turned in or vehicle is listed for non-operation.

Random verification of insurance coverage is done with the insurer at the time of registration.

Individuals, who submit fraudulent insurance documents for registration, are subject to court actions. Upon the determination of a fraudulent document, the insurance company is not contacted but law enforcement is notified.

### **REPORTING PROGRAMS**

Alabama does not have a compulsory insurance electronic program or an electronic reporting program for SR-22 Certificates of Future Proof.

The department has an insurance database that links driver licensing or vehicle registration, implemented in January 2001.

### **UNINSURED MOTORIST CRASHES**

In Alabama motorists involved in crashes are required to produce evidence of insurance at the scene. Acceptable evidence includes Insurance Card and policy binder.

If driver is unable to submit evidence of insurance at the time of the crash, registration is suspended. To reinstate, a \$100.00 reinstatement fee and SR-22 filing is required for one year.

A reportable crash is defined as one with \$250.00 worth damages to property or injury or death

Avenues available to insured motorist involved in a crash with an uninsured motorist include the judgment process, where uninsured motorist, via installment payments, compensates the plaintiff. The DMV will also suspend/revoke the driving privileges if an uninsured motorist does not compensate victim.

When an uninsured out-of-state motorist is involved in a crash the driving privilege is suspended until the victim is compensated and conviction information is forwarded to the state of residence.

Uninsured motorists, involved in crashes, are required to file proof of Financial Responsibility in the form of an SR22 Certificate.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Alabama upon request of law enforcement. Police Officers ask for proof of insurance during a roadside traffic stop; however, they are not authorized to stop motorists solely to check for proof of insurance

If a driver fails to show evidence of FR to law enforcement, the following penalties will apply to first offense: Require a SR22 filing for one year and a \$100.00

reinstatement fee. For a second and subsequent offense, a SR22 filing for three years and a \$200.00 reinstatement fee.

Penalties for providing false evidence of FR to law enforcement are a driver license suspension and a fine not to exceed \$500.00. For a second and subsequent offense, driver suspension and a fine not to exceed \$1000,00.

Enforcement alternatives available to police officers, roadside, when determining that a motorist is uninsured, include issuing a traffic ticket.

If the driver is not the owner of the vehicle, the owner will be issued a citation/appearance ticket.

### **CONTACT INFORMATION**

Name: Bonnie Steele

Title: Driver License Specialist

Address: Alabama Department of Public Safety  
Driver License Division  
P.O. Box 1471  
Montgomery, AL 36102-1471  
(334) 242-4222

## **ARIZONA**

### **UNINSURED MOTORIST PROGRAMS**

Arizona relies on the **Compulsory Liability Insurance Law** but does not have a **Financial Responsibility Law** to tackle the uninsured motorist problem. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance and show proof upon traffic stop. The Compulsory Insurance Law was enacted and became effective in 1983

When a motorist is contacted during a traffic stop, proof of insurance is to be submitted to the officer, as proof of insurance is required to be in the vehicle at all times.

Minimum Liability Amounts - \$15,000 to cover bodily injury or death of any one person in any one motor vehicle accident and, \$30,000 to cover two persons, and \$10,000 to cover property damages. Insurance is required for the Vehicle only under the Compulsory Law.

Proof of insurance is acceptable in the form of Policy Binders, Insurance ID Cards, and copy of policy declaration page.

### **REGISTRATION**

All Vehicles in Arizona are required to be registered within 10 days of owner's residency in the jurisdictional area but are not required to show proof of insurance at the time of registration.

A vehicle does not have to be registered if it is on blocks, totaled, stolen or, if written certification is received, by DMV, stating that the vehicle will not be operated.

Presently, there are no procedures in place to deal with circumstances relating to individuals who submit fraudulent insurance documents nor does Arizona track instances of insurance fraud or attempted insurance fraud.

### **REPORTING PROGRAMS**

Arizona does not have a compulsory insurance electronic program or an electronic reporting program for SR 22 (Certificates of Insurance) but are planning to institute a program.

The reporting media consists of paper, magnetic tape, online batch, online via direct line connection, on line via www, file transfer protocol, (FTP). The format used in Arizona includes the X12 and the state specific application. The information relating to new business, cancellations or changes is to be reported to the DMV 7 days after

effective and the reporting of SR 26's (Certificate of Cancellation) is to be reported 10 days before effective.

Arizona does not have a Random Sampling Program in which the data is pulled from the database of the vehicle registrations.

Although there is no random sampling, there is an insurance database that is linked to the vehicle registration and the driver license database. Commonly used to match insurance data to the motor vehicle information systems, are the vehicle identification number, driver license and employer number.

The advantages of this program include: Inclusion of most registered vehicles; the use of a mostly automated system; Shorter turn around times; Partnership with the insurance industry. The disadvantages include: Volume of data to process; Number of notices generated.

Since a driver never knows when a law enforcement stop will be made, there is a motivation to maintain liability insurance.

### **UNINSURED MOTORIST CRASHES**

In Arizona, motorists involved in crashes are required to produce evidence of insurance at the scene. Evidence acceptable includes: Policy Binders, Insurance ID Cards, and copy of policy declaration page.

If driver is unable to submit proof of insurance at the time of the crash, the driver is allowed an opportunity to submit evidence prior to the court date. Failure to provide evidence of insurance may result in the court suspending the driving privilege and/or the registration from 3 to 12 months, in addition to a fine of \$250.00 to \$750.00 and required to maintain an SR-22 on file for 3 years.

The officer, upon submitting a traffic citation and/or a traffic accident report to DMV, in which an accident is indicated, defines a reportable accident. If the officer does not issue a citation or other parties involved in the collision do not request an accident investigation, the accident is not reported to DMV. The motorist is not required to file an accident report or notify the insurance agency. However, after an accident the motorists are required to report to an accident investigation center and exchange information.

Avenues available to insured motorist involved in a crash with an uninsured motorist include the judgment process, where uninsured motorist, via installment payments, compensates the plaintiff. The DMV will also suspend/revoke the driving and registering privileges if an uninsured motorist does not compensate victim.

When an uninsured out-of-state motorist is involved in a crash the conviction information is forwarded to the state of residence.

Cancellation of the SR 22 during the 36-month period will result in an immediate reimposition of sanctions for the remainder of the three-year period with a \$10.00 reinstatement fee. A restricted driving privilege in lieu of sanctions is allowed under

the law. The restriction is limited to driving to and from employment, as well as to and from school and proof of insurance is required.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Arizona and must be presented upon request of law enforcement.

If a driver fails to show evidence of Financial Responsibility to law enforcement, the following penalties will apply: First offenders, \$250.00 and subsequent offenders, \$500.00 to \$750.00.

There are no penalties for providing false evidence of FR to law enforcement.

Enforcement alternatives available to police officers roadside when determining that motorist is uninsured include issuing a traffic ticket.

If the driver is not the owner of the vehicle, the following action is taken: The owner is issued a traffic citation.

### **CONTACT INFORMATION**

Name: Charles J. Ramsey

Title: Executive Consultant I

Address: P O Box 2100, MD 5300 M Phoenix, AZ 85001

Note: 'Mary' of the director's office—same address—also supplied Information



## **ARKANSAS**

### **UNINSURED VEHICLE PROGRAM**

Arkansas relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to encourage vehicle owners to obtain and maintain financial protection for themselves and other highway users. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. The Compulsory Insurance Law was enacted in 1954. This law is enforced by showing proof at time of registration, proof upon traffic stop, and proof required in vehicle at all times. The Financial Responsibility Law has been in effect since 1954. This law is enforced within 30 days of an accident.

Minimum Liability Amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$50,000 to cover two persons, and \$25,000 to cover property damages. Insurance is required for the Vehicle only under the Compulsory Law.

Proof of insurance is acceptable in the form of Insurance ID Cards.

### **REGISTRATION**

All vehicles in Arkansas are required to be registered within 30 days of owner's residency in jurisdiction and all registered vehicles must carry liability insurance.

A vehicle does not have to be registered if the vehicle has been totaled and the title branded, vehicle stolen, or vehicle is listed for non-operation.

At the time of registration, policy binder, insurance ID card or letter from agent is acceptable proof of insurance. Insurance coverage is verified with insurer at the time of registration.

### **REPORTING PROGRAMS**

Arkansas has a compulsory insurance electronic reporting program.

The reporting media accepted for reporting Compulsory Insurance consists of paper, magnetic tape, batch, line connection, Internet and file transfer protocol.

The reporting format is state-specific developed by the state.

The book of business initiates reporting followed by monthly reports.

Reports are required 30 days after new business, cancellations, and changes.

VIN from insurance database is matched with vehicle database.

## **UNINSURED MOTORIST CRASHES**

In Arkansas motorists involved in crashes are required to produce evidence of insurance at the scene. Acceptable evidence includes Insurance Card.

If driver is unable to submit proof of insurance at the time of the crash, the driver shall be deemed guilty of a Class A misdemeanor. In addition, if convicted, the court may order that the vehicle be impounded until proof of coverage is made to the court.

Avenues available to insured motorist involved in a crash with an uninsured motorist is DMV will suspend/revoke the driving privileges if an uninsured motorist does not compensate victim.

When an uninsured out-of-state motorist is involved in a crash the driving privilege is suspended until the victim is compensated.

Arkansas' uninsured motorists involved in crashes in another state are driving and registration privileges are suspended until the crash victim is compensated and are required to file SR-22.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

No information given.

## **CONTACT INFORMATION**

Name: Coy Fulfer

Title: Manager

Address: P. O. Box 1272  
Little Rock, AR 72203

(501) 682-7098

## CALIFORNIA

### UNINSURED MOTORIST PROGRAMS

California relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to tackle the uninsured motorist problem. The Financial Responsibility Law requires high-risk drivers who have been involved in uninsured crashes to prove their financial responsibility for the future by filing proof of financial responsibility in the form of an SR22 Insurance Certificate. The Compulsory Insurance Law requires all vehicle owners to carry liability insurance. Law enforcement officers enforce this law at the time of a traffic stop, and vehicle owners provide evidence of their coverage upon vehicle registration.

***Compulsory Liability Insurance Law:*** First enacted in 1975, with significant modifications thereafter, California's compulsory financial responsibility law requires every driver and every owner of a motor vehicle to maintain financial responsibility (liability coverage) at all times.

This law is enforced by law enforcement at the time of a traffic stop, and citations are issued for failure to provide evidence of financial responsibility.

Vehicle owners may self-certify their liability coverage upon registration of their vehicles.

Random sampling is performed to validate the insurance information provided to the DMV.

Minimum Liability Amounts - \$15,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$30,000 to cover two persons, and \$5,000 to cover property damages. Insurance is required for the vehicle only under the Compulsory Law.

An insurance ID Card is acceptable to establish evidence of financial responsibility under the compulsory liability insurance law.

***Financial Responsibility Law:*** Enacted in 1949

The law allows a suspension of the driver license if a motorist is involved in an uninsured crash. Proof of financial responsibility by means of an SR-22 is required if suspension occurs.

### REGISTRATION

All Vehicles in California are required to be registered within 10 days of owner's establishment of residency.

A vehicle does not have to be registered if it is not driven on public streets.

Individuals who submit fraudulent insurance documents for vehicle registration may have their registration cancelled and be required to pay a reissuance fee.

## **REPORTING PROGRAMS**

California has a voluntary electronic compulsory insurance program for registration of vehicles and for electronic reporting of SR22 Certificates of Insurance.

The reporting media for reporting insurance information for registration renewal consists of magnetic tape, Online via direct line connection, and File Transfer Protocol. The format used is the X12. The information is reported to DMV upon the initial reporting of new business and upon vehicle registration renewal. The electronic reporting of SR22 Certificates of Insurance document information is done through mag tape and electronic data transfer.

California does not maintain an insurance database for all vehicle registrations. Electronic Insurance data, when voluntarily submitted, is matched to complete vehicle identification number. Rejects are returned to the insurance company.

There is a random sampling program in place and vehicle information is pulled from the database of vehicle registrations for verification.

## **UNINSURED MOTORIST CRASHES**

In California, motorists involved in crashes are required to produce evidence of insurance at the scene. Acceptable evidence is an Insurance Identification Card.

Failure to provide evidence of insurance at the time of the crash will result in a one-year suspension of the driving privilege.

A reportable crash is defined as one in which there is any death, personal injury or damage of \$500 or more to any one person's property. The motorist is required to exchange insurance information with other involved parties, and file the crash report with DMV.

Uninsured Motorists involved in crashes will also lose their driving privileges based upon a court judgment if they fail to compensate a victim for any damage they cause. The DMV will suspend the driving privileges of motorists upon receipt of an Unsatisfied Judgment from the Court. The suspensions will remain in effect until the court orders reinstatement or the provisions of the law are met, and proof of financial responsibility (SR-22) is submitted to the DMV.

Uninsured drivers with out of state licenses have their driving privilege in California suspended until the crash victim is compensated. An SR-22 is required before the driving privilege is reinstated.

Uninsured motorists involved in crashes are required to file proof of Financial Responsibility in the form of an SR22 Certificate. Cancellation of the SR22 will result in an immediate driver's license suspension. The individual is required to file

for 36 months from the reinstatement date. Reinstatement of the driving privilege requires a \$55 reinstatement fee.

Restricted driving licenses are available during the FR Suspension for driving to and from employment and during the course of employment, to and from required medical treatment and educational purposes.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

California law enforcement officers are required to ask for proof of insurance during a roadside traffic stop if a citation is issued for any other violation, however a vehicle may not be stopped solely for the purpose of checking for evidence off financial responsibility.

If a driver fails to show evidence of FR to law enforcement and is cited, the following penalties will apply to first offenders: Minimum fine of \$100 and maximum fine of \$200. For a second and subsequent offender, the driver will be assessed a minimum fine of \$200 to \$500, and the courts may impound the vehicle.

The enforcement available to police officers' roadside when determining that a motorist is uninsured is issuing a traffic citation. If the driver is not the owner of the vehicle, no enforcement taken against the owner.

### **CONTACT INFORMATION**

Julie Montoya, Manager  
Department of Motor Vehicles  
Post-Licensing Policy  
PO Box 944278, MS C-163  
Sacramento, CA 94244-2780

(916) 657-8392

E-mail: [jmontoya@dmv.ca.gov](mailto:jmontoya@dmv.ca.gov)

## FLORIDA

### UNINSURED VEHICLE PROGRAM

Florida relies on the **Financial Responsibility Law** to encourage vehicle owners to obtain and maintain financial protection for themselves and other highway users. The Financial Responsibility Law has been in effect since 1947. Until January 1, 1978, Florida had compulsory liability insurance. On January 1, 1978, Florida converted to no fault and financial responsibility because of non-compulsory insurance.

Self-certification of insurance is acceptable when an owner applies for a vehicle registration. Proof of insurance is required in vehicles at all times and must be shown at the time of any law enforcement stop and crash.

Minimum Liability Amounts - \$10,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$20,000 to cover two or more persons per occurrence, and \$10,000 to cover property damages. Under the compulsory no-fault law, only owner/registrant needs to show proof of insurance on vehicle. The operator, if not the owner, is not required to show proof.

Proof of insurance is acceptable in the form of Insurance ID Cards/policy binder.

### REGISTRATION

All Vehicles in Florida are required to be registered within 90 days of owner's residency in jurisdiction.

A vehicle does not have to be registered if the plates are turned in or vehicle is branded salvage unrebuildable.

Liability insurance is mandatory for all commercial vehicles over 26,000 pounds GVW, non-commercial vehicles are excluded.

### REPORTING PROGRAMS

Florida has a compulsory insurance electronic reporting program.

The reporting media is tape with a batch mode. Paper reporting is an alternative only for firms with fewer than 1000 policies.

The reporting format is state-specific developed by the state.

The book of business is required for the initial report followed thereafter by cancellations, initiations and renewals.

Initiations require reporting 30 days after effective day and 45 for cancellation reports.

Driver and vehicle systems are linked. Comparison of book of business on insurance database with vehicle database. VIN and driver license numbers are the two primary match parameters.

Error reports are sent to insurance companies for resolving matching errors.

Advantages of the program are receipt of accurate data, ease of handling and measuring, ease of management; disadvantage is accuracy of program is limited to timeliness and accuracy of reporting by insurance industry.

Insurance verification lists are sent to insurance industry to verify customer insurance certification.

### **UNINSURED MOTORIST CRASHES**

In Florida motorists involved in crashes are required to produce evidence of insurance at the scene. Acceptable evidence includes Insurance card and policy binder.

If driver is unable to submit proof of insurance at the time of the crash, the driver is allowed 30 days to submit evidence.

Failure to provide evidence of insurance will result in a notice being generated approximately 120 days after the crash. When injury occurs, proof is required for bodily injury coverage on date of crash. If not, future proof of insurance is required for three years and release from injured party; otherwise, vehicle owner's driving and registration privileges are suspended for three years.

A reportable crash is \$500.00 damages to property and/or injury or death

Avenues available to insured motorist involved in a crash with an uninsured motorist include no-fault jurisdiction and the judgment process. The DMV will also suspend/revoke the driving privileges if an uninsured motorist does not compensate victim.

When an uninsured out-of-state motorist is involved in a crash the driving privilege is suspended until the victim is compensated. Additionally, the driver will be required to show proof of SR-22/certificate of insurance filing.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Florida upon request of law enforcement. Police Officers ask for proof of insurance during a roadside traffic stop; however, they are not authorized to stop motorists solely to check for proof of insurance

If a driver fails to show evidence of insurance to law enforcement, the officer may issue a citation. The owner than can show proof of insurance in court. Other than court costs, which maybe waived in court, no sanction for failure to show proof to enforce officer.

### **CONTACT INFORMATION**

Name: T. N. Prakash

Title: Chief, Bureau of Financial Responsibility

Address: 2900 Apalachee Parkway  
Tallahassee, FL 32399-0585

(805) 488-6435



## **HAWAII**

### **UNINSURED MOTORIST PROGRAMS**

Hawaii relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to tackle the uninsured motorist problem. The Compulsory Insurance Law was enacted in 1973. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. Showing proof upon a traffic stop or proof upon a vehicle safety inspection enforces this law. The Financial Responsibility Law has been in effect since 1950. It removes financially irresponsible drivers from the roadways by suspending their driving privileges. Drivers involved in crashes and drivers convicted in traffic court of certain traffic offenses may be affected.

#### ***Compulsory Liability Insurance Law***

Compulsory financial responsibility law requires every owner of a motor vehicle to maintain liability coverage at all times.

When a motorist is stopped by law enforcement, the driver must show proof of insurance as the proof must be in vehicle at all times.

***Financial Responsibility Law*** – became enacted in 1949 and effective in 1950.

The Financial Responsibility law is enforced through the SR22 Certificate or posting of securities in the amount of \$25,000.

As a result of crashes, the SR-21 Certificate or acceptable proof of settlement for damages or body injuries is required.

### **REGISTRATION**

No responses to these questions were provided.

### **REPORTING PROGRAMS**

Hawaii does not have a compulsory insurance electronic reporting program for SR-22 Certificates of Insurance.

The reporting media consists of paper.

Hawaii does not have a Random Sampling Program.

Hawaii does not have a database linking insurance to driver license.

## **UNINSURED MOTORIST CRASHES**

Failure to provide evidence of insurance at the time of an accident will result in a 2-year suspension of driving privileges.

Uninsured Motorists involved in crashes will lose their driving privilege if the uninsured motorist does not compensate the victim.

Actions taken against uninsured motorists, upon receipt of a record of unsatisfactory judgment may include: Suspension of driver license until crash victim is compensated; motorist may opt to show proof of SR-22/certificate of insurance filing if paid via installments. A cancellation of the SR22 will result in an immediate suspension until the judgment is satisfied or until another SR22 filing is made. At the end of the mandatory sanction, the driver may sign an affidavit to regain privileges.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

A driver is not required to show evidence of Financial Responsibility to law enforcement.

## **CONTACT INFORMATION**

Name: Mona McNamara

Title: MVFR Supervisor

Address: P. O. Box 30340 Honolulu, HI 96820-0340 (1199 Dillingham Blvd., #A101 Honolulu, HI 96817)

## **UNINSURED MOTORIST PROGRAMS**

Idaho relies on the **Compulsory Liability Insurance Law** but does not have a **Financial Responsibility Law** to tackle the uninsured motorist problem. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance and show proof upon traffic stop. The Compulsory Insurance Law was enacted and became effective in 1979.

*Compulsory Liability Insurance Law--* (Effective, 1979).

When a law enforcement officer stops a motorist, proof of insurance must be presented.

Minimum Liability Amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$50,000 to cover two persons, and \$15,000 to cover property damages. Insurance is required for both the Vehicle and the driver under the Compulsory Law and Financial Responsibility law.

Proof of insurance is acceptable in the form of Policy Binders, Insurance ID Cards, Insurance declaration page and renewal notice.

*Financial Responsibility Law--* (Enacted in 1953/*Effective, 1953*).

No law in effect. "We require SR 22 certificates after certain types of suspensions to reinstate driving privileges."

## **REGISTRATION**

In Idaho, all vehicles are required to be registered in 3 days of purchase.

All owners are required to register vehicles within 90 days of residency.

A vehicle may remain unregistered under the following circumstances: When the vehicle has been totaled and titled/registration branded; when the vehicle has been stolen and the title branded; plates are turned in; and, when the vehicle is put on blocks.

Exception to carrying liability insurance: "Suspension of Coverage-Not considered a cancellation".

Self-certification and declaration is accepted, from a registered owner, as proof of compliance with compulsory insurance, at the time of registrations.

No procedures are in place to deal with individuals who submit fraudulent insurance documents.

## **REPORTING PROGRAMS**

Idaho does not have a compulsory electronic insurance program.

Idaho has an electronic reporting program that allows for the reporting of SR 22/Certificate of Future proof.

The reporting media for reporting compulsory insurance consists of paper and online batch.

The format used in Idaho is the X12.

The information is reported to the DMV during the initial reporting the reporting of SR 26s/Certificates of Cancellation is to be reported 10 days before effective.

Idaho does not have a Random Sampling Program.

The insurance database is not linked to the vehicle registration or the driver license database.

Idaho does not verify the validity of proof of insurance.

## **UNINSURED MOTORIST CRASHES**

In Idaho motorists involved in crashes are required to produce evidence of insurance at the scene. Acceptable includes an Insurance ID Card.

Failure to provide evidence of insurance will result in the driver being issued a citation. The driver “can bring in proof of insurance to court and have the citation dismissed; or, if no proof is provided, the driver must pay a fine and the driving privilege will be suspended. The driver is required to file an SR 22/Certificate of Insurance for one year on 1<sup>st</sup> offense and three years on the 2<sup>nd</sup> and subsequent offenses.

A reportable crash is defined as any collision resulting in injury to or death of any person or total property damage to the extent of \$750.00.

Uninsured Motorists involved in crashes may be suspended, revoked if the uninsured motorist does not compensate the victim. Uninsured motorist, via installment payments, may compensate a victim.

When an uninsured out-of-state motorist is involved in a crash the conviction information is forwarded to the state of residence.

Actions taken against a driver, upon receipt of a record of unsatisfied judgment from another jurisdiction, are as follows: Post drivers license suspension and suspend the driver license until the crash victim is compensated.

To reinstate the driving privilege, the driver will have to submit proof of insurance filing and pay the reissue fee of \$15.00. Additionally, proof of satisfaction/payment arrangements must be on file.

No restricted driving permit is available during the FR Suspension.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is not required to be shown upon request of law enforcement in Idaho. Police Officers are required to ask for proof of insurance during a roadside traffic stop.

Police officers are not authorized to stop motorists solely to check for proof of insurance.

Enforcement alternatives available to police officers roadside, when determining that a motorist is uninsured include issuing a traffic ticket or an appearance ticket.

If the driver is not the owner of the vehicle, no action will be taken.

### **CONTACT INFORMATION**

Name: Ed Pemble

Title: Driver Services Manager

Address: P. O. Box 7129  
Boise, Idaho 83707

Telephone: (208) 334-8701  
E-Mail: [Epemble@itd.state.id.us](mailto:Epemble@itd.state.id.us)

**UNINSURED VEHICLE PROGRAM**

Illinois relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to tackle the uninsured motorist problem. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. The Compulsory Insurance Law was enacted in 1990. This law is enforced through random sampling and through tickets issued by law enforcement. The Financial Responsibility Law has been in effect since 1937. It requires high-risk drivers who have been involved in crashes to prove their financial responsibility for the future by filing the proof of financial responsibility in the form of an SR-22 Insurance Certificate.

***Compulsory Liability Insurance Law*** - (Effective July 1, 1989 - 625 ILCS 5/7-602-610) The law states that a person shall operate, register or maintain registration of, and no owner shall permit another person to operate, register or maintain registration of, a motor vehicle designed to be used on a public highway unless the motor vehicle is covered by a liability insurance policy.

When a motorist applies for a driver's license and plates, they check a box to affirm that they have liability insurance. Proof must also be shown at time of any law enforcement stop and/or crash. In addition, enforcement occurs through a random sampling of vehicle registrations through DMV.

Minimum Liability Amounts - \$20,000 to cover bodily injury to or death of any one person in any one motor vehicle crash and, \$40,000 to cover two persons, and \$15,000 to cover property damages. Insurance is required for the vehicle only under the Compulsory Law.

Proof of insurance is acceptable in the form of Policy Binders, Insurance ID Cards, and SR-22 Certificates, and application for insurance (verified by DMV).

***Financial responsibility Law*** - (Effective 1937 - 625 ILCS 5/7-100-503) Through the financial responsibility law motorists are held responsible for damages they inflict on others and future uninsured crashes are prevented through the SR-22 requirement for high-risk drivers.

The financial responsibility law is enforced through the SR-22 certificate, upon license application and upon traffic stops.

## **REGISTRATION**

All vehicles are required to be registered that are used on a public highway. New residents have to register within 30 days after moving to Illinois. Individuals who submit fraudulent insurance documents for registration are subject to a six-month registration suspension and a \$200 reinstatement fee to the DMV. Upon receipt, Illinois informs the insurance company of the fraudulent documents submitted. The information is tracked, as well. Vehicles do not have to register if they are not used on a public road such as airport vehicles, farm vehicles, or if used only on private property.

## **REPORTING PROGRAMS**

Illinois does not have a compulsory insurance electronic program nor do they have electronic reporting for SR-22 certificates of future proof. Some insurance verification and cancellations are submitted by tape. Illinois is currently planning electronic reporting of SR-22's for the future.

Illinois has a random sampling program in which the data is pulled from the database of vehicle registrations. The targeted criteria used in the sample include previous violators, previous FR filings, insurance cancellations, and previous driver license suspensions. The insurance information received from the random sample is verified with the insurance company when the registrant responds to the questionnaire. Insurance companies only have to respond when the vehicle is not insured.

Since a registrant never knows when he or she will be sampled or stopped by law enforcement, there is a motivation to maintain liability insurance. The mandatory insurance program with the Secretary of State pays for itself. The money collected in reinstatement fees offsets the cost of the program.

## **UNINSURED MOTORIST CRASHES**

In Illinois motorists involved in crashes are required to produce evidence of insurance at the scene of the crash. Evidence acceptable includes an insurance card, policy binder, or an application of insurance.

Failure to provide evidence of insurance will result in the law enforcement officer issuing a citation for no insurance, and if the driver is found guilty in court the vehicle registration is suspended. If the motorist does not have insurance the vehicle registration is suspended immediately and the driver is required to pay a \$100 reinstatement fee and provide evidence of current insurance. If multiple violations the violator must serve a 4-month suspension of registration in addition to the fees and insurance requirements.

A reportable crash is defined as a crash with \$500 or more in damages. There are no exceptions to these reporting criteria.

An insured motorist involved in a crash with an uninsured motorist can file a judgment against the uninsured motorist. The uninsured motorist then may have their driving and/or registration privileges suspended or revoked until the insured motorist is compensated. Compensation must be made. The DMV will accept compliance documents such as installment agreements and releases in order to reinstate privileges.

If an uninsured out-of-state motorist is involved in a crash any conviction information is forwarded to the state of residence. The motorist will have their Illinois driving privileges and registration suspended until the crash victim has been compensated. The out-of-state motorist will be required to show proof of insurance with an SR-22 filing.

A judgment received from another jurisdiction will result in a suspension being posted to the driver's record. The suspension will last until the victim has been compensated or becomes dormant in 7 years. A SR-22 will be required. The registration will also be suspended.

Uninsured motorists involved in crashes are required to file proof of Financial Responsibility in the form of a SR-22 certificate. Cancellation of the SR-22 will result in an immediate driver license suspension. The cancellation remains in effect until a new SR-22 is filed. No restricted driving permit is available during the FR suspension/cancellation.

## **ENFORCEMENT/IDENTIFICATION PROGRAMS**

Evidence of financial responsibility is required in Illinois upon request of law enforcement. Law enforcement is allowed to ask for proof of insurance during a roadside traffic stop. However, they are not authorized to stop motorists solely to check for proof of insurance.

If a driver fails to show evidence of financial responsibility to law enforcement, the following penalties will apply to first time offender; fine, requirement to show proof, suspension of driving and registration privileges, and SR-22 required.

Submission of false evidence of financial responsibility will result in a six-month registration suspension and a \$200 reinstatement fee.

Enforcement alternatives available to police officers at the roadside when determining that motorist is uninsured include issuing a traffic ticket, towing the vehicle from the scene, prohibiting the motorist from driving the vehicle, or any other enforcement action at the discretion of law enforcement.

If the driver is not the owner of the uninsured vehicle action may be taken against the registered owner. This may include suspension of the registration.



**CONTACT INFORMATION:**

Uninsured Crashes/SR-22

Gordon Wayman  
Driver Services Department  
2701 S Dirksen Parkway  
Springfield, IL 62723  
gwayman@ilsos.net  
Phone (217) 785-0432

Mandatory Insurance

Jim Schneider  
Mandatory Insurance Division  
501 S 2<sup>nd</sup> St  
Room 440 Howlett Building  
Springfield, IL 62756  
Phone (217) 785-5404

## **INDIANA**

### **UNINSURED VEHICLE PROGRAM**

Indiana relies on the Financial Responsibility Law to tackle the uninsured motorist problem. The Financial Responsibility Law was enacted in 1994. It requires high-risk drivers to prove their financial responsibility for the future by filing a Certificate of Compliance completed by the insurance company. Proof of financial responsibility is required at the time of registration. When a driver is convicted of certain traffic offenses the Bureau of Motor Vehicles is required to send a notice requesting a driver to prove they were insured to drive at the time the incident occurred.

Minimum liability amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle crash and \$50,000 to cover two persons, and \$10,000 to cover property damages. Insurance is required for both the driver and the vehicle under the Financial Responsibility Law.

Proof of insurance is acceptable in the form of a Certificate of Compliance completed by the insurance company.

### **REGISTRATION**

All vehicles in Indiana are required to be registered within 31 days of purchase or within 60 days of owner's residency. Liability insurance is required at the time of registration and when the vehicle is operated on public highways.

No proof of insurance is required at time of registration, however Indiana does randomly verify insurance coverage with the insurer shortly after registration.

Individuals who submit fraudulent insurance documents for registrations are subject to a driver license suspension. The information is forwarded to the insurance company whose documents were forged.

No information is tracked regarding fraudulent insurance documents.

### **REPORTING PROGRAMS**

Indiana does not have an electronic insurance reporting program. SR-22's are accepted in paper format.

## **UNINSURED MOTORIST CRASHES**

Indiana does NOT require motorists to produce evidence of insurance at the scene of a crash. The motorist is allowed to prove they had insurance in effect at the time of the crash within 45 days from the date the Bureau of Motor Vehicles requests the proof of insurance. If the motorist does not have insurance in effect at the time of a crash the driving privilege may be suspended for 90 days.

A reportable crash is defined as a crash involving injury or death, or a crash that exceed \$750 total damages. Police are required to investigate all reportable crashes.

A motorist involved in a crash is required to file an Operator's Crash Report, notify their insurance agent, and exchange insurance information with the other party. They are also required to exchange driver's names and current residence address, driver license numbers, vehicle identification number, and name and number of any insurance policy.

An insured motorist involved in a crash with an uninsured motorist may choose to follow the judgment process. Judgments are accepted from other jurisdictions, and may result in a driver license suspension.

The Bureau of Motor Vehicles takes no action against an out-of-state uninsured motorist.

Indiana required notice from an insurance company verifying that a policy was in effect at the time of a crash.

Indiana imposes a 90 suspension of driving privileges for a driver/owner of a motor vehicle involved in a reportable crash who fails to show evidence of financial responsibility in effect at the time of the crash. The reinstatement fees are \$150 for first offense, \$225 for a second offense, and \$300 for third and subsequent offenses. At the time of reinstatement the driver/owner must show proof of financial responsibility.

Restricted driving privileges are available during the financial responsibility suspension if ordered by the court. The reinstatement fee and proof of insurance are required along with the court order, which indicated the restrictions imposed.

## **ENFORCEMENT/IDENTIFICATION PROGRAMS**

Indiana does not require evidence of financial responsibility upon the request of law enforcement. However a police officer may ask for proof of insurance at a roadside traffic stop. If the driver cannot provide proof of insurance the officer may issue a traffic citation and the driver must take proof of insurance at the time of the citation to the court date. If a driver provides false evidence of financial responsibility to a peace officer the court may order a suspension of driving privileges.

If a person provides false evidence of financial responsibility at the time of registering a vehicle the person may have to appear for an administrative hearing and face a possible license suspension.

If the driver is not the owner of the vehicle no enforcement action can be taken against the owner.

**CONTACT INFORMATION**

Annette Lopez  
100 N Senate Ave Rm N402  
Indianapolis, IN 46227

Phone: 317-233-4920

## **LOUISIANA**

### **UNINSURED VEHICLE PROGRAM**

Louisiana relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to encourage vehicle owners to obtain and maintain financial protection for themselves and other highway users. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. The Compulsory Insurance Law was enacted in 1984. This law is enforced by showing proof at time of registration, proof upon traffic stop, proof required in vehicle at all times.

When a motorist applies for a vehicle registration, proof of insurance must be presented. Proof of insurance is acceptable in the form of Insurance ID Cards, policy binder, and policy declaration page.

Minimum Liability Amounts - \$10,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$20,000 to cover two persons, and \$10,000 to cover property damages.

### **REGISTRATION**

All vehicles in Louisiana are required to be registered immediately of owner's residency in jurisdiction; forty days from the date of purchase.

A vehicle does not have to be registered if the plates are turned in or vehicle title is branded totaled, stolen or listed for non-operation.

All registered vehicles are required to carry liability coverage with the exception of seasonal vehicles and vehicles placed on blocks (proved non-operational).

### **REPORTING PROGRAMS**

Louisiana has a compulsory insurance electronic reporting program.

The reporting media accepted for reporting of paper, if reporting less than 250 vehicles per year, and file transfer protocol (FTP).

The reporting format is state-specific and developed by the state.

Initial reporting of the book of business is required.

New business and cancellations are required 15 days after effective date.

The department does not have an insurance database that links driver licensing or vehicle registration.

VIN from insurance database is matched to vehicle database.

Performance of program is determined by the quality of information reported by insurance companies.

### **UNINSURED MOTORIST CRASHES**

Motorists involved in crashes are required to produce evidence of insurance at the scene. Acceptable evidence includes Insurance ID Card and policy binder.

If driver is unable to submit proof of insurance at the time of the crash, the driver/owner is faced with a fine, seizure of plates and possible impoundment of vehicle.

Failure to have insurance will result in a fine, suspension of driving and registration privileges, vehicle seizure and SR22 filing if a judgement was rendered.

Avenues available to insured motorist involved in a crash with an uninsured motorist include the judgment process. The DMV will suspend/revoke the driving and registration privileges if an uninsured motorist does not compensate victim.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Louisiana upon request of law enforcement. Police Officers ask for proof of insurance during a roadside traffic stop; however, they are not authorized to stop motorists solely to check for proof of insurance

If a driver fails to show evidence of insurance to law enforcement a fine and vehicle impoundment will be imposed.

Enforcement alternatives available to police officers, roadside, when determining that a motorist is uninsured, include issuing a traffic ticket.

If the driver is not the owner of the vehicle, the owner will be issued a citation/appearance ticket.

### **CONTACT INFORMATION**

Name: Rhonda Clark  
Title: Section Manager  
Address: P. O. Box 64886  
Baton Rouge, LA 70896  
(225) 925-6983

## **MARYLAND**

### **UNINSURED MOTORIST PROGRAMS**

Maryland relies on the **Compulsory Liability Insurance Law** to encourage vehicle owners to obtain and maintain financial protection for themselves and other highway users. The Compulsory Insurance Law was enacted in 1970.

Self-certification and insurance company cancellation reports are used to enforce the law.

Minimum Liability Amounts - \$20,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$40,000 to cover two persons, and \$15,000 to cover property damages. Insurance is required for the vehicle only under the Compulsory Law.

Showing proof of insurance is not required

### **REGISTRATION**

All vehicles in Maryland are required to be registered within 30 days of owner's residency in jurisdiction.

A vehicle does not have to be registered if the title is branded stolen.

Individuals, who submit fraudulent insurance documents for registration, are turned over to the MVA Investigation Division. The insurer and law enforcement are informed also. We do not track the numbers of instances.

### **REPORTING PROGRAMS**

We have a compulsory liability insurance electronic reporting program but we do not have an electronic reporting program for SR-22 Certificates of Future Proof.

The reporting media accepted for reporting consists of paper. The reporting media accepted for reporting Compulsory Insurance is paper, magnetic tape, online batch, online via direct line connection, and File Transfer Protocol (FTP). The reporting format is X12.

The initial book of business is required followed thereafter with monthly reporting.

New business reports are required from 30 days before the effective date coverage to 30 days after the effective date of coverage.

Cancellation of coverage reports is required from 15 days before the effective date cancellation to 15 days after the effective date of cancellation.

We do not have a Random Sampling Program.

Our driver licensing and vehicle registration systems are linked.

Our insurance database is linked to our vehicle registration database, but not to the driver license database.

The VIN matches insurance data with our vehicle registration data. Unmatched data is returned to insurer for correction and re-submission.

### **UNINSURED MOTORIST CRASHES**

In Maryland motorists involved in crashes are not required to produce evidence of insurance at the scene and law enforcement officers are not required to file accident reports.

Motorists are required to exchange insurance information with the other party and notify their insurer after they have been involved in a reportable crash.

A reportable crash is one with personal injuries.

Avenues available to insured motorist involved in a crash with an uninsured motorist are an accident fund for victims of UM crashes; the judgement process to compensate; driver license and registration suspension; and property seizure and auction.

The uninsured out-of-state motorist is involved in a crash is required to show proof of insurance by filing the insurance certificate SR-22.

We suspend the driving and registration privileges of Maryland licensed drivers upon receipt of a record of unsatisfied judgement from another jurisdiction

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Maryland law does not require law enforcement officers to request evidence of financial responsibility. However, if the officer does request evidence and it is not shown, the motorists are fined \$150 and license plates are taken.

Motorist registration is cancelled and plates are seized for providing false insurance information.

Police officers have access to insured motorist database by radio contact with police dispatcher and mobile data terminal to verify valid insurance.

Insurance cancellation is valuable information accessible to police officers through the insured motorist database.



Upon determining a motorist is operating an uninsured motor vehicle, the police officer has the alternatives of issuing traffic citation or appearance ticket; tow vehicle from scene, impoundment; or license plate confiscation.

No enforcement action is taken against owner of an uninsured motor vehicle driven by someone else.

### **CONTACT INFORMATION**

Name: Robert D. Dodson

Title: Manager, Insurance Compliance Division

Address: Maryland Motor Vehicle Administration  
6601 Ritchie Highway, N.E.  
Glen Burnie, MD 21062

## **MICHIGAN**

### **UNINSURED VEHICLE PROGRAM**

Michigan is a compulsory motor vehicle no-fault insurance state. 1972 PA 294 enacted the no-fault insurance law as Chapter 31 of the Insurance Code in 1956.

Michigan no-fault insurance law requires the owner or registrant of a motor vehicle to maintain no-fault insurance that consists of personal protection insurance, property protection insurance and residential liability insurance. Collision coverage is not a component of no-fault insurance. An owner or registrant is not required to maintain collision coverage.

Personal protection insurance benefits include unlimited medical care, three years work loss benefits, funeral and burial expenses, and up to \$20/day for replacement services not to exceed three years. Property protection insurance benefits of at least \$1,000,000 are required. Residual liability insurance is required in the minimum amount of \$20,000 for injury to or death of one person; \$40,000 to cover two persons, and \$10,000 to cover property damages.

The owner of an insured motor vehicle involved in an accident collects no-fault insurance benefits, including collision damages, from his or her insurer and not from the insurer of the other vehicle. However, if the owner does not have collision coverage, then his or her insurer will not be liable for collision damage.

As a consequence of maintaining no-fault insurance the owner or registrant is granted limited tort immunity from lawsuits seeking damages resulting from automobile accidents involving negligence.

An owner of a vehicle involved in an accident, who has not properly insured under the no-fault insurance law, may be sued under the owner's civil liability act for damages resulting from the negligent operation of a motor vehicle.

Under Michigan's financial responsibility law, the Department of State is required to suspend the license and registration of a person who fails to satisfy a judgment.

The penalty for failure to show proof of insurance has been increased to imprisonment for not more than one year, a fine of not more than \$1,000 or both.

## **ENFORCEMENT/IDENTIFICATION PROGRAMS**

Evidence of financial responsibility is NOT required in Michigan upon request of law enforcement. Police officers ask for proof of insurance during a roadside traffic stop; however, they are not authorized to stop motorists solely to check for proof of insurance.

Enforcement alternatives available to police officers roadside when determining that a motorist is uninsured is physical arrest.

If the driver is not the owner of the vehicle, enforcement action can be taken against the owner. This action can include physical arrest.

No specific training is provided to police officers regarding the detection of uninsured vehicles.

## **CONTACT INFORMATION**

Bill Mirosola  
Staff Attorney  
208 N Capitol  
Lansing, Michigan 48918

Phone (517) 241-0821

## **MINNESOTA**

### **UNINSURED VEHICLE PROGRAM**

Minnesota relies on the Compulsory Liability Insurance Law to tackle the uninsured motorist problem. The compulsory liability insurance law was enacted in 1975. Through the compulsory insurance law all owners are required to carry liability insurance on their vehicles. This law is enforced through required proof at time of vehicle registration, upon traffic stops and proof is required to be in the vehicle at all times.

Minimum Liability Amounts - \$30,000 to cover bodily injury to death of any one person in any one motor vehicle crash and \$60,000 to cover two persons, and \$10,000 to cover property damages. Insurance is required for the vehicle only under the Compulsory Law.

Proof of insurance is acceptable in the form of policy binders, or Insurance ID Cards.

### **REGISTRATION**

All vehicles in Minnesota are required to be registered within 60 days of owner's residency in Minnesota.

A vehicle does not have to be registered if it is on blocks.

At registration, proof of compliance with compulsory insurance is through self-certification. Insurance coverage is not verified with the insurer either at time of registration or shortly thereafter.

Currently there are no procedures in place to deal with fraudulent insurance documents nor does Minnesota track the number of instances of insurance fraud.

### **REPORTING PROGRAMS**

Minnesota does not have any type of compulsory insurance electronic program. Also they do not have any type of random sampling program.

Minnesota does verify the validity of proof of insurance after a crash, or if a report is filed with the jurisdiction the someone may not have insurance.

## **UNINSURED MOTORIST CRASHES**

In Minnesota motorists involved in crashes are required to produce evidence of insurance at the scene. Evidence acceptable includes Insurance ID Card, or policy binder.

If the motorist does not provide proof of insurance at the scene of the crash they have 10 days in which to provide the required information. If no information is provided the motorist the vehicle registration will be suspended.

A reportable crash is defined as a crash with \$1000 combined property damage, or a crash with injury or death. A reportable crash is required to be reported to law enforcement and law enforcement must report the crash to the Department of Public Safety.

Motorists involved in crashes are required to exchange the following information; drivers names and current residence addresses, current residence addresses of the registered owners, the name of their insurance companies and their policy numbers.

Uninsured motorists involved in crashes may have their driver license suspended. The motorist may also have a judgment filed against them. The Department of Public Safety will then accept compliance documents such as installment agreements or notice of compliance with the judgment. If an unsatisfied judgment is filed against a driver from another jurisdiction, the judgment is forwarded to the home jurisdiction. Minnesota will accept judgments from other jurisdictions provided the driver was the owner of the vehicle at the time of the crash.

All insurance information received from a crash is verified with the insurance or Surety Company to determine if the policy was valid at the time of the crash.

To have the vehicle registration reinstated Minnesota requires a new proof of insurance filing. Restricted driving privileges are allowed during a financial responsibility suspension. Driving is allowed to and from employment and during the course of employment, driving is also allowed for post secondary education only.

## **ENFORCEMENT/IDENTIFICATION PROGRAMS**

Evidence of financial responsibility is required in Minnesota upon request of law enforcement. Police officers may ask for proof of insurance during a roadside traffic stop, however they are not authorized to stop motorists solely to check for proof of insurance.

If a motorist fails to show evidence of financial responsibility to law enforcement, the officer may issue a citation. This may result in a fine, requirement to file a Certificate of Future Proof, or a withdrawal of driving privileges. The vehicle may also be towed from the scene and the confiscation of the vehicle registration.

## **CONTACT INFORMATION**

Jean Ryan  
Compliance Supervisor  
445 Minnesota Street, Suite 195  
St. Paul, MN 55101  
Phone: 651-296-2001

### UNINSURED VEHICLE PROGRAM

Missouri relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to tackle the uninsured motorist problem. It requires high-risk drivers to prove their financial responsibility for the future by filing the proof of financial responsibility in the form of an SR-22 Insurance Certificate. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. This law is enforced through proof of insurance upon registration of a vehicle, upon a traffic stop, and proof is required to be in the vehicle at all times. An SR-22 filing is required after a license suspension due to failure to maintain liability insurance.

*Compulsory Liability Insurance Law - Missouri Revised Statute Section 303.025.* The Compulsory Liability Insurance Law has been in effect since July 1, 1987. No owner of a motor vehicle registered in this state, or required to be registered in this state, shall operate, register or maintain registration of a motor vehicle, or permit another person to operate such vehicle, unless the owner maintains the financial responsibility which conforms to the requirements of the laws of this state. Furthermore, no person shall operate a motor vehicle owned by another with the knowledge that the owner has not maintained financial responsibility unless such person has financial responsibility which covers the person's operation of the other's vehicle; however, no owner shall be in violation of this subsection if he or she fails to maintain financial responsibility on a motor vehicle which is inoperable or being stored and not in operation.

An original insurance card or other proof of financial responsibility is required for purchase of plates, either new registration or renewal.

Minimum Liability Amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle accident, and \$50,000 to cover two persons, and \$10,000 to cover property damages. Insurance is required for the vehicle only under the Compulsory Law.

Proof of Insurance is acceptable in the form of Policy Binders or Insurance ID Cards, a letter from the insurer, or a policy declaration page.

*Financial Responsibility Law* - Through the financial responsibility Law motorists are held responsible for damages they inflict on others and future uninsured crashes are prevented through the Proof of Financial Responsibility for the Future (SR-22) requirement for high-risk drivers.

The financial responsibility law is enforced through the SR-22 Certificate. This proof is required upon vehicle registration, at traffic stops, and after a license suspension due to failure to maintain liability insurance. Proof is required to be in the vehicles at all times.

## **REGISTRATION**

All vehicles in Missouri are required to be registered with 30 days of purchase, or within 30 days of establishing residency. Owners have the option to only title the vehicle providing it is not being driven.

Vehicles are required to be registered at anytime they are operated.

Liability insurance is required to be carried on all registered vehicles except vehicles that are inoperable, seasonal vehicles and collectibles and vintage cars when they are stored due to non-use of after seasonal use.

Individuals who submit fraudulent insurance document for registrations or to law enforcement are subject to a one-year suspension of their vehicle registration and/or a one-year suspension of their driving privileges. After the suspension has been served the citizen is required to pay a \$150 reinstatement fee and file proof of insurance (SR-22). The number of instances of insurance fraud or attempted insurance fraud are not tracked in Missouri.

## **REPORTING PROGRAMS**

Missouri does not have a compulsory insurance electronic program, however they do have an electronic reporting program for SR-22 Certificates of Insurance and SR-26 Certificates of Cancellation of Insurance.

The reporting media accepted by Missouri are; paper (an alternative for companies who cannot comply) and through an on-line batch system. The format used in Missouri is the AAMVAnet SR-22/26 Data Exchange Application.

Validity of proof of insurance is only verified after a crash, or if the proof of insurance submitted is questionable.

Missouri was in the development stages of a new enhanced sampling program and could not describe any advantage or disadvantages at the time of the survey.

## **UNINSURED MOTORIST CRASHES**

In Missouri, motorists involved in crashes are required to produce evidence of insurance at the scene of the crash. Acceptable evidence includes an insurance ID card or policy binder.



If a motorist does not have evidence of insurance at the scene of the crash the motorist is to provide this information within 10 after they are notified by DMV.

If a citation is issued to the motorist for no liability insurance, the judge can convict on the citation and assess four points or in lieu of points, the judge can issue a court-ordered supervision. This option can only be ordered in lieu of points once every 36 months. The judge may also issue a court-ordered suspension.

If the motorist does not have insurance in effect at the time of the crash, their driving privileges and registration will be suspended for 90 days for a second offense and one year for a third offense. An SR-22 Certificate of Insurance will be required for three years from the eligible reinstatement date.

A reportable crash is defined as a crash with \$500 damage to vehicles or property, or there is personal injury involved or a death. If damage only occurs to the property of the driver or owner of the vehicle the crash does not have to be reported nor is the crash required to be reported if all parties are insured.

Law enforcement in Missouri are required to investigate a crash when the damage amounts exceed \$500, there is an injury or death.

Uninsured motorists involved in crashes may have their driving and registration privileges suspended for one year if is they do not compensate the victim.

An uninsured out-of-state motorist involved in a crash in Missouri will have their driving privileges suspended until crash victim(s) is compensated or for one year. If a judgment is rendered in court, the driving privileges of the out-of-state driver will be suspended for up to 10 years, and the judgment will be forwarded to the jurisdiction the motorist resides in.

Uninsured motorists involved in crashes are required to file proof of Financial Responsibility for three years from the eligible reinstatement date. Cancellation of the proof of Financial Responsibility will result in an immediate driver's license suspensions. The driver will remain suspended until acceptable proof of financial responsibility and a \$20 reinstatement fee is received.

Limited driving privileges are available during the FR suspension. Proof of financial responsibility is required and driving is allowed to and from employment, during the course of employment, to and from required medical treatment, and to and from education classes.

## **ENFORCEMENT/IDENTIFICATION PROGRAMS**

Evidence of financial responsibility is required in Missouri upon request of law enforcement. Police officers ask for proof of insurance during a roadside traffic stop however, they are not authorized to stop motorists solely to check for proof of insurance.

If a driver fails to show evidence of financial responsibility to law enforcement, the following penalties will apply to first time offenders: a fine may be imposed and a

judge can impose a court-ordered suspension or supervision. Second or subsequent time offenders face the same type of penalties.

Penalties for providing false evidence of financial responsibility to law enforcement include a fine and possible suspension of driving privileges and vehicle registration for one year. Penalties for second or subsequent offenses are the same as for first offenses.

Enforcement alternatives available to police officers at the roadside when determining that a motorist is uninsured include the issuance of a traffic citation.

If the driver is not the owner of the vehicle, a police officer can issue a citation to both the driver and the vehicle owner.

### **CONTACT INFORMATION**

Barbara Schaller  
Assistant Administrator  
Driver and Vehicle Services Bureau  
PO Box 200  
Jefferson City, MO 65105-0200  
(573) 526- 3656

## NEBRASKA

### UNINSURED VEHICLE PROGRAM

Nebraska relies on the Compulsory Liability Insurance Law and the financial Responsibility Law to tackle the uninsured motorist problem. The Compulsory Insurance Law was enacted in 1994. All vehicle owners are required to carry liability insurance. This law is enforced through proof of insurance upon registration, proof upon traffic stops, and proof required in vehicles at all times. The Financial Responsibility Law has been in effect since 1949. It requires high-risk drivers who have been involved in crashes to prove their financial responsibility for the future by filing the proof of financial responsibility in the form of an SR-22 Insurance Certificate. This proof must be presented at time of registration, upon a traffic stop and carried in the vehicle at all times.

*Compulsory Liability Insurance Law* - When motorist applies for vehicle registration they must show proof of liability insurance. Proof must also be shown at time of any law enforcement stop or crash. In addition proof of liability insurance must be carried in the vehicle at all times.

Minimum Liability Amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle crash and \$50,000 to cover two person, and \$25,000 to cover property damages.

Proof of insurance is acceptable in the form of an Insurance ID Card.

*Financial Responsibility Law* - Through the Financial Responsibility Law motorists are held responsible for damages they inflict on others and future uninsured crashes are prevented through the SR-22 requirement for high-risk drivers.

The Financial Responsibility law is enforced through the SR-22 certificate, upon vehicle registration, traffic stops, and is required in the vehicle at all times.

### REGISTRATION

All vehicles in Nebraska are required to be registered within 30 days of owner's residency.

A vehicle does not have to be registered if it has been totaled and the title/registration has been branded, the vehicle has been stolen and the title branded, the vehicle has been put on blocks, or the vehicle is registered in another jurisdiction.

At the time of registration proof of compliance with compulsory insurance accepted includes policy binder, Insurance ID card, self-certification, policy declarations page or bond.

### REPORTING PROGRAMS

Nebraska does NOT have a compulsory insurance electronic program. However, Nebraska does have an electronic reporting program for SR-22's and certification of future proof.

Reporting media consists of paper and AAMVAnet network. Nebraska used the AAMVA-IICMVA Model Automobile Liability Insurance Reporting (ALIR) document.

Nebraska does not have a random sampling program nor do they verify the validity of proof of insurance.

### **UNINSURED MOTORIST CRASHES**

In Nebraska motorists involved in crashes are required to produce evidence of insurance at the scene. Evidence acceptable is the Insurance ID Card.

If the motorist does not have evidence of insurance at the time of the crash, they have 10 days to provide proof of insurance. Failure to provide evidence of insurance will result in a fine, and suspension of driver and registration privileges. A SR-22 will also be required to be filed.

Uninsured motorists involved in crashes will lose their driving and registration privileges through the safety responsibility law. The DMV will also suspend the driving and registering privileges of motorists upon receipt of a Record of Unsatisfied Judgment from the court. The suspensions will remain in effect until the court orders reinstatement or the provisions of the law are met.

If an uninsured out-of-state motorist is involved in a crash in Nebraska, the DMV will forward any conviction information to the home jurisdiction. They will also suspend the driving privileges until the crash victim(s) have been compensated. There may be a fine to pay along with reinstatement fees. The driver will also be required to file an SR-22 with the department.

Nebraska does not take action against a Nebraska licensed driver upon receipt of a record of unsatisfied judgment from another jurisdiction.

Nebraska does verify that a policy or bond was in effect at the time of a crash with the insurance or Surety Company.

Uninsured motorists involved in crashes are required to file proof of financial responsibility in the form of an SR-22 certificate. Cancellation of the SR-22 will result in an immediate driver license suspension. The individual is required to file an new SR-22 and pay the required reinstatement fee. No restricted driving permit is available during the FR suspension.

## **ENFORCEMENT/IDENTIFICATION PROGRAMS**

Evidence of financial responsibility is required in Nebraska upon request of law enforcement. Police officers are required to ask for proof of insurance during a roadside traffic stop, however they are not authorized to stop motorists solely to check for proof of insurance.

If a driver fails to show evidence of financial responsibility to law enforcement they will be subject to a fine, SR-22 filing, suspended plates and registration, and suspension of driving privileges.

Enforcement alternatives available to police officers roadside when determining that motorist is uninsured is the issuance of a traffic ticket. If the driver is not the owner, the owner is subject to a traffic ticket, and suspension of registration and driving privileges.

## **CONTACT INFORMATION**

Kathy Hraban  
Program Manager  
P.O. Box 94789  
Lincoln NE 68509-4789

Phone: 402-471-3901

## NEVADA

### UNINSURED MOTORIST PROGRAMS

Nevada relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to tackle the uninsured motorist problem. The Financial Responsibility Law has been in effect since 1979. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. The Compulsory Insurance Law was enacted in 1979.

#### *Insurance Verification Program*—Enacted in 1979 and it became effective 1980.

When a motorist applies for a registration, they show proof of insurance. Proof must also be shown at time of any law enforcement stop.

Minimum Liability Amounts: \$15,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$30,000 to cover two persons, and \$10,000 to cover property damages. Insurance is required for the Vehicle only under both the Compulsory Law and the Financial Responsibility Law.

Proof of insurance is acceptable in the form of tape cartridges, DC Diskette or e-mail.

#### *Financial Responsibility Law*--Effective 1979.

When a motorist is contacted during a traffic stop, proof of insurance is to be submitted to the officer, as proof of insurance is required to be in the vehicle at all times.

### REGISTRATION

All Vehicles in Nevada are required to be registered within 30 days of owner's residency.

A vehicle does not have to be registered if it is not going to be operated on Nevada's Highways

No action is taken on individuals who submit fraudulent insurance documents, however, the fraudulent documents are sent to the Nevada Division of Insurance for investigation.

## **REPORTING PROGRAMS**

Nevada does not have a compulsory insurance electronic program as well as an electronic reporting program for SR22 (Certificates of Insurance) but it is planning to impose a program.

Nevada does not have a Random Sampling Program.

Although there is no random sampling, there is an insurance database that is linked to the vehicle registration and the driver license database. Commonly used to match insurance data to the motor vehicle information systems, are the vehicle identification number, driver license and employer number.

The advantage is rooted in Nevada being able to identify and reduce the number of uninsured motor vehicles operating on its highways. The program is capable of verifying the vehicle and establishes whether they have maintained motor vehicle liability insurance while the vehicle is registered in Nevada.

## **UNINSURED MOTORIST CRASHES**

In Nevada motorists involved in crashes are required to produce evidence of insurance at the scene. Evidence acceptable includes Insurance Card and policy binder. Parties involved in a collision are required to exchange personal information.

Failure to provide evidence of insurance may result in the following: Suspension of the driver license for 2 years; suspend registration for 2 years; require SR 22 (Certificate of Insurance) proof for 3 years from date of reinstatement.

A reportable crash is defined with the submission of a police report and or the submission of a SR-1. Drivers who do not submit an SR-1 after being involved in an accident will suffer sanctions until an SR-1 is received.

Avenues available to insured motorist involved in a crash with an uninsured motorist include the judgment process, where uninsured motorist, via installment payments, compensates the plaintiff. The DMV will also suspend/revoke the driving and registering privileges if an uninsured motorist does not compensate victim. Also reinstatement fees of \$40.00.

Uninsured motorists involved in crashes are required to file proof of Financial Responsibility in the form of an SR22 Certificate prior to reinstatement.

Cancellation of the SR22 will result in an immediate driver's license suspension until another SR22 is received. The individual is required to file proof and the period of maintaining proof of Financial Responsibility will begin again. No restricted driving permit is available during the FR Suspension.

When an uninsured out-of-state motorist is involved in an accident, registration privileges and the driving privilege is suspended until the accident victim is compensated. Also, proof of SR 22 is required.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

No Evidence of Financial Responsibility is required to be shown to law enforcement. SR22s are sent to DMV. Motorist must show proof of insurance to law enforcement.

Police Officers are required to ask for proof of insurance during a roadside traffic stop.

If a driver fails to show proof of insurance to law enforcement, the following penalties will apply: Not less than \$600.00—not more than \$1000.00. Similar penalties apply to drivers who submit false evidence of Financial Responsibility to a peace officer or court.

Enforcement alternatives available to police officers roadside when determining that a motorist is uninsured include issuing a traffic ticket, towing the vehicle from the scene, prohibiting the motorist from driving the vehicle and confiscate vehicle registration tags (plates).

If the driver is not the owner of the vehicle, the following action is taken against the owner: Issue traffic citation/appearance ticket. Seize/ suspend plates and/or impound vehicle.

## **CONTACT INFORMATION**

Name: Carol Falk                      Karen Daly

Title: Vehicle Program Manager              Driver Program Manager

Address: 555 Wright Way Carson City, Nevada 89711

(775) 684-4562      (775) 684-4617



## NORTH DAKOTA

### UNINSURED VEHICLE PROGRAM

North Dakota relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to tackle the uninsured motorist problem. The Financial Responsibility Law has been in effect since 1947. It requires high-risk drivers to prove their financial responsibility for the future by filing proof of financial responsibility in the form of an SR-22 Insurance Certificate. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. The Compulsory Insurance Law was enacted in 1975. This law is enforced through self-certification at time of registration and through citations issued by law enforcement.

***Compulsory Liability Insurance Law*** - (Effective July 1, 1975 - North Dakota Century Code (NDCC) 39-08-20). The law states, AA person may not drive, or the owner may not cause or knowingly permit to be driven, a motor vehicle in this state without a valid policy of liability insurance in effect in order to respond in damages for liability arising out of the ownership, maintenance, or use of that motor vehicle in the amount required by law.

When a motorist applies for vehicle registration, they sign the application affirming that they have liability insurance. Proof must also be shown to a law enforcement officer upon request.

Minimum Liability Amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle crash, \$50,000 to cover two persons, and \$25,000 to cover property damages. Insurance is required for the vehicle only under the Compulsory Law.

Proof of insurance is acceptable in the form of an Insurance ID Card.

***Financial Responsibility Law*** - (Effective 1947 - NDCC 39-16.1) Through the Proof of Financial Responsibility For the Future Law a motorist is held responsible for damages they inflict on others and future uninsured crashes are prevented through the SR-22 requirement for high-risk drivers.

The Financial Responsibility Law is enforced through the SR-22 certificate.

### REGISTRATION

All vehicles in North Dakota are required to be registered within 30 days of purchase, at time residency is established, or if employment is accepted in state, whichever occurs first.

A vehicle does not have to be registered if it is on blocks, totaled or stolen.

Individuals who submit fraudulent insurance documents or make a false statement when applying for vehicle registration are subject to prosecution for a Class A misdemeanor punishable by up to one year imprisonment and \$2000 fine or both.

## **REPORTING PROGRAMS**

North Dakota does not have a compulsory insurance electronic program, nor does it have an electronic reporting program for SR-22 Certificates of Insurance.

## **UNINSURED MOTORIST CRASHES**

In North Dakota, motorists involved in crashes are required to produce evidence of insurance at the scene of a crash. Evidence acceptable includes an Insurance Card, policy binder with policy number, or an application of insurance with a policy number. If the driver does not have evidence of insurance at time of crash, the law enforcement officer will give the driver a post card to complete with the required insurance information. This card must be mailed to the Driver License and Traffic Safety Division within 5 days.

A reportable crash is defined as a crash with \$1000 combined property damage, or a crash with injury or death. A reportable crash is required to be reported to law enforcement.

Failure to provide evidence of insurance will result in a driver license suspension.

Uninsured motorists involved in crashes will have their driving privileges suspended unless or until they comply with one of three options. The driver can file an SR-22 insurance certificate and maintain this filing for one year from the date of the crash, file a security deposit with the Driver License and Traffic Safety Division in the amount of damages to all other parties involved in the crash, or file a notarized release form, signed by all other parties in the crash, releasing the driver from all damages. If the SR-22 is canceled within one year from the date of the crash, the driver will be suspended.

An uninsured motorist, involved in a crash, who is convicted of No Liability Insurance, may be fined between \$150 to \$500. Their driving privileges will be suspended for at least 7 days, will be required to pay a \$50 reinstatement fee, and file proof of insurance and maintain that proof for 3 years.

Out of state drivers are treated the same as a North Dakota driver. They are required to provide proof of insurance at time of crash.

No type of driving privileges is issued during a Financial Responsibility suspension.

The Driver License and Traffic Safety Division will suspend the driving privileges of a motorist upon receipt of a Record of Unsatisfied Judgment from a court. The suspension may only be released if the division has received a payment agreement from the court and an SR-22 filing along with a \$50 reinstatement fee. The suspension may also be released upon receipt of Satisfaction of Judgment from the

court along with the \$50 reinstatement fee. Judgments are accepted from other jurisdictions that accept a judgment from North Dakota.

### **ENFORCEMENT/IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in North Dakota upon request of a law enforcement officer. Law enforcement officers may ask for proof of insurance during a roadside traffic stop, or at the scene of a crash. However, they are not authorized to stop motorists solely to check for proof of insurance.

If a driver fails to show evidence of insurance to law enforcement, the officer may issue a citation to the driver for no liability insurance. The driver is then required to provide proof of insurance at the time of the stop to the officer or the court within 14 days or be convicted of the offense. The conviction carries a fine of \$150 to \$500.

If a driver provided false insurance information to a law enforcement officer or the court, they could be convicted of making a false statement, a Class A misdemeanor, and fined up to \$2000, imprisonment of up to 1 year, or both.

If the driver is not the owner of the vehicle, the driver may be convicted of No Liability Insurance and fined from \$150 to \$500. When the conviction is placed on the driving record, the driver is given 20 days to file proof of liability insurance and purchase a new driver license with the restriction, "Required to file proof of liability insurance. This proof of liability insurance is required for three years, and the driver is subject to a suspension of driving privileges if the insurance policy is canceled within the three-year period.

### **CONTACT INFORMATION**

Lynn Heinert  
Manager, Driver Improvement Services  
Driver License & Traffic Safety  
608 East Boulevard Avenue  
Bismarck, North Dakota 58505

Phone (701) 328-4352

## **OHIO**

### **UNINSURED VEHICLE PROGRAM**

Ohio does not have a Compulsory Liability Insurance Program. However they do have the a Financial Responsibility Law to tackle the uninsured motorist problem. The Financial Responsibility Law has been in effect since 1995. It required drivers who have been randomly selected, in accordance with rules adopted by the registrar to provide verification of insurance. This proof may be provided by an insurance ID card, policy declaration page, Financial responsibility certificate issued by Bureau of Motor Vehicle, a Bond, or a Bureau of Motor Vehicle form can be filled out and signed by an agent.

Minimum liability amounts in Ohio are \$12, 500 to cover bodily injury to or death of any one person in any one motor vehicle crash, \$25,000 to cover two or more persons, and \$7,500 to cover property damages. Under the financial responsibility law insurance is required for the vehicle.

### **REGISTRATION**

All vehicles in Ohio are required to be registered within 30 days of residency and the same day a vehicle is purchased.

A vehicle does not have to be registered if the vehicle has been totaled and the title/registration has been branded.

Exceptions to when a vehicle is not required to be insured include seasonal vehicles, vehicles put on blocks, collectible and vintage vehicles. However these vehicles must be insured if driven on the road.

When an individual submits fraudulent insurance documents they are subject actions taken against their driving privileges by the Registrar. The insurance company is notified of the fraudulent documents along with law enforcement. The number of instances of insurance fraud or attempted insurance fraud is not tracked.

### **REPORTING PROGRAMS**

Ohio does not have a compulsory insurance electronic program. However they do have an electronic reporting program for SR-22 and Certification of Future proof. The reporting media used include paper, online via direct line connection, on line via World Wide Web (WWW) and File transfer protocol (FTP). The format used in Ohio is state-specific, developed by the state. The certificate of cancellation must be reported to the Bureau of Motor Vehicles 10 days before the effective date of the cancellation.

Ohio does have a random sampling program in which the data is pulled from the database of the vehicle registrations. The program does not have targeted sampling components. Nor does the state verify the validity of proof of insurance.

### **UNINSURED MOTORIST CRASHES**

In Ohio motorists involved in crashes are required to produce evidence of insurance at the scene. Evidence acceptable includes insurance card, policy declaration page bond, or Financial Responsibility Certificate issued by the Bureau of Motor Vehicles.

If a motorist cannot provide proof of insurance at the scene, the motorist is allowed 30 days to prove they had insurance in effect at the time of the crash. Failure to provide evidence of insurance could result in a fine of \$75 to \$550, a suspension of driving privileges from 90 days to one year, suspension of vehicle registration for up to one year, seizure of plates for up to one year, and requirement to file an SR-22 for five years.

A reportable crash is defined as a crash with \$400 combined property damage, or a crash with injury or death. A reportable crash is not required to be reported to law enforcement. Motorists are required to file a crash report form if the vehicle is uninsured and damages exceed \$400. Motorists are not required to file a crash report if both parties were insured. Motorists involved in a crash are required to exchange the driver's name, current residence address, current address of vehicle owner, driver license numbers, and name and number of any insurance policies.

Ohio will also suspend the driving and registration privileges of motorists upon receipt of a Record of Unsatisfied Judgment from the court. The suspensions will remain in effect until the court orders reinstatement or the provisions of the law are met. Judgments are accepted from other jurisdictions and may result in the suspension of the driving privileges and vehicle registration, and seizure of the plates.

Convictions for out-of-state drivers are forwarded to the home jurisdiction. The motorist may be required to pay a fine ranging from \$75 to \$550. An out-of-state motorist will be required to file an SR-22.

Uninsured motorists involved in crashes are required to file proof of financial responsibility in the form of a SR-22 certificate. This proof must be shown for 5 years. Cancellation of the SR-22 will result in an immediate driver's license. No restricted driving permit is available during the FR suspension.

### **ENFORCEMENT/IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Ohio upon request of law enforcement. Police officers are required to ask for proof of insurance during a roadside traffic stop, however they are not authorized to stop motorists solely to check for proof of insurance.

If a driver fails to show evidence of financial responsibility to law enforcement the driver may be fined \$75 to \$550, be required to file an SR-22, have the driver license and vehicle registration suspended.

Enforcement at the roadside when determining that a motorist is uninsured is the issuance of a traffic ticket.

### **CONTACT INFORMATION**

Karen Rodgers  
Chief, Financial Responsibility  
1970 W. Broad Street  
Columbus, OH 43223

Phone 614-752-7523

Email: [krodgers@dps.state.oh.us](mailto:krodgers@dps.state.oh.us)

## UNINSURED VEHICLE PROGRAM

Oklahoma relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to encourage vehicle owners to obtain and maintain financial protection for themselves and other highway users. The Financial Responsibility Law has been in effect since 1949. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. The Compulsory Insurance Law was enacted in 1976. This law is enforced by showing proof at time of registration, proof upon traffic stop, and proof required in vehicle at all times.

***Compulsory Liability Insurance Law*** – Enacted in 1976 Oklahoma's **compulsory financial responsibility law** requires every driver and every owner of a motor vehicle to maintain financial responsibility (liability coverage) at all times.

When a motorist applies for a vehicle registration, proof of insurance must be presented. Proof must also be shown at the time of any law enforcement stop. Proof is required in vehicles at all times.

Minimum Liability Amounts - \$10,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$20,000 to cover two persons, and \$10,000 to cover property damages. Insurance is required for the vehicle and driver under Compulsory and financial responsibility Laws.

Proof of insurance is acceptable in the form of Insurance ID Cards, policy binder, and letters from insurance agent or company bearing letterheads.

***Financial Responsibility Law*** – Enacted in 1949 Oklahoma's financial responsibility requires every driver and every owner of a motor vehicle to maintain financial responsibility (liability coverage) at all times.

When a motorist applies for a vehicle registration, proof of insurance must be presented. Proof must also be shown at the time of any law enforcement stop and crash. Proof is required in vehicles at all times.

## REGISTRATION

All vehicles in Oklahoma are required to be registered within 30 days of owner's residency in the jurisdiction, 30 days of being principally parked or garaged and 10 days of purchase.

A vehicle does not have to be registered if the plates are turned in or vehicle is listed for non-operation.

Individuals, who submit fraudulent insurance documents for registration, are subject to court actions.

## **REPORTING PROGRAMS**

Oklahoma has a compulsory insurance electronic reporting program.

The reporting media consists of paper and magnetic tape. The reporting format is state-specific developed by state.

Reporting is required 30 days after the effective date of cancellation.

Driver and vehicle databases are not linked.

VIN matches the insurance cancellation reports to vehicles on the vehicle database.

## **UNINSURED MOTORIST CRASHES**

In Oklahoma motorists involved in crashes are required to produce evidence of insurance at the scene. Acceptable evidence includes Insurance Card.

If driver is unable to submit evidence of insurance at the time of the crash, the driver is allowed two days to submit evidence. Failure to provide evidence of insurance at the scene will result in a fine up to \$500.00, suspension of driving and registration privileges until evidence of insurance is shown and up to six months jail time.

If the vehicle was determined uninsured at the time of the crash, the owner's driving and registration privileges are suspended.

A reportable crash is defined as \$300.00 property damage, or injury or death, with two exceptions. Accidents with damages occurring to only the driver/owner and where settlement is reached within six months of the crash are not reportable.

Avenues available to insured motorist involved in a crash with an uninsured motorist include the judgment process. The DPS suspends the driving and registration privileges if an uninsured motorist does not compensate victim.

When an uninsured out-of-state motorist is involved in a crash the conviction information is forwarded to the state of residence, the driving privilege in Oklahoma is suspended until the victim is compensated and a fine is required for court convictions

When Oklahoma receives a record of an unsatisfied judgement of an Oklahoma driver from another jurisdiction, their plates are seized, and their driving and registration privileges are suspended until the judgement is satisfied.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**



Evidence of Financial Responsibility is required in Oklahoma upon request of law enforcement. Police Officers ask for proof of insurance during a roadside traffic stop; however, they are not authorized to stop motorists solely to check for proof of insurance

Enforcement alternatives available to police officers, roadside, when determining that a motorist is uninsured, include issuing a traffic ticket.

If the driver is not the owner of the vehicle, only the driver will be issued a citation/appearance ticket.

### **CONTACT INFORMATION**

Name: Lonnie Jarman

Title: Director

Address: Department of Public Safety  
P.O. Box 11415  
Oklahoma City, OK 73136  
(405) 425-2317

E:Mail: Lonnie\_Jarman/OKDPS@dps.state.ok.us

## OREGON

### UNINSURED MOTORIST PROGRAMS

Oregon relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to tackle the uninsured motorist problem. The Financial Responsibility Law requires high-risk drivers who have been involved in uninsured crashes to prove their financial responsibility for the future by filing proof of financial responsibility in the form of an SR22 Insurance Certificate. The Compulsory Insurance Law requires all vehicle owners to carry liability insurance. Law enforcement officers enforce this law at the time of a traffic stop, and vehicle owners self-certify their coverage upon vehicle registration.

#### *Compulsory Liability Insurance Law*

This law is enforced by law enforcement at the time of a traffic stop, and citations are issued for failure to provide evidence of financial responsibility.

Vehicle owners may self-certify their liability coverage upon registration of their vehicles.

Random sampling is performed to validate the insurance information provided to the DMV.

Minimum Liability Amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$50,000 to cover two persons, and \$10,000 to cover property damages. Insurance is required for the Vehicle only under the Compulsory Law.

An insurance ID Card will serve as proof of insurance.

#### *Financial Responsibility Law*

This law is enforced through tickets issued by law enforcement at the time of a traffic stop.

The law allows a suspension or revocation of the driver license and vehicle registration if a motorist is involved in an uninsured crash. Proof of financial responsibility by means of an SR-22 is required if suspension occurs.

### REGISTRATION

All Vehicles in Oregon are required to be registered at the time a person establishes residency in the state.

A vehicle does not have to be registered if it is not driven on public streets.

Oregon has a requirement to provide evidence of financial responsibility upon registration. Insurance is not required to register collectible or vintage cars.

Individuals who are identified as submitting fraudulent insurance documents for vehicle registration will have their vehicle registrations cancelled.

## **REPORTING PROGRAMS**

Oregon has a compulsory insurance electronic program for registration of vehicles.

The reporting media consists of Magnetic Tape. The format used in Oregon is the X12. The information is reported to DMV upon the initial reporting of new business and is required within 15 days after the policy effective date. Cancellations must be reported within 30 days of the policy termination.

Oregon maintains an insurance database for vehicle registrations. Insurance data is matched to vehicle year, make and complete vehicle identification number. Rejects are returned to the insurance company

There is a random sampling program in place and vehicle information is pulled from the database of vehicle registrations for verification.

## **UNINSURED MOTORIST CRASHES**

In Oregon, motorists involved in crashes are required to produce evidence of insurance at the scene. Evidence acceptable is an Insurance Card.

A reportable crash is defined as one in which there is any death, personal injury or damage of \$1,000 or more to any one person's property. The motorist is required to exchange insurance information with other involved parties, and file the crash report unless a traffic officer completes a report.

Uninsured Motorists involved in crashes will also lose their driving privileges based upon a court judgment if they fail to compensate a victim for any damage they cause. The DMV will suspend the driving privileges of motorists upon receipt of an Unsatisfied Judgment from the Court. The suspensions will remain in effect until the court orders reinstatement or the provisions of the law are met.

Uninsured drivers with out of state licenses have their driving privilege in Oregon suspended until the crash victim is compensated. An SR-22 is required before the driving privilege is reinstated.

Uninsured motorists involved in crashes are required to file proof of Financial Responsibility in the form of an SR22 Certificate. Cancellation of the SR22 will result in an immediate driver's license suspension. The individual is required to file for 36 months from the reinstatement date. Reinstatement of the driving privilege requires a \$75 reinstatement fee.

Restricted driving licenses are available during the FR Suspension for driving to and from employment and during the course of employment, to and from required medical treatment and educational purposes.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Oregon law enforcement officers may ask for proof of insurance during a roadside traffic stop.

If a driver fails to show evidence of FR to law enforcement and is cited, their driving privilege may be suspended.

The enforcement available to police officers' roadside when determining that a motorist is uninsured is issuing a traffic citation or having the vehicle towed.

### **CONTACT INFORMATION**

Julie Santos  
Accident and Insurance Program Coordinator  
Department of Motor Vehicles  
1905 Lana Ave  
Salem, OR 93714

(503) 945-5276  
E-mail [Juile.M.Santos@odot.state.or.us](mailto:Juile.M.Santos@odot.state.or.us)

## **PENNSYLVANIA**

### **UNINSURED MOTORIST PROGRAMS**

Pennsylvania relies on the Compulsory Liability Insurance Law and the Financial Responsibility Law to encourage vehicle owners to obtain and maintain financial protection for themselves and other highway users. Through the Compulsory Insurance and the Financial Responsibility Laws all vehicle owners are required to carry liability insurance. The laws are enforced by showing proof at time of registration, proof upon traffic stop, and proof required in vehicle at all times.

Acceptable form of proof of insurance is a policy binder or insurance ID card.

Minimum Liability Amounts - \$15,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$30,000 to cover two persons, and \$5,000 to cover property damages. Insurance is required for both the vehicle and the driver under both the Compulsory and the Financial Responsibility Laws.

### **REGISTRATION**

All vehicles in Pennsylvania are required to be registered within 15 days of owner's residency in jurisdiction, and 20 days of being principally parked in the jurisdiction.

A vehicle does not have to be registered if the plates are turned in or vehicle is branded stolen.

Seasonal vehicles are the exception to the requirement to carry liability insurance on all registered vehicles.

At time of registration, policy binder, insurance ID card, self-certification, or the policy declaration page is acceptable form of proof compliance with compulsory insurance requirements.

We do not verify the insurance information received at the time of registration with the insurer.

Our fraud unit investigates fraudulent insurance documents. We do not inform insurance company of the fraudulent activity, but we do inform law enforcement. We do not track the number of instances.

## **REPORTING PROGRAMS**

Pennsylvania receives insurance cancellation information by a compulsory insurance electronic reporting program.

The reporting media is paper and magnetic tape.

We do not currently have a law to require insurance company reporting; but insurance companies voluntarily file cancellations records 15 days after the effective date of cancellation.

We do not have a SR-22/ Insurance Certification program.

Our random sampling program selects records from the vehicle registration database. Anywhere from 25 to 865 records are randomly pulled from each of our 66 counties.

The department does not have an insurance database that links driver licensing or vehicle registration.

The VIN is used match to vehicle registration records to insurance information.

## **UNINSURED MOTORIST CRASHES**

Motorists involved in crashes are required to produce evidence of insurance at the scene. Acceptable evidence includes insurance card and policy binder.

Motorist has 5 days of the crash to provide evidence of insurance at the time of the crash.

If the motorist fails to provide evidence, his driving and registration privileges are suspended and a \$300 fine is charged for court convictions.

A reportable crash is one resulting in death or injury or the vehicle is rendered inoperable. Police investigate only reportable accidents.

Motorists involved in reportable accident are required to crash to law enforcement, insurer and exchange insurance information with other party.

Avenues available to insured motorist involved in a crash with an uninsured motorist include judgment process, where uninsured motorist compensates the plaintiff. The DMV will also suspend/revoke the driving privileges if an uninsured motorist does not compensate victim.

When an uninsured out-of-state motorist is involved in a crash the driving privilege is suspended until the victim is compensated.

Pennsylvania licensed drivers driver licenses are suspended upon receipt of a record of unsatisfied judgement from another jurisdiction.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required upon request of law enforcement. Police Officers ask for proof of insurance during a roadside traffic stop and they are not authorized to stop motorists solely to check for proof of insurance

If a driver fails to show evidence of FR to law enforcement during a roadside traffic stop or within 5 days thereof, registration maybe suspended up to 6 months. For subsequent offenses, a fine, jail term, vehicle impoundment, driver license suspension and criminal prosecution maybe imposed.

Penalties for providing false evidence of FR to law enforcement are presently under review.

Enforcement alternatives available to police officers, roadside, when determining that a motorist is uninsured, include issuing a traffic ticket and plates confiscation.

If the driver is not the owner of the vehicle, the owner maybe issued a citation/appearance ticket, and registration maybe suspended.

## **CONTACT INFORMATION**

Name: Richard Bettinger

Title: Manager

Address: Department of Transportation/Financial Responsibility  
1101 S. Front Street  
Harrisburg, PA 17104

## **SOUTH CAROLINA**

### **UNINSURED VEHICLE PROGRAM**

South Carolina relies on the **Financial Responsibility Law** to encourage vehicle owners to obtain and maintain financial protection for themselves and other highway users. The Financial Responsibility Law has been in effect since 1974. This law is enforced by self-certification, showing proof at time of registration, proof upon traffic stop, proof required in vehicle at all times, and after accidents.

Proof of insurance is acceptable in the form of Insurance ID Cards and policy binders not over 30days old.

Minimum Liability Amounts - \$15,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$30,000 to cover two persons, and \$10,000 to cover property damages.

Insurance is required for both driver and vehicle.

### **REGISTRATION**

All registered vehicles in South Carolina require liability insurance, or a \$550 uninsured motorists fee maybe paid instead. However, seasonal vehicles are excluded from carry liability insurance.

Individuals, who submit fraudulent insurance documents for registration, are subject to suspension of their driving and registration privileges.

### **REPORTING PROGRAMS**

South Carolina does not have a reporting program for insurance verification. Rather, 500 vehicles per day are pulled from the database of vehicle registrations and sampled for insurance by Random Sampling.

### **UNINSURED MOTORIST CRASHES**

Motorists involved in crashes are required to produce evidence of insurance at the scene to law enforcement. Acceptable evidence includes Insurance Card and policy binder. The officer is required to file accident reports.

Driver is to submit proof of insurance at the time of the crash (ID Card) and given a form FR10 15 days to submit evidence and required to have their insurance company agent verify their insurance within 15 days.



Failure to provide evidence of insurance will result in a fine, suspension of driving and registration privileges, seizure of license plates and SR22 filing for three years from the date of compliance.

A reportable accident \$1000.00 worth damages to property and/or injury or death

Avenues available to insured motorist involved in a crash with an uninsured motorist include the judgment process, where uninsured motorist, via installment payments, compensates the plaintiff. The DMV will also suspend/revoke the driving and registration privileges if an uninsured motorist does not compensate victim.

When an uninsured out-of-state motorist is involved in a crash the driving privilege is suspended until the victim is compensated. Additionally, the driver will be required to show proof of SR-22/certificate of insurance filing.

Uninsured motorists, involved in crashes, are required to file proof of Financial Responsibility in the form of an SR22 Certificate for 3 years. Cancellation of the SR22 will result in sanctions up to 5 years. A restricted driving permit is available. The restriction allows driving to and from work and during the course of employment

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in South Carolina upon request of law enforcement. Police Officers ask for proof of insurance during a roadside traffic stop; however, they are not authorized to stop motorists solely to check for proof of insurance

If a driver fails to show evidence of FR to law enforcement, he will be required to file proof of liability insurance.

Failure to file proof results in suspension of driving privileges.

### **CONTACT INFORMATION**

Name: Judy Sharpe

Title: Manager

Address: P.O. Box 1498  
Columbia, SC 29201-1182  
(803) 737-1182

## **SOUTH DAKOTA**

### **UNINSURED MOTORIST PROGRAM**

South Dakota relies on the Financial Responsibility Law to tackle the uninsured motorist problem. This law requires all vehicle owners to maintain financial responsibility on the motor vehicle. The financial responsibility law was enacted in 1986. The financial responsibility law also requires high-risk drivers to prove their financial responsibility for the future by filing the proof of financial responsibility in the form of a SR-22 insurance certificate.

Proof of financial responsibility must be shown at the time of a traffic stop, and proof is required to be in the vehicle at all times. Proof of financial responsibility may be provided by a motor vehicle liability insurance card, a bond, a certificate of deposit of money or securities, or evidence of self-insurance.

Minimum liability amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle crash, and \$50,000 to cover two persons, and \$25,000 to cover property damages. Proof of financial responsibility is required for both the driver and the vehicle.

A SR-22 is required for any person convicted of:

- 1) Driving while under the influence.
- 2) No proof of financial responsibility, or false evidence of financial responsibility.
- 3) Second offense reckless driving conviction in a one-year period.
- 4) Judgement suspensions resulting from the ownership, maintenance, or use of a motor vehicle.

### **REGISTRATION**

All vehicles in South Dakota are required to be registered within 90 days of the owner's residency.

Proof of financial responsibility is required for all vehicles registered in South Dakota, there are no exceptions.

Proof of financial responsibility is not required at time of registration.

Any person who provided false evidence of financial responsibility to a law enforcement officer is guilty of a Class 1 misdemeanor.

## **REPORTING PROGRAMS**

South Dakota does not have an electronic compulsory insurance program, nor do they have an electronic reporting program for SR-22 certificates of insurance.

## **UNINSURED MOTORIST CRASHES**

In South Dakota motorists involved in crashes are required to produce evidence of financial responsibility at the scene. Evidence acceptable is a motor vehicle insurance card, a bond, a certificate of deposit of money or securities, or evidence of self-insurance.

Failure to provide proof, or have proof of financial responsibility at the time of the crash could result in a conviction for failure to maintain financial responsibility. The penalties for a conviction for failure to maintain financial responsibility can include; a fine of up to \$200, jail time of 30 days, license suspension from 30 days to one year, and the requirement to file an SR-22 for 3 years from the conviction date. Any person cited for a violation of FR may personally appear before a magistrate as designated on the citation and provide written evidence as FR that is acceptable to the magistrate showing that the driver was in compliance with FR requirements at the time the citation was issued.

A reportable crash is defined as any crash with injury or fatality, or property damage of at least \$1000 to any one person's property, or combined damages of \$2000 per accident. Motorists involved in a crash are required to exchange insurance information, drivers names and current residence address, current residence address of the owners of the vehicles and vehicle identification numbers with each other. It is the driver's responsibility to provide evidence of FR to the law enforcement officer. If the crash is reportable, the crash must be reported to the nearest law enforcement agency within that jurisdiction.

An uninsured motorist involved in a crash may have their driving and registration privileges suspended/revoked if the uninsured motorist does not compensate the victim and a judgment has been filed. If a judgment is received from another jurisdiction, South Dakota will post the judgment to the driving record and suspend the driving and registration privileges until judgment is satisfied. The driver will be required to file an SR-22.

South Dakota does not verify with the insurance company that policy or bond was in effect at the time of a crash.

An uninsured motorist involved in a crash and convicted of no insurance is required to file an SR-22 for 3 years from the date of conviction. If proof of financial responsibility is canceled during the time it is required to be maintained the driving privileges will be suspended until a new SR-22 is filed and a \$50 reinstatement fee is paid. A restricted driving permit may be issued at the judge's discretion for the time during a driver license suspension for no insurance. A SR-22 is required and driving is only allowed to and from employment, and during the course of employment.

## **ENFORCEMENT/IDENTIFICATION PROGRAMS**

Evidence of financial responsibility is required in South Dakota upon request of law enforcement. Police officers are required to ask for proof of financial responsibility during a roadside traffic stop, however they are not authorized to stop motorists solely to check for proof of financial responsibility.

If a driver fails to show evidence of financial responsibility to law enforcement a citation may be issued. If the driver is not the owner of the vehicle, the owner may be cited. If the driver is convicted they may receive a fine of up to \$200 and/or 30 days in jail. In addition, the driver license will be suspended for 30 days. The driver license and registration will remain suspended until a SR-22 is filed with the department.

Anyone who provides false evidence of financial responsibility is guilty of a Class 1 misdemeanor, punishable with a fine of up to \$1,000 and 1 year in jail. The driver license and registration will also be suspended for not less than 30 days, but not more than 1 year. A SR-22 must be filed with the department.

## **CONTACT INFORMATION**

Cindy Gerber  
Director, Driver Licensing  
118 W Capitol Ave  
Pierre, SD 57501

Phone: 605-773-4846  
Email: [Cindy.Gerber@state.sd.us](mailto:Cindy.Gerber@state.sd.us)

## **TENNESSEE**

### **UNINSURED VEHICLE PROGRAM**

Tennessee relies on the **Financial Responsibility Law** to encourage vehicle owners to obtain and maintain financial protection for themselves and other highway users. The Financial Responsibility Law was enacted in 1977. Requiring financial responsibility resulting from unsatisfied judgements, conviction of certain violations and accidents if claims are not satisfied enforces this law.

Minimum Liability Amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$50,000 to cover two persons, and \$10,000 to cover property damages. Insurance is required for the Vehicle only under the Compulsory Law.

Insurance information is placed on a form and is sent to insurance company to verify.

Insurance is required for both vehicle and driver.

### **REGISTRATION**

Vehicles are not required to be insured.

A vehicle does not have to be registered if the vehicle is inoperable.

Individuals, who submit fraudulent insurance documents for registration, are subject to court actions. Upon the determination of a fraudulent document, the insurance company is not contacted but law enforcement is notified.

### **REPORTING PROGRAMS**

Tennessee does not have a compulsory insurance electronic program.

The reporting media accepted for reporting Compulsory Insurance consists of paper.

The department does not have an insurance database that links driver licensing or vehicle registration.

### **UNINSURED MOTORIST CRASHES**

In Tennessee motorists involved in crashes are not required to produce evidence of insurance at the scene

A reportable crash is defined through the incurrence of more than \$400.00 worth damages to property or any injury or death. An individual would be exempted from reporting an accident if the crash does not meet the definition of a reportable crash.

Avenues available to insured motorist involved in a crash with an uninsured motorist are the uninsured driver license and registration may be suspended or revoked if the uninsured motorist does not compensate victim.

When an uninsured out-of-state motorist is involved in a crash the driving privilege is suspended until the victim is compensated. Additionally, the driver will be required to show proof of SR-22/certificate of insurance filing and pay a \$140.00 reinstatement fee.

Uninsured motorists, involved in crashes, are required to file proof of Financial Responsibility in the form of an SR22 Certificate for 3 years.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Effective January 1, 2002, a driver charged with a moving violation or involved in a motor vehicle crash is required to produce evidence of financial responsibility to the officer. If the driver is unable to produce such proof, a separate citation is issued for failure to provide proof of financial responsibility. If convicted, the driver is subject to a fine of not more than \$100 and suspension of the driver's license. Police Officers are not authorized to stop motorists solely to check for proof of insurance

### **CONTACT INFORMATION**

Name: Kenneth W. Birdwell

Title: Manager, Financial Responsibility

Address: Department of Safety  
Financial Responsibility Section  
P.O. Box 945  
Nashville, TN 37202

Phone: 615-741-3954

**UNINSURED VEHICLE PROGRAM**

Texas relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to encourage vehicle owners to obtain and maintain financial protection for themselves and other highway users. The Financial Responsibility Law has been in effect since 1952. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. The Compulsory Insurance Law was enacted in 1982. This law is enforced by showing proof at time of registration, proof upon traffic stop, proof required in vehicle at all times, and after accidents.

Minimum Liability Amounts - \$20,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$40,000 to cover two persons, and \$15,000 to cover property damages. Insurance is required for the Vehicle only under the Compulsory Law.

Proof of insurance is acceptable in the form of Insurance ID Cards.

**REGISTRATION**

The Texas Department of Transportation handles motor vehicle registration.

Reporting Programs

Texas does not currently have a compulsory insurance electronic reporting program but plans to develop one. SR-22, Insurance Certifications are filed by paper.

**UNINSURED MOTORIST CRASHES**

Motorists involved in crashes are required to produce evidence of insurance at the scene. Acceptable evidence includes Insurance Card.

If driver is unable to submit proof of insurance at the time of the crash, payment of a fine, driving and registration suspension until compliance, and SR22 filing are required.

A reportable crash is defined by damages to property and/or injury or death.

Avenues available to insured motorist involved in a crash with an uninsured motorist include the judgment process. The Department of Public Safety will also suspend/revoke the driving privileges if an uninsured motorist does not compensate victim.

When an uninsured out-of-state motorist is involved in a crash the driving privilege is suspended until a letter of clearance is received from the jurisdiction.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Texas upon request of law enforcement. Police Officers ask for proof of insurance during a roadside traffic stop; however, they are not authorized to stop motorists solely to check for proof of insurance

## **CONTACT INFORMATION**

Name: Kim Smith

Title: Manager, Safety Responsibility

Address: Safety Responsibility Bureau  
P. O. Box 4087  
Austin, TX 78773  
(512) 424-5937



## UTAH

### UNINSURED MOTORIST PROGRAMS

Utah relies on the **Motor Vehicle Insurance Law** and the **Financial Responsibility Law** to tackle the uninsured motorist problem.

*Motor Vehicle Insurance Law* – was enacted in 1953. Every policy of motor vehicle insurance or combination of policies purchased to satisfy the owner's or operator's security requirements shall include vehicle liability coverage, uninsured motorist coverage, and under insured motorist coverage.

Minimum Liability Amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle accident; \$50,000 to cover two persons or more in any one motor vehicle accident; and \$15,000 to cover injury to, or destruction of, property of others in any one motor vehicle accident; or \$65,000 in any one accident to cover bodily injury to or the death of others, or from destruction of, or damage to, the property of others.

*Financial Responsibility Law* – was enacted in 1953. Utah's financial responsibility requires every resident owner of a motor vehicle must maintain owner's or operator's security in effect at any time that the motor vehicle is operated on a highway within the state.

The Financial Responsibility law is enforced by showing proof of insurance upon a traffic stop, as it must be carried at all times in the vehicle.

Proof of insurance is acceptable in the form of an insurance policy, insurance policy declaration page, binders notice, renewal notice or ID Card issued by the insurance company.

### REGISTRATION

Information for Registration is handled by the Motor Vehicle Division. The phone number is 801-297-3550.

## **REPORTING PROGRAMS**

Utah has an Uninsured Motorist Identification Database Program to verify compliance with motor vehicle owner's or operator's security requirements. This program assists in reducing the number of uninsured motor vehicles on the highways and assists in increasing compliance with motor vehicle registration and sales and use tax laws.

The database is linked to the vehicle registration and the driver license systems. The database receives active vehicle liability insurance policies from insurance companies each month. This data is matched to all registered vehicles in the state. Registered vehicles that are identified as possibly not being insured are sent notifications letters. Non compliance to these letters can result in the revocation to the owner's registration by the Motor Vehicle Division. Utah law enforcement officers and Driver License Financial Responsibility personnel use the database to enforce the uninsured motorist laws.

The reporting media consists of paper (alternative for companies who cannot comply), also, magnetic tape, online batch, online via direct line connection, online via www, file transfer protocol (FTP) and online—TCP-IP Socket. The formats used in Utah include: State- specific (developed by state and by vendor).

There is a Random Sampling Program. The program is paper based and pulled from database of vehicle registrations, insurance filings and cross check of vehicle registrations and insurance filings. Also, records are randomly selected to review, as well as audits from independent state auditor. The program has a function that allows selected criteria.

## **UNINSURED MOTORIST CRASHES**

In Utah motorists involved in crashes are required to produce evidence of insurance at the scene. Evidence acceptable in the form of an insurance policy, insurance policy declaration page, binders notice, renewal notice or ID card issued by the insurance company.

Failure to provide evidence of insurance will result in the officer citing the driver. If the motorist does not have evidence of insurance in effect at the time of accident, the license will be suspended and the driver will be required to submit an SR 22/ certificate of Insurance.

Uninsured Motorists involved in crashes will lose their driving privilege for the following reasons:

1. Registered owners of motor vehicle who operate or allow their vehicle to be operated without the required security.
2. Drivers determined to have a probability of liability in an at fault accident who has not insured.
3. Any person who fails to satisfy a court judgment rendered against them resulting from operation of a motor vehicle and are in default of an agreement to pay within 60 days of the date the judgment was signed by a judge.

4. Owners or drivers of uninsured vehicles who receive a court conviction for not having proof of insurance in the vehicle they are driving.

When an uninsured at-fault out-of-state motorist is involved in a crash, the driving privilege is suspended until the victim is compensated or one year lapses from the date of the crash.

Uninsured motorists involved in crashes are required to file proof of Financial Responsibility in the form of an SR22 Certificate. Cancellation of the SR22 will result in an immediate driver's license suspension for the same time with a reinstatement fee of \$25.00. No restricted driving permit is available during the FR Suspension.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Utah, upon request of law enforcement. Officers ask for proof of insurance during a roadside traffic stop, however, they are not authorized to stop motorists solely to check for proof of insurance

The enforcement alternative available to a police officer roadside, when determining that motorist is uninsured is to issue a citation.

If a driver fails to show evidence of FR to law enforcement, the following penalty will apply to first offenders: A fine of \$400.00; second offenders will incur a \$1,000.00 fine.

### **GENERAL COMMENTS**

Insure-Rite Inc. manages the Department of Public Safety's insurance database. Their web site has relevant information—[www.insure-rite.com](http://www.insure-rite.com)

### **CONTACT INFORMATION**

Name: Randy Campbell

Title: Manager

Address: 4501 south 2700 West, Salt Lake City, UT 84119

Phone: 801-965-4802

Fax: 801-964-4536

## VIRGINIA

### **FINANCIAL RESPONSIBILITY**

*Motor Vehicle Safety Responsibility Act* – Enacted in 1944 Virginia's **financial responsibility** and **uninsured motor vehicle laws**. To legally register a motor vehicle, financial responsibility laws requires the motor vehicle owner to either purchase an automobile liability insurance policy; secure a surety bond; deposit money or securities, or obtain a self-insurance certification. In lieu of financial responsibility protection, a vehicle owner may legally register an uninsured vehicle by paying the uninsured motor vehicle fee (UMV fee) to DMV for each uninsured vehicle.

Minimum Liability Amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$50,000 to cover two persons, and \$25,000 to cover property damages. The law requires insurance for the vehicle, which provides coverage for the driver.

Self-certification is required at the time of registration. Evidence of insurance is not required at the time of registration.

### **REGISTRATION**

All vehicles being operated on the highways in Virginia are required to obtain Virginia registration within 30 days of owner's residency, and within 30 days being principally parked or garaged in jurisdiction.

Only vehicles being driven on the highways are required to have registration cards and license plates. However, some localities have special requirements for parking unlicensed vehicles on private and public property.

A form of FR or payment of the uninsured motor vehicle fee is required to obtain and maintain license plates/registration. There are no exceptions.

Verification of insurance coverage for self-certifications is done after registration through compulsory insurance company reporting program.

### **REPORTING PROGRAMS**

Virginia has a compulsory insurance electronic reporting programs for receiving initiations and cancellations of insurance coverage and for receiving financial responsibility insurance certification information (form SR-22).

The reporting media accepted for reporting compulsory insurance information are paper, magnetic tape and online (EDI). The format is modified X12 (developed by state). The SR 22/26 information is received by Extranet and paper.

We used the AAMVA-IICMVA Model Automobile Liability Insurance Reporting Document.

Reporting is required at monthly, within 30 days after the effective date of new business and cancellation of coverage.

We no longer have random sampling, was discontinued in 1997.

Our driver, registration and insurance databases are linked.

The criteria to match insurance data to vehicle information are VIN, owner's name, driver ID number, and vehicle model and make.

The original record, submission error record and statistical reports are returned to insurance company for resolving match errors.

An advantage of program is every newly registered motor vehicle is monitored for liability insurance by DMV and insurers notify DMV of insurance cancellations. Consequently, DMV knows the insurance status of a vehicle from its date of registration until the insurance is canceled, without having to maintain a book of business.

### **UNINSURED MOTORIST CRASHES**

In Virginia motorists involved in crashes are not required to produce evidence of insurance at the scene, although the law enforcement officer asks for the name of the insurance company to complete the police accident report.

Law enforcement officers are required to file police accident reports to DMV for reportable accidents.

If the driver informs at the scene that the vehicle is not insured or the officer suspects the vehicle is uninsured, the officer indicates on the police accident report that the vehicle is uninsured. DMV will monitor the vehicle owner for insurance.

A reportable accident is one with combined property damage of \$1000, or personal injury or death.

Accidents occurring on private property are not reportable and law enforcement officers do not file police accident reports for them.

Notifying ones insurance company, exchanging insurance/driver/vehicle/owner information with other party and calling law enforcement officer to the scene of the crash are suggested but not required by law.

The judgement process is available to insured motorists involved in a crash with an uninsured motorist. Upon receipt of the judgement, DMV suspends driving and registration privileges of the uninsured motorist until the judgment is satisfied or an installment agreement is made. The uninsured is also required to file proof of

insurance, the insurance certificate form SR 22 until three after the judgement is satisfied.

A \$500 statutory fee and filing proof of insurance, the insurance certificate form SR 22 for three years are required in all instances where the vehicle is found to be uninsured. A \$30 reinstatement fee is also required to reinstate suspended privileges.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is not required in Virginia upon request of law enforcement. Police Officers may ask the driver if the vehicle insured during a roadside traffic stop, however, they are not authorized to stop motorists solely to check on insurance

Enforcement alternatives available to police officers, roadside, when suspecting that a vehicle is uninsured, include issuing a traffic ticket for operating or permitting the operation of an uninsured motor vehicle. The court will determine guilt. Or, the officer may issue the driver DMV's Confirmation of Liability Insurance form, which requires the owner to furnish his insurance information to DMV for confirmation with an insurer. Unreturned forms or the insurer's denial on coverage results in issuance of an order of suspension.

The non-owner driver is not usually penalized, as the owner is responsible for insuring the vehicle.

### **CONTACT INFORMATION**

James E. Junius  
Department Of Motor Vehicles  
Vehicle Services Administration, Insurance Services  
P. O. Box 27412  
Richmond, VA 23269  
[dmvjej@dmv.state.va.us](mailto:dmvjej@dmv.state.va.us)  
(804) 367-2240 or 8973

## WASHINGTON

### UNINSURED MOTORIST PROGRAMS

Washington relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to tackle the uninsured motorist problem. The Financial Responsibility Law has been in effect since 1963. It requires high-risk drivers who have been involved in uninsured crashes to prove their financial responsibility for the future by filing proof of financial responsibility in the form of an SR22 Insurance Certificate. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. The Compulsory Insurance Law was enacted in 1989. This law is enforced through tickets issued by law enforcement at the time of a traffic stop.

#### *Compulsory Liability Insurance Law – (Effective 1/1/1990)*

This law is enforced through tickets issued by law enforcement at the time of a traffic stop.

Minimum Liability Amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$50,000 to cover two persons, and \$10,000 to cover property damages. Insurance is required for the Vehicle only under the Compulsory Law.

Proof of insurance is acceptable in the form of an Insurance ID Card.

#### *Financial Responsibility Law – (Effective 1963)*

This law is enforced through tickets issued by law enforcement at the time of a traffic stop.

The law allows a suspension or revocation of the driver license and vehicle registration if uninsured motorist does not compensate victim. Proof of financial responsibility by means of an SR-22 is required if suspension occurs.

### REGISTRATION

All Vehicles in Washington are required to be registered within 30 days from the time a person establishes residency in the state

A vehicle does not have to be registered if it is not driven on public streets.

Washington does not have any requirements to provide evidence of financial responsibility upon registration.

### REPORTING PROGRAMS

Washington does not have a compulsory insurance electronic program for registration of vehicles, but does have an electronic reporting program for SR22 Certificates of Insurance.

The reporting media consists of File Transfer Protocol (FTP).

Washington does not maintain an insurance database for vehicle registration.

## **UNINSURED MOTORIST CRASHES**

In Washington, motorists involved in crashes are required to produce evidence of insurance at the scene. Evidence acceptable is an Insurance Card.

Failure to provide evidence of insurance will result in a traffic citation.

A reportable crash is defined, as one in which there is any death, personal injury or damage of \$700 or more to any one person's property. The motorist is required to exchange insurance information with other involved parties, and file the crash report unless a traffic officer completes a report.

Uninsured Motorists involved in crashes will lose their driving and registering privileges if they fail to compensate a victim for any damage they cause. The DMV will suspend the driving and registering privileges of motorists upon receipt of a Record of Unsatisfied Judgment from the Court. The suspensions will remain in effect until the court orders reinstatement or the provisions of the law are met, and proof of financial responsibility (SR-22) is submitted to the DMV.

Uninsured drivers with out of state licenses have their driving privilege in Washington suspended until the crash victim is compensated. An SR-22 is required before the driving privilege is reinstated. Any conviction information related to the case is forwarded to the state of residence.

Uninsured motorists involved in crashes who fail to compensate their victims are required to file proof of Financial Responsibility in the form of an SR22 Certificate. Cancellation of the SR22 will result in an immediate driver's license suspension. The individual is required to file for 36 months from the reinstatement date. Restricted driving licenses are available during the FR Suspension for driving to and from employment and during the course of employment.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Washington Police Officers ask for proof of insurance during a roadside traffic stop, however, they are not authorized to stop motorists solely to check for proof of insurance.

If a driver fails to show evidence of FR to law enforcement, the court will fine the violator.

The penalty for providing false evidence of FR to law enforcement is a fine of \$475.



The enforcement available to police officers' roadside when determining that a motorist is uninsured is limited to issuing a traffic ticket. If the driver is not the owner of the vehicle, no enforcement taken against the owner.

### **CONTACT INFORMATION**

Judy Groezinger, Licensing Services Manager  
Department of Licensing  
P.O. Box 9030  
Olympia, WA 98507-9030  
(360) 902-3840

## WASHINGTON, D.C.

### UNINSURED VEHICLE PROGRAM

Washington D.C. relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to encourage vehicle owners to obtain and maintain financial protection for themselves and other highway users. The Financial Responsibility Law, in effect since 1954. It requires high-risk drivers who have been involved in uninsured crashes to prove their financial responsibility for the future by filing proof of financial responsibility in the form of an SR22 Certificate. The Compulsory Insurance Law, in effect since 1982 requires all vehicle owners to carry liability insurance. This law requires evidence of insurance upon vehicle registration.

#### *Compulsory Liability Insurance Law* (Effective September 18, 1982)

Vehicle owners must provide an insurance identification card or letter from their insurance company upon registration of their vehicles.

DMV plans to perform random sampling to validate the insurance information.

When a vehicle owner applies for a vehicle registration, proof of insurance must be presented

Minimum Liability Amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$50,000 to cover two persons, and \$10,000 to cover property damages. Insurance is required for the Vehicle under the Compulsory Law.

#### *Financial Responsibility Law* (Effective 1954)

The law allows a suspension or revocation of the driver's license and vehicle registration for up to six months if a motorist is convicted of DWI; OAS and OAR; or where there is an unsatisfied Liability judgment.

Reinstatement of the driving privilege requires a fee of \$75, and proof of financial responsibility by means of an SR22.

### REGISTRATION

All vehicles in D.C. are required to be registered within 30 days of the time a person establishes residency.

A vehicle does not have to be registered or insured if it is not driven on public streets.

DC has a requirement to provide evidence of financial responsibility for all vehicles upon registration. Insurance is not required only if the plates are turned in to DMV.

Individuals who submit fraudulent insurance documents for vehicle registration will have their vehicle registrations suspended, and face a monetary fine.

## **REPORTING PROGRAMS**

The reporting media presently consists of paper documents only. The information is reported to DMV upon the initial reporting of new business and is required within 15 days after the policy effective date. Cancellation must be reported 30 days of the policy termination. Electronic verification is planned for the future.

Proof of insurance and cancellation of proof of insurance certificates must be sent immediately upon policy inception or cancellation.

DC does not maintain an insurance database for vehicle registrations. However, one is planned for the future.

There is a random sampling program in place.

## **UNINSURED MOTORIST CRASHES**

In D.C. motorists involved in crashes are required to produce evidence of insurance at the scene. Evidence acceptable evidence includes Insurance ID card or letter from the insurance company.

Failure to provide evidence of insurance at the time of the crash can result in a suspension of the vehicle registration and a monetary fine.

A reportable crash is defined, as one in which there is any death, personal injury or damage of \$250.00 or more of damages to any one person's property, including District property, or when a notice of infraction has been issued.

All motorists are required to exchange insurance information with other involved parties, to notify their insurance company, and to file the accident report for reportable accidents. No report is required if there was damage only to the property of the driver and there was no injury or death.

Uninsured Motorists involved in accidents will also lose their driving privileges based upon a court judgment if they fail to compensate a victim for any damages they cause. The DMV will suspend the driving privileges of motorists upon receipt of an Unsatisfied Judgment from the Court. The suspensions will remain in effect until the court orders reinstatement or the provisions of the law are met, and proof of financial responsibility (SR22) is submitted to the DMV.

Drivers with out-of-state licenses who have court judgments against them for unpaid motor vehicle accidents have their driving privilege in DC suspended until the crash victim is compensated. A SR-22 is required before the driving privileges are reinstated. The conviction information will also be forwarded to the driver's state of residence.

If the DMV receives notice of an unsatisfied judgement from another jurisdiction, the DC driver's license will be suspended until the victim is compensated. Reinstatement of the driver's license also requires the filing of a SR-22.

Uninsured motorists involved in crashes are required to file proof of Financial Responsibility in the form of an SR22 Certificate. Cancellation of the SR22 will result in an immediate driver's license Suspension. The individual is required to file for 36 months from the reinstatement date. Reinstatement of the driving privilege requires a \$75 reinstatement fee.

Restricted driving licenses are available during the FR Suspension period for driving to and from employment and during the course of employment.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

D.C. law enforcement officers are not required to, but may ask to see evidence of insurance during a roadside traffic stop.

If a driver fails to show evidence of FR to law enforcement and is cited, their vehicle registration may be suspended.

The enforcement available to police officers' roadside when determining that a motorist is uninsured is issuing a traffic citation. If the driver is not the owner of the vehicle, the enforcement action is taken against the owner, and may include suspension of the driver's vehicle registration.

### **CONTACT INFORMATION**

Name: Jackie Young  
Title: Supervisory Insurance Specialist  
Department of Motor Vehicles  
Address: 65 K Street, N. E.  
Washington, D.C. 20002  
(202) 535-1620  
E-mail: [jyoung@dpw.dcgov.org](mailto:jyoung@dpw.dcgov.org)

**UNINSURED VEHICLE PROGRAM**

West Virginia relies on the **Compulsory Liability Insurance Law** to encourage vehicle owners to obtain and maintain financial protection for themselves and other highway users. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. The Compulsory Insurance Law was enacted in 1981. This law is enforced by self-certification, proof upon traffic stop, proof required in vehicle at all times, and proof upon vehicle inspection.

Minimum Liability Amounts - \$20,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$40,000 to cover two persons, and \$10,000 to cover property damages. Insurance is required for the Vehicle only under the Compulsory Law.

Proof of insurance is acceptable in the form of Insurance ID Cards.

**REGISTRATION**

All vehicles in West Virginia are required to be registered within 30 days of owner's residency in jurisdiction.

A vehicle does not have to be registered as long as the vehicle is not being driven.

Liability insurance is required for all registered vehicles that are being operated.

Registered seasonal, collectible and vintage vehicles are the exception to insurance requirements

At the time of registration policy binder, insurance ID cards, self-certification, or policy declaration page are forms of evidence of insurance.

Insurance coverage is not verified with insurers at the time of registration, but we do random verification shortly after registration.

If an owner submits fraudulent insurance documents to us, upon confirmation of the false document from the insurance company, we suspend the driver license for 90 days and license plates are revoked until insurance is provided and fees paid.

## **REPORTING PROGRAMS**

West Virginia does not have a compulsory insurance electronic reporting program and the state does not have SR-22 reporting.

We have a Random Sampling Program extracted from our vehicle registration database. The program has no targeted sampling components. VIN and owner name is matched.

The department does not have an insurance database that links driver licensing or vehicle registration.

Matching errors are resolved by contacting the insurance company.

## **UNINSURED MOTORIST CRASHES**

In West Virginia motorists involved in crashes are required to produce evidence of insurance at the scene. Acceptable evidence includes Insurance Card.

If driver is unable to submit proof of insurance at the scene of the crash, the driver is allowed 5 days to submit evidence. Failure to provide evidence of insurance will result in a 30-day suspension of driver license and license plates suspension until proof of insurance is submitted and fees are paid.

If a ticket is issued, a fine from as little as \$200 to as much as \$5,000 and a jail term from 15 days to one-year maybe imposed.

A reportable crash is one with \$500.00 or more in damages to property and/or injury or death.

Vehicle owners determined as uninsured, driving privilege is suspended 30 days for a first offense and 90 days for subsequent; and, their license plates are suspended until insurance is provided and reinstatement fees paid.

Crashes occurring on private property are non-reportable.

Avenues available to insured motorist involved in a crash with an uninsured motorist include the judgment process. The DMV will also suspend/revoke the driving and registration privileges if an uninsured motorist does not compensate victim. The court may also seized and auction the vehicle through a sheriff's sale.

No action is taken when an uninsured out-of-state motorist is involved in a crash in our state. However, you suspend the driver license of the driver, owner or both upon receipt of an unsatisfied judgement from another state.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in West Virginia upon request of law enforcement. Police Officers ask for proof of insurance during a roadside traffic stop; however, they are not authorized to stop motorists solely to check for proof of insurance

If driver is unable to submit proof of insurance at the scene of the crash, the driver is allowed 5 days to submit evidence. Failure to provide evidence of insurance will result in a 30-day suspension of driver license and license plates suspension until proof of insurance is submitted and fees are paid.

If a ticket is issued, a fine from as little as \$200 to as much as \$5,000 and a jail term from 15 days to one-year maybe imposed.

Enforcement alternatives available to police officers, roadside, when determining that a motorist is uninsured, include issuing a traffic ticket.

If the driver is not the owner of the vehicle, the owner may be issued a citation/appearance ticket for “permitting no insurance.”

## **CONTACT INFORMATION**

Name: Deborah Fields

Title: Supervisor II

Address: Compulsory Insurance Section  
1800 Kanawha Boulevard  
Charleston, WV 25312  
(304) 558-2097

## **WISCONSIN**

### **UNINSURED VEHICLE PROGRAM**

Wisconsin relies on the financial Responsibility Law to tackle the uninsured motorist problem. The financial responsibility law has been in effect since January 1, 1946. It holds drivers who have been involved in crashes financially responsible for any damage caused by them or the driver of their vehicle when they are at fault.

*Financial Responsibility Law* – Through the financial responsibility law, motorists are held responsible for damages they inflict on others and future uninsured crashes are prevented through the requirement to provide proof of financial responsibility for the future.

### **REGISTRATION**

All vehicles in Wisconsin are required to be registered as soon as possible. A vehicle does not have to be registered if it is not being driven.

### **REPORTING PROGRAMS**

Wisconsin does not have a compulsory insurance electronic program, however they do have an electronic reporting program for SR-22/Certificates of Future Proof.

The reporting media consists of paper and on-line batch. The format used in Wisconsin is the X12.

Wisconsin does not have a random sampling program. The driver licensing and vehicle

Wisconsin's insurance database is linked to the driver license database. They use the AAMVAnet guidelines for SR-22 electronic filings.

### **UNINSURED MOTORIST CRASHES**

In Wisconsin, motorists involved in crashes are asked to provide insurance information at the scene of a crash.

Motorists without insurance will be pursued under Wisconsin's Safety Responsibility Law.

A reportable crash is defined as a crash involving injury, death, damage to one person's property of \$1,000 or more or \$200 damage to government property other than vehicles.



Wisconsin will also suspend the operating and registration privileges of motorists upon receipt of a Record of Unsatisfied Judgment from a court. The suspensions will remain in effect until the court orders reinstatement or the provisions of the law are met. If a judgment in the amount of \$500 or more is received from another jurisdiction, the driving and registration privileges will be suspended until satisfaction is received or the crash victim has been compensated.

If an uninsured driver from another jurisdiction is involved in a crash in Wisconsin, Wisconsin will suspend the uninsured motorists driving privileges under the Safety Responsibility Law.

Uninsured motorists involved in crashes are required to file proof of financial responsibility in the form of an SR-22 Certificate for 3 years from the date of eligibility and pay the required reinstatement fees. Cancellation of the SR-22 will result in an immediate suspension of the person's operating privilege. The individual will be required to file a new SR-22 and pay a \$50 reinstatement fee to have the suspension released. No restricted driving permit is available during the financial responsibility suspension, except for CDL privileges.

### **ENFORCEMENT/IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is not required in Wisconsin upon request of law enforcement.

### **CONTACT INFORMATION**

Wisconsin Department of Transportation  
Traffic Accident Section  
PO Box 7919  
Madison, WI 53707-7919  
Phone 608-266-1249  
Fax 608-267-0606

Janet Huggins  
email: [janet.huggins@dot.state.wi.us](mailto:janet.huggins@dot.state.wi.us)

## WYOMING

### UNINSURED VEHICLE PROGRAM

Wyoming relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to tackle the uninsured motorist problem. The Financial Responsibility Law has been in effect since 1984. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. The Compulsory Insurance Law was enacted in 1984. This law is enforced by showing proof at time of registration, licensing, proof upon traffic stop and proof is required in vehicle at all times.

***Compulsory Liability Insurance Law***— Enacted in 1984, Wyoming's **compulsory financial responsibility law** requires every driver and every owner of a motor vehicle to maintain financial responsibility (liability coverage) at all times.

When a motorist applies for a vehicle registration, proof of insurance must be presented. Proof must also be shown at the time of any law enforcement stop and carried in the vehicle at all times.

Minimum Liability Amounts - \$25,000 to cover bodily injury to or death of any one person in any one motor vehicle accident and, \$50,000 to cover two persons, and \$20,000 to cover property damages. Insurance is required for both, the driver and the Vehicle.

Proof of insurance is acceptable in the form of Insurance ID Cards.

***Financial Responsibility Law***— Enacted in 1984, Wyoming's financial responsibility requires every driver and every owner of a motor vehicle to maintain financial responsibility (liability coverage) at all times.

When a motorist applies for a driver license or a vehicle registration, proof of insurance must be presented. Proof must also be shown at the time of any law enforcement stop and carried in the vehicle at all times.

### REGISTRATION

All Vehicles in Wyoming are required to be registered within 30 days of purchase.

A vehicle has to be registered within 30 days of residency in jurisdiction and 45 days of purchase. A vehicle does not have to be registered if it has been totaled and title/registration branded.

Individuals who submit fraudulent insurance documents for registration are subject to legal action and cancellation of registration. Upon determination, law enforcement is informed of the fraudulent documents submitted.

## **REPORTING PROGRAMS**

Wyoming does not have a compulsory insurance electronic program but it does have an electronic reporting program for SR22/Certificates of Insurance of future proof.

The reporting media consists of paper (alternative for companies who cannot comply). The formats used in Wyoming include the X12, for SR-22/Future Proof. The information—SR-26s/Certificates of Cancellation—is reported to the DMV 10 days before effective.

Wyoming does not have a Random Sampling Program.

The validity of proof of insurance is verified only after a crash/accident/collision.

## **UNINSURED MOTORIST CRASHES**

In Wyoming motorists involved in crashes are required to produce evidence of insurance at the scene. Evidence acceptable includes Insurance Card.

Failure to provide evidence of insurance will result in a driver's license suspension for up to 5 years.

A reportable crash is defined by the incurrence of \$1,000.00 in damages or personal injury. No exceptions.

Avenues available to insured motorist involved in a crash with an uninsured motorist include: The judgment process, wherein the uninsured motorist, via installment payments, compensates the plaintiff. The DMV will also suspend/revoke the driving privileges and the registration will be suspended if an uninsured motorist does not compensate victim.

When an uninsured out-of-state motorist is involved in a crash the driving privilege is suspended until the victim is compensated. Additionally, the driver will be required to show proof of SR-22/certificate of insurance filing.

Uninsured motorists, involved in crashes, are required to file proof of Financial Responsibility in the form of an SR22 Certificate for 3 years. Cancellation of the SR22 will result in sanctions up to 3 years with a reinstatement fee of \$50.00. A restricted driving permit is not available during the period of the sanction

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Wyoming upon request of law enforcement. Police Officers are required to ask for proof of insurance during a roadside traffic stop, however, they are not authorized to stop motorists solely to check for proof of insurance.

If a driver fails to show evidence of FR to law enforcement, the following penalties will apply to first offenders: Fine of \$750.00, six months imprisonment, required to show proof and required to SR-22/certificate of Future Proof. The penalty for second and subsequent offenders are as follows: \$1,500.00 fine, 6 months imprisonment, required to show proof by way of SR-22/Certificate of future proof.

Penalties for providing false evidence of FR to law enforcement include: Cancellation of registration and criminal prosecution. For a subsequent offence: Cancellation of registration and plate tab seizure.

Enforcement alternatives available to police officers roadside when determining that motorist is uninsured include issuing a traffic ticket or appearance ticket.

No action is taken against the owner of the vehicle, when another with no insurance drives the vehicle.

### **CONTACT:**

Name: Tom Loftin

Location: Department of Transportation--Driver Services

Address: 5300 Bishop Blvd. Cheyenne, WY 82009

Telephone: #(307) 777-4800—Fax: #(307) 777-4803

# Part 4: Vehicle Insurance in Canada<sup>1</sup>

## *Private and Public Insurers*

### INTRODUCTION

Automobile insurance systems in Canada are varied. However, over the last number of years, a number of provinces have shifted from a tort-based liability system to a first party based no-fault system for compensating claims for bodily injury or death.

Automobile insurance is delivered in two categories:

*Private Insurers - currently Alberta, Yukon Territory, Northwest Territories, Nunavut, Ontario, New Brunswick, Nova Scotia, Newfoundland & Labrador and Prince Edward Island have automobile insurance delivered in the marketplace.*

*Public Insurers - compulsory minimum insurance coverage is provided by government-run insurers in British Columbia, Manitoba, and Saskatchewan. In Quebec, basic bodily injury coverage is provided by the government insurer and third party liability, physical damage and enhanced bodily injury insurance is provided by private insurance companies.*

Where private insurers provide automobile insurance, it is delivered through standard policies that have been approved by each respective government regulator.

The standard owner's policy contains four terms of coverage:

1. Section A deals with compulsory third party liability coverage
2. Section B provides first party death and disability coverage on a no-fault basis
3. Section C deals with vehicle insurance

---

<sup>1</sup> Randy Bundus, "Automobile Insurance" in: Craig Brown and Julie Menezes, *Insurance Law in Canada*, vol 2 (Toronto: Carswell, 1999) c. 17.

4. Section D provides coverage to insured persons who are victims of an uninsured or unidentified motorist on an inverse liability basis<sup>2</sup>

## **AUTOMOBILE INSURANCE HISTORY**

Automobile insurance legislation was first implemented in 1932 and was revised in 1969 with considerable reorganization and the addition of provisions concerning no-fault personal injury benefits and the rights of third party claimants.

Since that time, three provinces have implemented a government-run automobile insurance system. Other provinces, such as Ontario, have shifted emphasis to a first party no-fault basis.

### **Compulsory Automobile Insurance**

Each of Canada's jurisdictions requires that vehicles being operated on a public highway be covered under motor vehicle liability insurance. Certain jurisdictions extend this requirement for insurance to any vehicle that is on the highway, whether or not it is driven.

The obligation to ensure that the vehicle is insured rests with both the owner of the vehicle and the operator. An owner of a vehicle is not permitted to operate a vehicle or to permit someone else to operate a vehicle on a highway unless it is insured for liability. The operator of a motor vehicle is also required to provide proof that a vehicle is insured when requested by a police officer.

The requirement that vehicles be insured is further reinforced in jurisdictions using standard policies by the requirement that the vehicle be insured under a motor vehicle liability policy before it can be registered. Where compulsory automobile insurance is provided by crown corporations, insurance is obtained coincidentally with registration of the vehicle, so that there are no properly registered vehicles that are also uninsured.

Motor Vehicle Liability Insurance Cards (commonly known across Canada as 'pink cards') are issued by both private and public insurers and serve as the primary proof of insurance for both enforcement and vehicle registration purposes. The standard format, as agreed by Insurance Regulators across Canada, include the following standard information:

- ? Pink background of provincial and territorial shields;

---

<sup>2</sup> Insurer indemnifies insured under the policy for damages for which an unidentified or uninsured third party would have been liable.

- ? Insured name and address;
- ? Insurance policy number;
- ? Vehicle description and VIN;
- ? Policy effective and expiry dates; and
- ? Insurance company and agent information

Compulsory vehicle insurance coverage is primarily enforced at the roadside either as a secondary enforcement issue or through focused ‘blitzes’ . Aside from Prince Edward Island, there are currently no proactive insurance verification programs operating in Canada.

A summary of compulsory minimum insurance coverage for private passenger vehicles in Canada is provided below<sup>3</sup>.

### **Uninsured Vehicle Coverage**

Victims of uninsured motorists are protected either through government-run unsatisfied judgement funds only (Alberta, British Columbia, Manitoba, Quebec, Saskatchewan), uninsured automobile coverage provided under a standard automobile policy (Yukon Territory, Northwest Territories, Nunavut) or a combination of the above. Where the protection is provided through a combination, the unsatisfied judgement funds are administered by either the government (Ontario) or the insurance industry (New Brunswick, Nova Scotia, Newfoundland & Labrador, Prince Edward Island).

Where insurance is provided under the standard policies, the policies provide an indemnity to insured persons who are victims of uninsured or unidentified motorists in the amount of recovery the insured person would be entitled to receive from the at fault uninsured or unidentified driver/owner . In the providence of Alberta and Yukon Territories, recovery is limited to losses arising from bodily injury and death only. In the other jurisdictions using standard policies, the coverage is extended to property loss or damage to the owner of the vehicle and the owner of the contents of the vehicle (New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland & Labrador, Northwest Territories, Ontario).

### **Unsatisfied Judgement Fund**

*British Columbia, Alberta, Saskatchewan, Manitoba, Quebec*

The claims against an uninsured or unidentified motorist for losses arising from bodily injury or death, but not for property damage, may be made against a fund administered by the government.

In Alberta, this claim is made under the *Motor Vehicle Accident Claims Act* and the victim may claim for payment of a judgement it has received from the wrongdoer if it assigns the judgement to the Administrator of the *Act*. If the victim's loss resulted

---

<sup>3</sup> Information provided with permission of the Insurance Bureau of Canada - FACTS of the General Insurance Industry in Canada – 2001 (www.IBC.ca)

from a collision where neither the owner nor operator is known or ascertainable or where the operator is not known or ascertainable, and the owner was not liable, the victim may bring an action against the Administrator of the *Act* as nominal defendant and this action may be defended by the Administrator. The uninsured motorist will be required to reimburse the Fund for any monies paid to the victim to settle the claim. British Columbia, Saskatchewan and Manitoba have similar provisions. However, in these provinces a claim might also be made against the fund before judgement is obtained, in which case the corporation notifies the uninsured person of the claim and may settle the claim if the uninsured person does not raise an objection.

In Quebec, the *Fonds d'indemnisation* administered by the Société de l'assurance automobile du Québec (SAAQ) compensates victims for bodily injury or property damage caused by an uninsured motorist or an unidentified third party. There is a \$10,000 limit for property damage claims.

#### *Ontario and Atlantic Provinces*

In these provinces, where protection of victims of uninsured and unidentified motorists is provided, for the most part, by the uninsured automobile coverage of the standard policies, there remain certain victims who will not have access to coverage. In Ontario, such persons can make their claim against the Motor Vehicle Accident Claims Fund administered by the Financial Services Commission of Ontario. In each of the Atlantic provinces, the claim is made against the Unsatisfied Judgement Fund administered by the Facility Association, an organization to which all licensed automobile insurers in the province belong. The approaches of these provinces are similar to that taken by the Administrators of the funds in other jurisdictions.



## **COMPULSORY MINIMUM INSURANCE COVERAGE FOR PRIVATE PASSENGER VEHICLES**

Accident benefits coverage is compulsory everywhere in Canada EXCEPT in Newfoundland and Labrador. Uninsured automobile protection is universal; Alberta and Yukon policies exclude vehicle damage sustained locally; some jurisdictions require that the uninsured motorist be identified. Ontario and Quebec policies feature "Direct compensation - property damage."

### **INDIVIDUAL PROVINCE AND TERRITORY BREAKDOWN**

#### **NEWFOUNDLAND & LABRADOR**

##### **Compulsory minimum 3rd-party liability**

\$200,000 is available for any one accident; however, if a claim involving both bodily injury and property damage reaches this figure, payment for property damage would be capped at \$20,000.

##### **Medical payments**

\$25,000/person, including rehabilitation, excluding health insurance plans; time limit 4 years

##### **Funeral expense benefits**

\$1,000

##### **Disability income benefits**

104 weeks partial disability; lifetime if totally disabled; maximum \$140/week; 7-day wait; unpaid housekeeper \$70/week, maximum 12 weeks

##### **Death benefits**

Death within 2 years; head of household \$10,000 plus \$1,000 each for all dependants beyond first; spouse \$10,000; dependent child \$2,000

##### **Right to sue for pain and suffering?**

Yes

##### **Right to sue for economic loss in excess of no-fault benefits?**

Yes

##### **Administration**

Private insurers

## **NOVA SCOTIA**

### **Compulsory minimum 3rd-party liability**

\$200,000 is available for any one accident; however, if a claim involving both bodily injury and property damage reaches this figure, payment for property damage would be capped at \$10,000.

### **Medical payments**

\$25,000/person, including rehabilitation, excluding health insurance plans; time limit 4 years

### **Funeral expense benefits**

\$1,000

### **Disability income benefits**

104 weeks partial disability; lifetime if totally disabled; maximum \$140/week; 7-day wait; unpaid housekeeper \$70/week, maximum 12 weeks

### **Death benefits**

Death within 2 years; head of household \$10,000 plus \$1,000 each for all dependants beyond first; spouse \$10,000; dependent child \$2,000

### **Right to sue for pain and suffering?**

Yes

### **Right to sue for economic loss in excess of no-fault benefits?**

Yes

### **Administration**

Private insurers

## **NEW BRUNSWICK**

### **Compulsory minimum 3rd-party liability**

\$200,000 is available for any one accident; however, if a claim involving both bodily injury and property damage reaches this figure, payment for property damage would be capped at \$20,000.

### **Medical payments**

\$50,000/person, including rehabilitation, excluding health insurance plans; time limit 4 years

### **Funeral expense benefits**

\$2,500

### **Disability income benefits**

104 weeks partial disability; lifetime if totally disabled; maximum \$250/week; 7-day wait; unpaid housekeeper \$100/week, maximum 52 weeks

**Death benefits**

Death within 2 years; head of household \$50,000 plus \$1,000 each for all dependants beyond first; spouse \$25,000; dependent child \$5,000

**Right to sue for pain and suffering?**

Yes

**Right to sue for economic loss in excess of no-fault benefits?**

Yes

**Administration**

Private insurers

**PRINCE EDWARD ISLAND**

**Compulsory minimum 3rd-party liability**

\$200,000 is available for any one accident; however, if a claim involving both bodily injury and property damage reaches this figure, payment for property damage would be capped at \$10,000.

**Medical payments**

\$25,000/person, including rehabilitation, excluding health insurance plans; time limit 4 years

**Funeral expense benefits**

\$1,000

**Disability income benefits**

104 weeks partial disability; to age 65 if totally disabled; maximum \$140/week; 7-day wait; unpaid housekeeper \$70/week, maximum 12 weeks

**Death benefits**

Death within 2 years; head of household \$10,000 plus \$1,000 each for all dependants beyond first; spouse \$10,000; dependent child \$2,000

**Right to sue for pain and suffering?**

Yes

**Right to sue for economic loss in excess of no-fault benefits?**

Yes

**Administration**

Private insurers

## **QUEBEC**

### **Compulsory minimum 3rd-party liability**

\$50,000; liability limits relate to property damage claims within Quebec and to personal injury and property damage claims outside Quebec.

### **Medical payments**

No time or amount limit; includes rehabilitation.

### **Funeral expense benefits**

\$3,836

### **Disability income benefits**

90% of net wages; maximum income gross \$51,500/year; temporary 3 years; permanent lifetime; 7-day wait, indexed

### **Death benefits**

Death anytime; depends on wage and age; minimum \$51,555; maximum \$257,500 plus \$24,297 - \$44,761 to dependants according to age, plus \$21,101 if disabled; if no surviving spouse or dependants - \$41,000 to parents

### **Impairment benefits**

Scheduled up to \$144,177

### **Right to sue for pain and suffering?**

No

### **Right to sue for economic loss in excess of no-fault benefits?**

No

### **Administration**

Bodily injury: government; property damage: private insurers

Lawsuits are not permitted with respect to injuries sustained in automobile accidents in Quebec. Victims and their dependants resident in Quebec are compensated by their government insurer for their injuries whether or not the accident occurs in Quebec. Accident victims who do not reside in Quebec are entitled to compensation only to the extent that they are not responsible for the accident, unless otherwise agreed between the Société de l'assurance automobile du Québec (SAAQ) and authorities of the victims' place of residence; additional compensation may be available from their own insurers

## **ONTARIO**

### **Compulsory minimum 3rd-party liability**

\$200,000 is available for any one accident; however, if a claim involving both bodily injury and property damage reaches this figure, payment for property damage would be capped at \$10,000.

### **Medical payments**

\$100,000/person (\$1 million if injury "catastrophic"), including rehabilitation, excluding health insurance plans; attendant care \$72,000 (\$1 million if injury "catastrophic")

### **Funeral expense benefits**

\$6,000

### **Disability income benefits**

80% of net wages up to \$400/week, \$185/week for those not employed and completely unable to carry on a normal life (104 weeks maximum; longer if victim is unable to pursue any suitable occupation); 7-day wait for income replacement, otherwise 26 weeks for non-earner benefit

### **Death benefits**

Death within 180 days, or 3 years if continuously disabled; \$25,000 for spouse, \$10,000 for surviving dependant or for loss of dependant

### **Right to sue for pain and suffering?**

Yes, if injury meets verbal threshold; deductible applies. Lawsuit allowed only if injured person dies or sustains "permanent serious" disfigurement and/or impairment of important physical, mental or psychological function; the court is directed to assess damages, then deduct \$15,000 (\$7,500 if Family Law Act claim)

### **Right to sue for economic loss in excess of no-fault benefits?**

Yes. Injured person may sue for 80% of net income loss before trial, 100% of gross after trial; also for medical, rehabilitation and related costs when injury is catastrophic.

### **Administration**

Private insurers

Ontario "insureds" involved in accidents in Quebec can choose to receive, from their own insurer, the Ontario benefits or the equivalent to the benefits available to Quebec residents from the Société de l'assurance automobile du Québec (SAAQ). Policyholders may purchase coverage for economic loss greater than the standard accident benefits

## **MANITOBA**

### **Compulsory minimum 3rd-party liability**

\$200,000 is available for any one accident; however, if a claim involving both bodily injury and property damage reaches this figure, payment for property damage would be capped at \$20,000.

### **Medical payments**

No time or amount limit; includes rehabilitation

### **Funeral expense benefits**

\$6,273

### **Disability income benefits**

90% of net wages; maximum income gross \$62,000/year; 7-day wait; indexed

### **Death benefits**

Death anytime; depends on wage and age; minimum \$46,035; maximum \$310,000 plus \$21,866 - \$40,280 to dependants according to age

### **Impairment benefits**

Scheduled up to \$115,085

### **Right to sue for pain and suffering?**

No

### **Right to sue for economic loss in excess of no-fault benefits?**

No

### **Administration**

Government (government and private insurers compete for optional and excess coverage)

Residents of Manitoba involved in accidents in Quebec can receive from their own insurer the equivalent to the benefits available to Quebec residents from the Société de l'assurance automobile du Québec. First party all-perils ("Collision" and "comprehensive" insurance for the policyholder's vehicle) insurance is compulsory in Manitoba (deductibles vary according to type of vehicle). Policyholders may purchase coverage for economic loss greater than maximum accident benefits. Lawsuits are not permitted with respect to injuries sustained in automobile accidents in Manitoba. Victims and their dependants resident in Manitoba are compensated by their government insurer for their injuries whether or not the accident occurs in Manitoba.

## **SASKATCHEWAN**

### **Compulsory minimum 3rd-party liability**

\$200,000 is available for any one accident; however, if a claim involving both bodily injury and property damage reaches this figure, payment for property damage would be capped at \$10,000.

### **Medical payments**

\$554,286/person; includes rehabilitation

### **Funeral expense benefits**

\$5,544

### **Disability income benefits**

90% of net wages; maximum income gross \$57,788/year; 7-day wait; indexed

### **Death benefits**

\$49,886 minimum if spouse/dependants; otherwise \$11,085; educational benefit \$33,257

### **Impairment benefits**

Scheduled up to \$138,571

### **Right to sue for pain and suffering?**

No

### **Right to sue for economic loss in excess of no-fault benefits?**

Yes; injured persons may sue for economic losses that exceed no-fault benefits. However, in regard to loss of income, they may recover only with respect to gross income losses that exceed \$57,788/year; award is net of income tax, Canada Pension Plan & Employment Insurance.

### **Administration**

Government (government and private insurers compete for optional and excess coverage)

First party all-perils\* insurance is compulsory in Saskatchewan (deductibles vary according to type of vehicle).

\*"Collision" and "comprehensive" insurance for the policyholder's vehicle)

## **ALBERTA**

### **Compulsory minimum 3rd-party liability**

\$200,000 is available for any one accident; however, if a claim involving both bodily injury and property damage reaches this figure, payment for property damage would be capped at \$10,000.

### **Medical payments**

\$10,000/person, rehabilitation included, amounts from medical and hospital plans excluded; chiropractors \$500/person per occurrence; time limit 2 years

### **Funeral expense benefits**

\$2,000

### **Disability income benefits**

80% gross wages; maximum \$300/week; 104 weeks total disability; 7-day wait; unpaid housekeeper \$100/week, maximum 26 weeks

### **Death benefits**

Death anytime; head of household \$10,000 plus \$2,000 each dependant after first and 1% of total principal sum for 104 weeks, no limit; spouse \$10,000; dependent child according to age, maximum \$3,000

### **Right to sue for pain and suffering?**

Yes

### **Right to sue for economic loss in excess of no-fault benefits?**

Yes

### **Administration**

Private insurers

Alberta "insureds" involved in accidents in Quebec can receive from their own insurer the equivalent to the benefits available to Quebec residents from the Société de l'assurance automobile du Québec. In June 1998, similar arrangements were implemented for accidents involving Alberta "insureds" in Saskatchewan and Manitoba



## **BRITISH COLUMBIA**

### **Compulsory minimum 3rd-party liability**

\$200,000 is available for any one accident; however, if a claim involving both bodily injury and property damage reaches this figure, payment for property damage would be capped at \$20,000.

### **Medical payments**

\$150,000/person, rehabilitation included; excludes amounts payable under surgical, dental, hospital plan or other insurer

### **Funeral expense benefits**

\$2,500

### **Disability income benefits**

75% gross wages; maximum \$300/week; 104 weeks temporary disability, lifetime total and permanent; 7-day wait; homemaker up to \$145/week, maximum 104 weeks

### **Death benefits**

Death anytime; head of household \$5,000 and \$145/week for 104 weeks to first survivor plus \$1,000 and \$35/week for 104 weeks for each survivor after first; spouse \$2,500; dependent child according to age, maximum \$1,500

### **Right to sue for pain and suffering?**

Yes

### **Right to sue for economic loss in excess of no-fault benefits?**

Yes

### **Administration**

Government (government and private insurers compete for optional and excess coverage)

## **NORTHWEST TERRITORIES & NUNAVUT**

### **Compulsory minimum 3rd-party liability**

\$200,000 is available for any one accident; however, if a claim involving both bodily injury and property damage reaches this figure, payment for property damage would be capped at \$10,000.

### **Medical payments**

\$25,000/person, excluding medical and hospital plans; time limit 4 years

### **Funeral expense benefits**

\$1,000

### **Disability income benefits**

80% gross wages; maximum \$140/week; 104 weeks temporary disability; lifetime if totally disabled; 7-day wait; unpaid housekeeper \$100/week, maximum 12 weeks

### **Death benefits**

Death within 2 years; head of household \$10,000; spouse \$10,000; each survivor after first \$2,500; one survivor, spouse or dependant, principal sum increased by \$1,500

### **Right to sue for pain and suffering?**

Yes

### **Right to sue for economic loss in excess of no-fault benefits?**

Yes

### **Administration**

Private insurers

## **YUKON**

### **Compulsory minimum 3rd-party liability**

\$200,000 is available for any one accident; however, if a claim involving both bodily injury and property damage reaches this figure, payment for property damage would be capped at \$10,000.

### **Medical payments**

\$10,000/person, rehabilitation included, amounts from medical and hospital plans excluded; time limit 2 years

### **Funeral expense benefits**

\$2,000

### **Disability income benefits**

80% gross wages; maximum \$300/week; 104 weeks temporary or total disability; 7-day wait; unpaid housekeeper \$100/week, maximum 26 weeks

### **Death benefits**

Death anytime; head of household \$10,000 plus \$2,000 each dependant after first and 1% of total principal sum for 104 weeks, no limit; spouse \$10,000; dependent child according to age, maximum \$3,000

### **Right to sue for pain and suffering?**

Yes

### **Right to sue for economic loss in excess of no-fault benefits?**

Yes

### **Administration**

Private insurers

## SOME CANADIAN AUTO INSURANCE COVERAGES EXPLAINED

**ACCIDENT BENEFITS:** This coverage provides compensation, regardless of fault, if you, your passengers, or pedestrians suffer injury or death in an automobile collision. Accident benefits coverage is compulsory in all provinces except Newfoundland and Labrador. (In Quebec, this is provided by government; *see below*.)

### *Quebec -- bodily injury*

*The automobile insurance system in Quebec has two main parts: bodily injury, which is covered by a public plan administered by the Société de l'assurance automobile du Québec (SAAQ), and damage to property, which is covered by private insurers. SAAQ will compensate Quebec residents for bodily injury arising from an automobile accident anywhere in the world, regardless of fault, just as if the accident had happened in Quebec. Such an accident may involve any vehicle. After six months' absence from Quebec, however, other coverage is required. The SAAQ plan also covers non-residents to the extent they were not at fault. Private insurers in Quebec offer "Endorsement 34" to supplement the SAAQ no-fault bodily injury compensation plan; it covers, to varying degrees, the named insured and his or her spouse and dependent children*

**Uninsured automobile protection:** Uninsured automobile protection is universal in Canada.

? **Bodily injury:** This coverage provides up to \$200,000 if you are injured or killed through the fault of a motorist who has no insurance, or by an unidentified vehicle. You receive payment under this protection through the Uninsured Automobile coverage in your policy - unless the Canadian province, territory or U.S. State where you were injured has a special fund from which to claim. You will be reimbursed for the money you would otherwise be entitled to receive from the uninsured/unidentified motorist.

**Damage to your vehicle:** Available coverage varies widely, from none for damage sustained locally by policyholders in Alberta and Yukon, to \$25,000 in Ontario, \$50,000 in Quebec (see below), and as much as \$200,000 in Manitoba. Some jurisdictions require that the uninsured motorist be identified.

### *Quebec -- uninsured motorist*

*In Quebec, the Fonds d'indemnisation administered by SAAQ compensates victims for bodily injury or property damage caused by an uninsured motorist or an unidentified third party. There is a \$10,000 limit for property damage claims*

### **"Direct compensation -- property damage"**

In Quebec and Ontario, your own insurer compensates you for the share of the damage caused to your vehicle (including contents) and for your loss of use of your car, for

which another driver would be legally responsible. You deal with your own, not the other person's, insurer; this speeds up the payment process. If another identified motorist is responsible for the collision, you can collect from your own insurer *regardless of whether or not you have purchased physical damage coverage on your own car*. There are rules, however, for Direct Compensation to apply. The collision must occur in the home province; there must be at least one other identified vehicle involved in the crash causing the loss; and that other vehicle must also be insured by an insurer licensed in the province. If these conditions can't be fulfilled, then you'll have to rely on your collision insurance (if you have it), whether or not at fault.

# Part 5: Provincial/Territorial Profiles

*The Narrative for each Jurisdiction in  
Canada*

## THE BREAKDOWN

The following narratives are profiles of each province/territory that completed our survey. It is the intent of the Working Group to have all the jurisdictions in the future listed in our Guide. It is also our intent for this document to be a “living” document being updated as changes occur. Please submit your changes to the FR Committee of AAMVA.

Where available, profile information has been organized into the following categories.

- Uninsured Motorist / Vehicle Programs*
- Registration*
- Reporting Programs*
- Uninsured Motorist Collisions*
- Enforcement / Identification Programs*
- General Comments*

### **UNINSURED MOTORIST PROGRAMS**

The Yukon relies on the Motor Vehicle Act to tackle the uninsured motorist problem. The Motor Vehicle Act has been in effect since December 1978. It requires Drivers to provide proof of insurance upon registration, at traffic stops and to retain proof of insurance in their vehicle at all times.

#### ***Motor Vehicle Act – (Effective December, 1978)***

Motorists are required to provide proof of insurance upon registration and traffic stops and to maintain proof of insurance in their vehicle at all times.

Minimum Liability Amounts - \$200,000, insurance is required only for the vehicle.

Proof of insurance is acceptable in the form of Policy Binders only.

### **REGISTRATION**

All Vehicles in the Yukon are required to be registered within 60 days (visitors are allowed up to 60 days before being required to obtain Yukon registration) and 7 days for those taking up residency in the Yukon. An individual has up to 2 weeks in which to transfer his/her current registration and plates to another vehicle that is newly acquired. A vehicle does not have to be registered if the plates have been turned in. If a vehicle is not being operated on a highway, the owner is not required to obtain registration and plates. The Motor Vehicle office will cancel registration at the owner's request and a refund will be issued if the license plates have been turned in.

Individuals who submit fraudulent insurance documents for registrations are subject to RCMP intervention. The insurance company whose documents were forged is informed as well as the RCMP.

### **REPORTING PROGRAMS**

The Yukon does not have a compulsory insurance electronic program or an electronic reporting program.

## **UNINSURED MOTORIST COLLISIONS**

In the Yukon motorists involved in collisions are required to produce evidence of insurance at the scene. A policy binder is the only form of acceptable evidence.

Motorists are given reasonable time in which to produce a financial responsibility card. If they are unable to do so, a \$400 fine is levied and the vehicle may be impounded. A reportable collision is defined as a collision resulting in injury or death or damage in excess of \$1000. Exemptions are at the discretion of the RCMP. The motorist is then required to file an accident report form.

The Yukon is not a no fault jurisdiction.

When an uninsured motorist from another jurisdiction is involved in a collision in the Yukon conviction information is forwarded to the uninsured motorist's state or province of residence. Upon receipt of a record of unsatisfied judgment from another jurisdiction a driver license suspension is posted. Authorized by the Motor Vehicle Act.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in the Yukon upon request of law enforcement. Police Officers are allowed to ask for proof of insurance during a roadside traffic stop; however, they are not authorized to stop motorists solely to check for proof of insurance.

If a driver fails to show evidence of FR to law enforcement, the following penalties will apply-

*To first offenders:*

1. Not less than \$400 fine – not more than \$2,000
2. Impoundment – 30 days or up to 48 hours to produce proof that insurance was in force at a cost of \$7 / day storage + Towing Fee + GST

*To second and subsequent offenders:*

1. Not less than \$ \$750.00 fine, not more than \$2,000
2. Impoundment – 60 days or 48 hours at a cost of \$7 / day + Towing Fee + GST

Providing false evidence of FR to law enforcement would result in RCMP involvement however this has never occurred to our knowledge.

Enforcement alternatives available to police officers roadside when determining that motorist is uninsured include issuing a traffic ticket, towing the vehicle from the scene, impounding the vehicle and prohibiting the motorist from driving the vehicle.

If the driver is not the owner of the vehicle, the vehicle may still be impounded.



## **CONTACT INFORMATION**

Terry Vold  
Assistant Manager, Motor Vehicles Section  
Community and Transportation Services  
1st floor, Lynn Building, 308 Steele St.  
Whitehorse, Yukon Y1A 2C6  
(867) 667-5702 [Terry.Vold@gov.yk.ca](mailto:Terry.Vold@gov.yk.ca)

## **NOVA SCOTIA**

### **UNINSURED MOTORIST PROGRAMS**

Nova Scotia relies on legislation to deal with the uninsured vehicle problem. The Financial Responsibility Law has been in effect since 1932. The law requires drivers to provide proof of financial responsibility upon a traffic stop and must be carried in vehicle at all times.

#### ***Financial Responsibility Law –***

Proof of insurance is required at traffic stops and in the vehicle at all times.

All vehicles must carry liability insurance.

Proof of insurance is acceptable in the form of an insurance ID card, policy binder or a certificate by the Minister of Finance that an outstanding bond amount has been deposited.

### **REGISTRATION**

All vehicles in Nova Scotia are required to be registered if they are to be operated on a public highway.

All vehicles must be registered within 30 days of the owner residing in the province. A vehicle may be unregistered only if the plates are turned into the ministry.

No proof of compliance with the Compulsory Insurance Law is required at time of registration.

Should an individual submit fraudulent insurance documents, the government has authority to suspend driver license and vehicle plates.

### **REPORTING PROGRAMS**

Nova Scotia does not have a compulsory insurance electronic program or an electronic reporting program.

## **UNINSURED MOTORIST COLLISIONS**

In Nova Scotia, motorists involved in collisions are required to produce evidence of insurance at the scene. Evidence acceptable only includes an Insurance Card. A motorist may have up to 24 hours to prove they had insurance in effect at time of the collision. A police officer is required to file a report.

Failure to provide evidence of insurance may result in a \$750 fine plus court cost (1<sup>st</sup> conviction), suspension of driver's license and / or suspension of registration.

A reportable collision is defined as any collision resulting in over \$1000 in property damage or any bodily injury to a person, or death. There are no exemptions to reporting. While by law, police are not required to investigate a collision, police typically investigate collisions with damage amounts over \$1,000 and where an ambulance and/or hospitalization is required.

Motorists are required to file an accident report form and notify their respective insurance agency. As well, individuals involved in the collision are required to exchange information at the time of collision, including:

driver's name and current residence address;

current resident address of registered vehicle owner;

driver's license number;

vehicle identification number;

name and number of insurance policy

For insured motorists involved in a collision with an uninsured motorist, Nova Scotia maintains an accident claim fund for victims of uninsured motorist collisions if the driver is unknown. The license and/or registration of an uninsured motorist may be suspended/revoked if the uninsured motorist does not compensate the victim.

Action taken against motorists from outside Nova Scotia is in the form of license suspension. Upon receipt of a record of unsatisfied judgment from another jurisdiction, Nova Scotia posts a driver license suspension. Nova Scotia also requires a Notice (or equivalent) by the insurance company verifying that an insurance policy or bond was in effect at the time of the collision

Nova Scotia has a mandatory sanction of driving privileges for a driver/owner of a motor vehicle involved in a reportable collision and who fails to file an accident report. A fine of \$215.00 (plus court costs) is levied. Nova Scotia has a similar sanction for a driver/owner of a motor vehicle who fails to show valid proof of insurance at time of a reportable collision. A \$75.00 reinstatement fee is also charged at the end of the mandatory sanction phase and the individual must maintain insurance coverage for two years. If insurance is cancelled during the two year period, an additional two-year mandatory driving privilege sanction is re-imposed, resulting in a \$75.00 reinstatement fee once sanction period is complete. Proof of valid insurance is also required upon reinstatement.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Nova Scotia upon request of law enforcement. Police Officers are authorized to stop motorists solely to check for proof of insurance and are required to ask for insurance information during a roadside traffic stop.

If a driver fails to show evidence of Financial Responsibility to law enforcement, the following penalties will apply to first offenders:

Fine - \$750.00 plus court costs

Required to show proof of insurance

to second and subsequent offenders:

Fine - \$1,825.00

Required to show proof of insurance

Penalties for providing false insurance evidence to law enforcement include a fine of \$215.00 (plus court costs) for a first offense and for subsequent offenses, a fine of \$387.50 (plus court costs).

Enforcement alternatives available to police officers roadside upon determining that motorist is uninsured include issuing a traffic citation or appearance ticket and towing the vehicle from the scene.

If the driver is not the owner of the vehicle, no action is taken against the owner.

## **CONTACT INFORMATION**

Paul Arsenault  
Director, Driver and Vehicle Safety  
1505 Barrington Street  
Maritime Centre – 9 North  
Halifax, Nova Scotia  
B3J 3K5  
(902) 424-7801  
ansenapj@gov.ns.ca

## **SASKATCHEWAN**

### **UNINSURED MOTORIST PROGRAMS**

Saskatchewan relies on **Compulsory Liability Insurance and Financial Responsibility Law** as prescribed by Part IV of the Automobile Accident Amendment Act (AAIA) to tackle the uninsured motorist problem. Insurance is mandatory and included with the purchase of license plates and certificate of registration. Proof of insurance must be provided upon registration and license application as well as at traffic stops.

#### ***Compulsory Liability Insurance and Financial Responsibility Law –***

As insurance is purchased at the time of registration and purchase of license plates where registration and plates are valid proof of insurance is not necessary. As a result no proof is required for Saskatchewan drivers in the form of a policy binder or insurance ID card.

Minimum Liability Amounts – \$190,000 for bodily injury or death of two or more persons and \$10,000 for destruction of property. Insurance is required for the vehicle and not the driver.

### **REGISTRATION**

All vehicles in Saskatchewan are required to be registered within 90 days of owner's residency in Saskatchewan or immediately upon purchase in Saskatchewan.

A vehicle does not have to be registered when the vehicle has been totaled and title/registration branded, when the plates are turned in, when the vehicle is on blocks or in storage. All vehicles operating on public roads must be registered and insured. Exceptions to the requirement to carry liability insurance on all registered vehicles include farm equipment and industrial tractors.

Individuals who submit fraudulent insurance documents for registrations can be denied insurance coverage. Law enforcement may also be informed. The number of instances of insurance fraud or attempted insurance fraud is tracked including staged accidents, phantom vehicles and false documentation of insurance.

### **REPORTING PROGRAMS**

Saskatchewan acts as both registrar and compulsory insurer and as a result no reporting program is necessary.

## **UNINSURED MOTORIST COLLISIONS**

In Saskatchewan motorists involved in collisions are required to produce evidence of insurance at the scene in the form of certification of registration.

Police will check database to determine if motorist has insurance at the time of the collision if the motorist is unable to proof of insurance. For motorists who do not have adequate insurance at the time of the collision, payment of a fine is required (at the discretion of the police) and the motorist's license and registration could be suspended. Coverage for physical damage and/or liability is denied.

A reportable collision is defined as physical damage over \$1,000 or injuries. Motorists are not required to report collisions where damage to vehicles is less than \$1000 and no injuries are sustained. The motorist is required to file an accident report form, report to an accident investigation centre and notify his/her insurance agency.

Saskatchewan maintains an accident claim fund for victims of uninsured motorist collisions. This is also a no fault jurisdiction. Because Saskatchewan maintains a mandatory insurance program through government insurance, the innocent party is paid for damages and compensated for injuries by the provincial auto insurer. They may not sue unless the loss of income from disability is above the plan coverage. The responsible party pays a deductible for physical damage. Judgment processes may be initiated to ensure that the plaintiff is compensated by the insurer who in turn subrogates against the uninsured motorist.

Where a reciprocal agreement is in place, conviction information is forwarded to the state or province of residence of an uninsured motorist from another jurisdiction involved in a collision. Payment of a fine is required; vehicle plates and vehicle are seized. Bond is also required. Upon receipt of a record of unsatisfied judgment from another jurisdiction a driver license suspension is posted and the license is suspended until the victim of the collision is compensated. Any criminal charges are recorded on the driver's record.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Saskatchewan upon request of law enforcement. Police Officers are allowed to ask for proof of insurance during a roadside traffic stop, however, they are not authorized to stop motorists solely to check for proof of insurance. In Saskatchewan, valid license plates are proof of valid insurance.

If a driver fails to show evidence of FR to law enforcement, it is at the discretion of law enforcement to ticket or require the motorist to appear in court.

Provincial legislation allows for obstruction of peace officer charges to be laid for providing false evidence of FR to law enforcement.

Enforcement alternatives available to police officers roadside when determining that motorist is uninsured include issuing a traffic ticket, towing the vehicle from the

scene, prohibiting the motorist from driving the vehicle and confiscating the license plates.

If the driver is not the owner of the vehicle action may be taken including issuing of a traffic ticket and vehicle impoundment.

### **CONTACT INFORMATION**

Jason Nystrom  
Supervisor – Auto Fund Underwriting Services  
2260 11<sup>th</sup> Ave.  
Regina, Saskatchewan  
S4P 2N7  
(306) 751-1244  
jnystrom@sgi.sk.ca

### UNINSURED VEHICLE PROGRAM

The Compulsory Automobile Insurance Act and Insurance Act (Chapter C.25) establishes the legislative and regulatory requirements for automobile insurance in Ontario. Through the Compulsory Automobile Insurance Act (enacted in 1979), all owners or lessees of a motor vehicle must acquire liability insurance. This law is enforced through self-declaration at time of vehicle registration / validation and through a penalty structure enforced by law agencies.

#### *Compulsory Automobile Insurance Act* – (Effective 1979 - Chapter C.25)

The legislation states that " subject to regulations, no owner or lessee of a motor vehicle shall,

1. operate the motor vehicle; or
2. cause or permit the motor vehicle to be operated, on a highway unless the motor vehicle is insured under a contract of automobile insurance:

#### *Exemptions to the Act include:*

1. the Government General;
2. a department of the Government of Canada;
3. the operator of a motor vehicle owned by or leased to the Governor General or a department of the Government of Canada
4. a member in good standing of the Conservative Mennonite Churches of Ontario

Furthermore, the *Act* requires that "every person making an application for the issuance, validation or transfer of a permit for a motor vehicle shall certify, in the form prescribed by the regulations, that the motor vehicle is insured under a contract of automobile insurance and the Registrar of Motor Vehicles (Ministry of Transportation) shall not issue, validate, transfer the permit for the motor vehicle, where such certificate of insurance in not provided to the Registrar."

When the owner of the vehicle registers the vehicle and/or validates vehicle plates, the individual must self declare on the Invitation to Renew document that they have the appropriate level of liability insurance.

Proof of valid insurance (insurance card)<sup>4</sup> must also be carried at all times in the motor vehicle (either for specific motor vehicle or operator) and must be surrendered for reasonable inspection upon demand of a police officer.

---

<sup>4</sup> "Insurance card" means,

- a) a Motor Vehicle Liability Insurance Card in the form approved by the Superintendent,
- b) a policy of automobile insurance or a certificate of a policy in the form approved by the Superintendent, or
- c) a document in a form approved by the Superintendent



Compulsory minimum 3<sup>rd</sup> party liability - \$200,000 is available for any one accident; however, if a claim involving both bodily injury and property damage reaches this figure, payment for property damage would be capped at \$10,000. Insurance is required for the Vehicle only under the *Insurance Act*. (Ontario drivers also must purchase statutory (no-fault) accident benefits, uninsured automobile coverage, and Direct Compensation-Property Damage Coverage.)

Drivers are required to have proof of insurance in the acceptable form of an insurance card and vehicle ownership.

***Financial Responsibility Framework*** (Effective 1979 - through Compulsory Automobile Insurance Act / Insurance Act)

Financial responsibility requirements are outlined in legislation/regulations under the both the *Compulsory Automobile Insurance Act and Insurance Act*, including statutory accident benefits, uninsured automobile coverage, 3<sup>rd</sup> party liability and direct-compensation property damage (if both vehicles involved in accident are insured)

Ontario has a 'threshold no-fault' insurance scheme whereby accident victims, regardless of fault, may claim compensation from their own insurers for injuries. In 1996, the *Automobile Insurance Rate Stability Act*, allowed for tort access for non-economic (pain and suffering) losses to the seriously injured innocent accident victim whose injuries meet a serious and permanent injury verbal threshold. Claimants (or personal representatives of persons killed in collision) also have the right to sue for economic loss in excess of no-fault benefits.

- ? Financial responsibility is identified through self-certification upon vehicle registration or permit validation.
- ? Financial responsibility is also enforced through roadside enforcement and requiring proof of insurance in vehicles at all times.

**REGISTRATION**

All vehicles in Ontario are required to be registered within 6 days of purchase. An individual has 60 days to register their vehicle once they become an Ontario resident.

A vehicle becomes unregistered through a change in ownership. Vehicle permit does not have to be validated if vehicle is put on blocks, vehicle is branded irreparable/salvage or stolen.

An individual who submits fraudulent insurance documents for registration is guilty of an offence and is liable on a first conviction to a fine of not less than \$10,000 and not more than \$50,000. Subsequent conviction to a fine of not less than \$20,000 and not more than \$100,000. There is a similar offence for the possession, use and sale of false/invalid insurance card.

There is no mandatory requirement to inform affected insurance company or enforcement agencies. However, the Insurance Crime Prevention Bureau (affiliated

with Insurance Bureau of Canada) undertakes voluntary measures to track number of instances of insurance fraud or attempted insurance fraud for benefit of insurance sector and law enforcement.

## **REPORTING PROGRAMS**

Public reporting of compulsory insurance to the Ontario Ministry of Finance is not required. Registered insurance companies are required to submit annual statistical plans to the Insurance Bureau of Canada.

The Ontario Ministry of Transportation (MTO) and the insurance sector, facilitated through the Insurance Bureau of Canada (IBC) are currently negotiating a partnership agreement to implement an Uninsured Vehicle Program (UVP).

## **UNINSURED MOTORIST COLLISIONS**

In Ontario, motorists involved in collisions are required to produce evidence of insurance at the scene. Evidence acceptable includes the insurance card.

A person failing to provide evidence of insurance at the accident scene is guilty of an offence and on conviction is liable to a fine or not more than \$400. Law enforcement officers do have discretion whether to allow motorist to prove they had insurance in effect at time of accident - typically 24-hour turnaround timeframe allowed.

A reportable crash is defined as any accident where property damage exceeds \$1000. All personal injury accidents have to be reported. The motorist is required to:

1. report to a collision reporting center (within 24 hours), if police are not directly involved at accident scene; 2. notify their insurance agent; and 3. exchange required pieces of information with other party ("particulars of the contract of automobile insurance".)

The "particulars of the contract of automobile insurance" means,

- a) name/address of insured,
- b) make, model and serial number of insured vehicle,
- c) effective date / expiry date of contract,
- d) name of insurer,
- e) name of insurer's agent, if any, and
- f) policy number of contract.

Since Ontario is a No Fault jurisdiction, insured motorists/vehicles involved in a crash with an uninsured motorist/vehicle are covered through their own insurance policy.

If recovery of statutory accident benefits is unavailable through the insurer of any vehicle involved in accident (occupant involved does not have a vehicle and no insurance policy to pay-out), occupant has recourse against the Motor Vehicle Accident Claims Fund.

- ? The *Motor Vehicle Accident Claims Act* requires that a suspension be recorded with the Ministry of Transportation against any owner and driver of an uninsured vehicle when payment is made from the Fund on their behalf. This suspension is in effect until the amount is paid in full or a satisfactory repayment schedule is established (a certificate of insurance is also required).
- ? Failure to repay will result in a Writ of Seizure and Sale (against property/garnishee of wages) and continued Driver License suspension.

Ontario action against out-of-province uninsured vehicle is dependent upon current reciprocal agreements with other jurisdictions that relay driver conviction information. Similar action would also be taken against an uninsured Ontario motorist/vehicle traveling in other jurisdictions should a reciprocal agreement be in force.

Insurance companies are not required by law to provide a Notice verifying insurance policy was in effect at time of accident. However, in practice, representatives from insurance companies do attend court (through subpoena) to provide proof of insurance at time of accident

Under the *Highway Traffic Act*, there is a duty to report an accident for everyone who is in charge of a motor vehicle either directly or indirectly involved in an accident. Failure to report an accident may result in a set fine of \$90.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of insurance is required in Ontario upon request of law enforcement officer. Enforcement officers can ask for proof of insurance during a roadside traffic stop, however, they are not authorized to stop motorists solely to check for proof of insurance unless part of a specific enforcement 'blitz'. Officers may contact the respective insurance company/agent/broker roadside to verify mandatory insurance coverage. Follow-up may also be undertaken when filing police report.

Every owner or lessee of a motor vehicle who is not insured under a valid contract of automobile insurance, or surrenders a false insurance card for inspection to a police officer is guilty of an offence and is liable upon first conviction to a fine of not less than \$5,000 and not more than \$25,000. Subsequent convictions to a fine of not less than \$10,000 and not more than \$50,000. In addition, his or her's driver license may be suspended for a period of not more than one year if judgement not paid.

Penalties for:

- a) having a false or invalid insurance card in possession;
- b) using a false or invalid insurance card; or
- c) selling, giving, delivering or distributing a false or invalid insurance card

Is liable upon first conviction to a fine of not less than \$10,000 and not more than \$50,000. Subsequent conviction to a fine of not less than \$20,000 and not more than \$200,000.

Penalties for false statement on self declaration is a fine of not less than \$10,000 (upon first conviction) and not more than \$50,000 and on a subsequent conviction to a fine of not less than \$20,000 and not more than \$100,000.

If a justice makes a conviction for failure to have mandatory insurance coverage or false insurance card information to an enforcement officer or false self certification, and the driver's license of the person convicted is suspended by the justice, driver's license is forwarded to the Registrar of Motor Vehicles. Vehicle can also be seized, impounded and taken into custody for a period of not more than three months.

If the driver is not the owner of the vehicle, action may be taken against owner of vehicle.

### **GENERAL COMMENTS**

Provincial and municipal police forces across Ontario do undertake specific roadside enforcement 'blitzes' each year for all vehicles, including commercial vehicle inspections and the RIDE program (Reduce Impaired Driving Everywhere). Requiring proof of valid mandatory insurance is usually one aspect of the roadside check.

### **CONTACT INFORMATION:**

Janice Orlando-Sottile, Team Leader – Vehicle Issues  
Road User Safety Division  
Ministry of Transportation  
(416) 235-3432  
Janice.Orlando-Sottile@mta.gov.on.ca

**UNINSURED MOTORIST PROGRAMS**

Newfoundland relies on the Highway Traffic Act and Automobile Insurance Act as a legislative framework to require all public passenger policyholders to provide proof of insurance upon license application, registration and traffic stops as well as in the vehicle at all times. The Automobile Insurance Act dictates the level and scope of coverage required while the Highway Traffic Act deals with the application of these requirements to drivers registered in Newfoundland.

***Highway Traffic Act*** – (*Effective 1991*) – The law states that “A person shall not operate, or, being the owner, allow another person to operate, a motor vehicle on a highway unless there is in force in respect of the motor vehicle a policy of insurance.”

(<http://www.gov.nf.ca/hoa/statutes/h03.htm#76>)

- ? Drivers are required to provide proof of insurance upon license application, registration and at traffic stops. Proof of insurance is required in the vehicle at all times.
- ? Proof of insurance is acceptable in the form of an Insurance ID Card.

***Automobile Insurance Law*** – (*Effective 1988*) – Through the Automobile Insurance Law motorists are held responsible for damages they inflict on others.

(<http://www.gov.nf.ca/hoa/statutes/a22.htm>)

- ? Minimum Liability Amounts – Insurance for both driver and vehicle is required. The minimum personal liability and personal disability coverage required has been set at \$200,000.
- ? Automobile Insurance Law is enforced in tandem with the Highway Traffic Act insurance requirements upon license application, registration and at traffic stops as well as proof in insurance being required in the vehicle at all times.

## **REGISTRATION**

All Vehicles in Newfoundland and Labrador are required to be registered within 30 days of owner's residency or within 10 days if purchased within the province.

A vehicle does not have to be registered if the license plates have been turned in.

Individuals who submit fraudulent insurance documents for registrations may be charged by the relevant law enforcement body (Royal Canadian Mounted Police) when informed. The minimum fine for this offence is \$1000, the maximum fine \$3000. The insurance company whose documents were forged is informed.

## **REPORTING PROGRAMS**

Newfoundland and Labrador does not have a compulsory insurance electronic program.

The reporting media consists of paper certification only. A certificate of Insurance is required on the date the policy is written and certificates of cancellation are required 10 days before effective.

Newfoundland and Labrador have a Random Sampling Program in which the data is pulled from a crosscheck of vehicle registrations. Targeted criteria are used in the sample

## **UNINSURED MOTORIST COLLISIONS**

In Newfoundland and Labrador motorists involved in collisions are required to produce evidence of insurance at the scene. A valid Insurance Card is the only acceptable form of evidence.

Motorists are given 48 hours to prove they had insurance at the time of the accident.

Failure to provide evidence of insurance may result in a driver's license suspension and a suspension of registration. These suspensions may be indefinite. If a motorist does not have evidence of insurance in effect at the time of the collision a fine may be incurred ranging from \$1000 to \$3000 and the driver's license and registration may be suspended indefinitely. Vehicle plates are seized until proof of insurance is given.

A reportable crash is defined as a collision involving damage over \$1000, injury or death. There are no exemptions to reporting such a collision. The motorist is required to file an accident report form, report to an investigation centre, notify his or her insurance agency and exchange insurance information with the other party involved. The information required for exchange includes the driver's name and current residence address, the current residence address of the registered owner of the vehicle, the driver's license number, vehicle identification number, and the name and number of any insurance policy.

A judgment process is employed to determine how the plaintiff is to be compensated by the uninsured motorist via installment process. Uninsured motorists involved in collisions may have their license and registration suspended or revoked if the uninsured motorist does not compensate the victim. Newfoundland and Labrador also maintain an accident claim fund for victims of collisions with uninsured motorists.

In the event of uninsured motorists from other jurisdictions that are involved in collisions the conviction information is communicated to the jurisdiction in which they reside. Payment of a \$1000 fine is required and driving privileges in Newfoundland and Labrador are suspended until all victims of the collision have been compensated.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Newfoundland and Labrador upon request of law enforcement. Police Officers are permitted but not required to ask for proof of insurance during a roadside traffic stop. Police officers are also authorized to stop motorists solely for the purpose of checking for proof of insurance.

If a driver fails to show evidence of FR to law enforcement, the following penalties will apply:

1. Fine of \$1000 to \$3000
2. Required to show proof
3. Registration and plates taken

Penalties for providing false evidence of FR to law enforcement include:

1. Fine of \$1000 to \$3000
- Administrative Action will include:
1. Registration cancelled
  2. Plates/tab seizure

Enforcement alternatives available to police officers roadside when determining that motorist is uninsured include issuing a traffic ticket, towing the vehicle from the scene, prohibiting the motorist from driving the vehicle, confiscating the vehicle registration tags/plates and physical arrest.

If the driver is not the owner of the vehicle, the following action can be taken:

1. Issue ticket
2. Seize/suspend plate
3. Suspend registration
4. Impound vehicle

## **CONTACT INFORMATION**

### **Public:**

Robert Murray  
Carrier Compliance Coordinator  
P.O. Box 8710  
St. John's, NF  
A1B 4J5  
(709) 729-4640  
Rmurray@mail.gov.nf.ca



## **ALBERTA**

### **UNINSURED MOTORIST PROGRAMS**

Alberta relies on legislation to tackle the uninsured motorist problem. The Compulsory Liability Insurance and Financial Responsibility Law has been in effect for more than 40 years. It requires drivers to prove their financial responsibility by providing proof of insurance at the time of registration, at traffic stops and by carrying proof of insurance in their vehicle at all times.

#### ***Compulsory Liability Insurance and Financial Responsibility Law*** –

- ? Proof of insurance is required at the time of registration, at traffic stops and in the vehicle at all times
- ? Vehicle insurance is required
- ? Proof of insurance is acceptable in the form an insurance certificate or a policy binder

### **REGISTRATION**

All Vehicles in Alberta are required to be registered if they are to be operated on public roads and property.

- ? A vehicle does not have to be registered as long as it is not being driven or parked on public property. Large companies may choose to self-insure but they must declare and register this intent with the government.
- ? There are no procedures to deal with Individuals who submit fraudulent insurance documents for registration.

### **REPORTING PROGRAMS**

Alberta does not have a compulsory insurance electronic program or an electronic reporting program.

## **UNINSURED MOTORIST COLLISIONS**

In Alberta motorists involved in collisions are required to produce evidence of insurance at the scene. Evidence acceptable includes Insurance Card, policy binder, or a phone call to/from insurer.

Failure to provide evidence of insurance may result in a \$2500 fine, 30-day suspension of registration, seizure of vehicle plates and car and possible jail time with the duration increasing with each offense.

A reportable collision is defined as any collision resulting in over \$100 in damages to a vehicle. The police a “sticker” for the purposes of repair. If there is no sticker, repair shops cannot proceed in cases of damage over \$1000. There are no exemptions to reporting. The motorist is required to file an accident report form, notify his/her insurance agent and exchange insurance information with the other party. Information required to be exchanged with the other party included the driver’s name and current residence address, current residence address of registered owner of vehicle, driver’s license number and license plate number.

For insured motorists involved in a collision with an uninsured motorist Alberta maintains an accident claim fund for victims of uninsured motorist collisions is the driver is unknown. A judgment process may be undertaken where the uninsured motorist via installment payments compensates the plaintiff. The license of the uninsured motorist may be suspended/revoked if the uninsured motorist does not compensate the victim.

Action taken against motorists from outside Alberta includes forwarding conviction information to the state or province of residence, payment of a fine and possible seizure of the vehicle. Upon receipt of a record of unsatisfied judgment from another jurisdiction the license of the motorist and vehicle registration are suspended until the victim of the collision is compensated.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Alberta upon request of law enforcement. Police Officers are required to ask for proof of insurance during a roadside traffic stop, however, they are not authorized to stop motorists solely to check for proof of insurance.

If a driver fails to show evidence of FR to law enforcement, the following penalties will apply to first offenders:

Fine - \$2500

Impoundment – Storage plus towing costs

*To second and subsequent offenders:*

1. At judge's discretion – \$2500 and up
2. Possible imprisonment
3. Impoundment – Storage plus towing costs

Penalties for providing false evidence of FR to law enforcement include a fine of \$2500 and impoundment for a first offense and for subsequent offenses a fine of \$2500 or greater at the discretion of a judge and impoundment.

Enforcement alternatives available to police officers roadside when determining that motorist is uninsured include issuing a traffic citation or appearance ticket, towing the vehicle from the scene, impounding the vehicle and confiscating the license plates.

If the driver is not the owner of the vehicle, a traffic citation or appearance ticket is given, the plates are seized or suspended, registration is suspended and the vehicle impounded.

### **GENERAL COMMENTS**

The fine for operating an uninsured vehicle was increased from \$500 to \$2500 in 1999.

### **CONTACT INFORMATION**

Pat Morkin  
Director, Customer Service  
2<sup>nd</sup> Flr, John J. Bowlen Building  
620 – 7 Avenue SW  
Calgary, Alberta  
T2P 0Y8  
(403) 297-8993  
pat.morkin@gov.ab

## **NORTHWEST TERRITORIES**

### **UNINSURED MOTORIST PROGRAMS**

The Northwest Territories does rely on a compulsory liability insurance law to deal with the uninsured motorist problem. The Northwest Territories *Insurance Act* has been in effect since 1988.

Compulsory minimum 3<sup>rd</sup>-party liability amount - \$200,000 in available for any one accident.

Proof of insurance is acceptable in the form of Policy Binders and Insurance ID card.

### **REGISTRATION**

All vehicles in the Northwest Territories are required to be registered within 90 days of the owner taking residency in the territory. All motor vehicles must be registered and all vehicles must carry liability insurance (unless vehicle falls under a 'no-plate' registration).

At time of registration, drivers/registered vehicle owners must present either a policy binder, insurance ID card or show a policy declaration page to show proof of compliance with the compulsory insurance law.

### **REPORTING PROGRAMS**

The Northwest Territories does not have a compulsory insurance electronic program or an electronic reporting program.

### **UNINSURED MOTORIST COLLISIONS**

In the Northwest Territories, motorists involved in collisions are required to produce evidence of insurance at the scene. A policy binder or insurance ID card are acceptable forms of evidence. An enforcement officer is required to file a report.

Motorists are given reasonable time in which to produce evidence of compulsory insurance. If they are unable to do so, a \$575.00 fine is levied.

A reportable collision is defined as a collision involving one or more motor vehicles resulting in death, personal injury (no matter how minor) or a minimum of \$1000 in property damage (in the absence of death or injury). The collision must also occur on or adjacent to roadways intended for use by the general public. Police are required to investigate under certain situations including damage amounts (see above), hospitalization/ambulance required and personal injury.

After being involved in a collision, motorists are required to file an accident report, notify their insurance agency and exchange insurance information with the other party. The exchange of information includes: driver's name and current residence address, current residence address of registered vehicle owner, driver's licence number, name and number of any insurance policy and number on the registration certificate. The vehicle identification number (V.I.N.) can be determined from the registration certificate number if the vehicle is registered in the Northwest Territories.

Upon receipt of a record of unsatisfied judgment from another jurisdiction taken against a driver from the Northwest Territories, a driver licence suspension is posted.

At the time of a collision, a Notice (or equivalent) by an insurance company is required verifying that a policy/bond was in effect. There is no mandatory sanction of the driving privilege of a driver/motor vehicle owner involved in a reportable collision if they fail to report the incident and/or fails to produce evidence of mandatory liability insurance coverage.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of compulsory insurance is required in the Northwest Territories upon request of law enforcement.

If a driver fails to show evidence to law enforcement, the following penalties will apply:

First offence - 575.00 fine

Second and subsequent offence - 575.00 fine

### **CONTACT INFORMATION**

Rob Thom  
Research Analyst  
Ministry name  
Box 1320  
Yellowknife, Northwest Territories  
X1A 2L9  
(867) 920-3395  
[Rob\\_Thom@gov.nt.ca](mailto:Rob_Thom@gov.nt.ca)

## NEW BRUNSWICK

### UNINSURED MOTORIST PROGRAMS

New Brunswick relies on **Compulsory Liability Insurance Legislation** and **Financial Responsibility Legislation** to tackle the uninsured motorist problem. The Financial Responsibility Law has been in effect since 1949. This law permits the following methods to be used to enforce financial responsibility: drivers are required to provide proof of insurance upon vehicle registration application and at traffic stops. Proof of insurance must also be maintained in the vehicle at all times. Through Compulsory Insurance Law, enacted February 1<sup>st</sup>, 1976, drivers must provide proof of insurance upon registration applications and at traffic stops. Proof of insurance must also be maintained in the vehicle at all times.

#### *Compulsory Liability Insurance Law – (Effective February 1, 1976) –*

When motorist applies for to register a vehicle they must provide proof of insurance. Proof must also be shown at time of any law enforcement stop.

Minimum Liability Amounts - \$200,000 in 3<sup>rd</sup> party liability.

Proof of insurance is acceptable in the form of a Liability Insurance Card.

#### *Financial Responsibility Law – (Effective 1949) –*

The Financial Responsibility law is enforced upon registration application and upon traffic stops.

### REGISTRATION

All Vehicles in New Brunswick are required to be registered in the jurisdiction unless the vehicle has been totaled and the title/registration branded, the vehicle has been stolen and the title branded, the plates are turned in, the vehicle is put on blocks or if the registration is not renewed.

Seasonal vehicles (e.g. farm equipment, etc.) and vehicles on blocks are exempt from the requirement to carry liability insurance.

There are no procedures to deal with individuals who submit fraudulent insurance documents.

## **UNINSURED MOTORIST COLLISIONS**

In New Brunswick, motorists involved in collisions are required to produce evidence of insurance at the scene. Evidence acceptable is a Liability Insurance Card.

Failure to provide evidence of insurance will result in a driver's license suspension and a suspension of vehicle registration.

A reportable collision is defined as a collision causing \$1000 or more in personal or property damage, injury or death unless the damage occurs only to the property of the driver or owner or occurs on private property. The motorist is required to report the collision to the local Police and exchange insurance information with the other party.

Uninsured Motorists involved in collisions are subject to a judgment process wherein the plaintiff may be compensated by the uninsured motorist via installment payments. If the uninsured motorist does not compensate the victim, the license and registration of the uninsured driver may be suspended or revoked.

Action taken against uninsured drivers from outside the jurisdiction includes forwarding conviction information to the jurisdiction of residence, suspending driving privileges in New Brunswick until the collision victim is compensated, suspension of license and registration (regardless of victim compensation) and requirement of proof of insurance filing. Upon receipt of a record of unsatisfied judgment against a New Brunswick driver from another jurisdiction both driving privileges and motor vehicle privileges are suspended until the collision victim is compensated (partial compensation may be approved through Courts) and a Filing of Proof of Financial Responsibility Certificate is received from an Insurance Company by the Registrar of Motor Vehicles.

Uninsured motorists involved in collisions are required to file proof of Financial Responsibility before the driving privilege is reinstated. If proof of financial responsibility is cancelled during the time, it is required to be maintained, a suspension of the driving privileges/motor vehicle privileges of the individual will be forwarded. This suspension will be maintained until one full year from the date of the collision has passed. To reinstate driving privileges a new proof of insurance filing is required. In the case of an individual being convicted for "operating a motor vehicle without valid insurance", a suspension of the individual's driving privileges will be issued and Proof of Financial Responsibility will be required for one full year from the date of the conviction. The individual suspended as a result of this issue will also have to pay the Reinstatement Fee of \$52. The minimum fine for such a conviction in the province of New Brunswick is \$600.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

A Liability Insurance Card is required in New Brunswick upon request of law enforcement. Police Officers are allowed to ask for proof of insurance during a roadside traffic stop, however, they are not authorized to stop motorists solely to check for proof of insurance.

If a driver fails to show evidence of FR to law enforcement, the following penalties will apply:

- ? Fine of \$600
- ? Suspension of the individual's driving privileges

Upon issuance of a suspension to the individual they will be required to:

- ? File proof of financial responsibility with the Registrar of Motor Vehicles for the future
- ? Pay the Reinstatement Fee of \$52

Upon receipt of the above two items their driving privileges may be reinstated immediately. Cancellation of the Proof of Financial Responsibility with the one-year filing period will result in a further suspension.

Enforcement alternatives available to police officers roadside when determining that motorist is uninsured include issuing a traffic citation or appearance ticket.

### **CONTACT INFORMATION**

Susan McCracken  
Deputy Registrar  
P.O. Box 6000  
Fredericton, NB  
E3B 5H1 (506) 453-6569



**UNINSURED MOTORIST PROGRAMS**

(Introduction Summary from Questions 1-2 Uninsured Motorist Programs) British Columbia (BC) relies on **Compulsory Liability Insurance Legislation** to tackle the uninsured motorist problem. Through the Compulsory Insurance Law, all vehicle owners are required to carry liability insurance. The Compulsory Insurance Law was enacted March 1<sup>st</sup>, 1974. This law is enforced by requiring purchase of compulsory insurance upon license application as well as requiring proof of insurance in the vehicle at all times.

***Compulsory Liability Insurance Law – (Effective March 1<sup>st</sup>, 1974)***

Purchase of compulsory liability insurance is required upon license application and a copy of the insurance document kept in the vehicle at all times.

Minimum Liability Amounts - \$200,000 to cover bodily injury to or death of one person or more persons and/or property damage. The minimum liability limits required in BC are higher for specific vehicles (i.e. taxis and buses). Insurance is required for the vehicle under the Compulsory Law.

Proof of insurance is acceptable in the form of Insurance ID Cards.

Provincial residents receive limited third party liability and accident benefits automatically with their driver's certificate.

***Financial Responsibility Law –***

Financial responsibility is only required by visitors from outside the jurisdiction.

**REGISTRATION**

All licensed vehicles in British Columbia are required to be registered within 10 days of purchase, 30 days of being principally parked or garaged in BC or 30 days of the owner's residency in BC.

Vehicle registration remains on record. Status is changed to reflect current operation (e.g. active, salvage, irreparable, etc...) Of registered vehicles only unlicensed vehicles (i.e. not able to operate on a highway) are exempt from the requirement to carry liability insurance.

Individuals who submit fraudulent insurance documents for registrations are subject to civil and criminal litigation. The insurance company whose documents were forged is informed, as is law enforcement.

This situation could only occur with insurance from another jurisdiction. The Insurance Corporation of British Columbia (ICBC) provides compulsory insurance to all vehicle registered or licensed in BC.

Instances of insurance fraud or attempted insurance fraud (e.g. staged accidents, phantom vehicles or false documentation of insurance) are tracked and investigated by a Special Investigations Unit.

## **REPORTING PROGRAMS**

BC does not have a compulsory insurance electronic program or an electronic reporting program.

In BC the driver licensing, vehicle registration and insurance systems are linked. ICBC performs driver licensing functions for all residents of the province on behalf of the government.

Computerize systems allow ICBC to track, manage and edit all databases either individually or in bulk form.

Advantages / Disadvantages of the Program:

All vehicle, owner and licensing systems are connected. This is convenient for the customer, enforcement and management of the information.

All vehicles are insured at point of licensing. Vehicles may not be licensed without insurance.

All residents of BC have hit and run coverage.

## **UNINSURED MOTORIST COLLISIONS**

In BC motorists involved in collisions are required to produce evidence of insurance at the scene. Evidence acceptable includes Insurance Card.

Failure to provide evidence of insurance will require payment of a fine (\$58 including victim surcharge). This initial enforcement involvement may lead to further action. If a motorist does not have evidence of insurance in effect at the time of the collision payment of a fine is required (\$575 including victim surcharge). Again the initial enforcement involvement may lead to further action being taken.

A reportable collision is defined as any collision with damage to property over \$1000 (\$600 for motorcycles) or where injuries are sustained. There are no exceptions to reporting. The motorist is required to file the collision report, notify his/her insurance agency and exchange insurance information with the other party.

BC maintains an accident claim fund for victims of uninsured motorist collision. Uninsured motorist protection is standard. BC also has no fault accident benefits

coverage. Civil and criminal litigation may result when an insured motorist is involved in a collision with an uninsured motorist.

If an uninsured motorist from another jurisdiction is involved in a collision civil and/or criminal litigation may be undertaken.

### **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Police in BC are required to ask for valid proof of insurance during roadside traffic stops. Valid proof of insurance must be in the vehicle at all times and the police have access to a motor vehicle database in order to confirm the information provided by the motorist. Access to this database is made in rural areas by radio contact with a police dispatcher and in urban areas by mobile data terminals. Information available on this database pertaining the insurance status includes an indicator that the policy is in place, policy number, driver information, identity of the principle operator and registered owner.

Upon determining a motorist is operating an uninsured motor vehicle the police may issue a traffic citation or appearance ticket, tow the vehicle from the scene, impound the vehicle (if the driver is unlicensed) or confiscate the vehicle registration tags (plates).

If the driver is not the owner of the vehicle plates may be seized and the vehicle impounded ( if the driver is unlicensed).

### **GENERAL COMMENTS**

BC has a Vehicle Impoundment Program for prohibited or unlicensed drivers, an Auto Theft Task Force, a TIPS line, specialized fraud units and dedicated Crown Counsel for insurance fraud.

### **CONTACT INFORMATION**

Dennis Ostler  
Manager, Regulated Vehicle Program  
Room 224 – 151 West Esplanade  
North Vancouver, BC  
V7M 3H9  
(604) 443-4101  
[dennis.ostler@icbc.com](mailto:dennis.ostler@icbc.com)

### **UNINSURED MOTORIST PROGRAMS**

Québec relies on the **Compulsory Liability Insurance Law** and the **Financial Responsibility Law** to tackle the uninsured motorist problem. The Compulsory Liability Insurance and Financial Responsibility Law was enacted in 1977. It requires drivers to prove their financial responsibility carrying proof of insurance in their vehicle at all times.

*Compulsory Liability Insurance and Financial Responsibility Law* – (Effective March 1, 1978)

- ? Proof of insurance is required in the vehicle at all times
- ? Minimum Liability Amounts - \$50,000 for passenger cars, 1 million for buses and heavy vehicles and 2 million for the transportation of dangerous goods
- ? Proof of insurance is acceptable in the form an insurance certificate

### **REGISTRATION**

All Vehicles in Québec are required to be registered within 10 days of taking possession of the vehicle except those that are exempt for registration in regulation

Vehicles for transportation of persons have to go for a mechanical inspection every six months. If this agreement is not respected, the right to circulate on the road is suspended. The same rule applies to heavy vehicles however inspections are required on an annual basis.

It is an offense in Québec to submit fraudulent insurance documents. The Provincial Law Enforcement agency is informed and a fine may be levied ranging from \$300 to \$600.

### **REPORTING PROGRAMS**

Québec does not have a compulsory insurance electronic program or an electronic reporting program.

## **UNINSURED MOTORIST COLLISIONS**

In Québec, motorists involved in collisions are required to produce evidence of insurance at the scene of the collision. An insurance certificate is the only acceptable form of evidence.

Motorists are allowed time to prove they had insurance at the time of the collision. If a motorist does not have evidence of insurance in effect at the time of the collision a fine is levied, the license of the driver is suspended and the registration of the vehicle is also suspended.

A reportable collision is defined as any collision occurring on any roads or lands however collisions involving less than \$500 damage to property are not required to be reported. The motorist is required to file an accident report form.

Québec is a no-fault jurisdiction.

Uninsured motorists from outside Québec involved in collisions will have driving privileges in Québec suspended and conviction information forwarded to the jurisdiction where they reside.

At the end of the period of sanctions imposed following an uninsured collision, the motorist must show proof of financial responsibility before driving privileges will be reinstated. For reinstatement proof of insurance filing must be provided.

## **ENFORCEMENT / IDENTIFICATION PROGRAMS**

Evidence of Financial Responsibility is required in Québec upon request of law enforcement. Police Officers are permitted but not required to ask for proof of insurance during a roadside traffic stop, however, they are not authorized to stop motorists solely to check for proof of insurance.

Penalties for providing false evidence of FR to law enforcement include a fine and criminal prosecution.

Enforcement alternatives available to police officers roadside when determining that motorist is uninsured include towing the vehicle from the scene and impounding the vehicle.

If the driver is not the owner of the vehicle, the vehicle may still be impounded.

## **CONTACT INFORMATION**

Claude Corbeil  
Chef de Service  
Société de l'assurance automobile du Québec  
333, boul. Jean-Lesage C-4-22  
Québec, Canada G1K 8J6  
(418) 528-3420 [claudio.corbeil@saaq.gouv.qc.ca](mailto:claudio.corbeil@saaq.gouv.qc.ca)

# Part 6: Conclusion

## *The “Living Document”*

### **UPDATES REQUESTED**

This concludes the AAMVA Financial Responsibility & Insurance Resource Guide. We hope the information provide assists each jurisdiction in the AAMVA and CCMTA community as we continue to work for enhanced road user safety and effective and efficient administration of motor vehicle laws.

We ask each jurisdiction to communicate with the FRI Committee of AAMVA with any updates or corrections to this document. We also value your feedback relating to this project. The FRI Committee looks forward to continue serving the AAMVA Community.

### **CONTACT INFORMATION**

AAMVA  
Financial Responsibility & Insurance Committee  
4301 Wilson Boulevard, Suite 400  
Arlington, Virginia 22203  
ATTN: FRI Staff Liaison

Phone: (703) 522-4200

Internet: <http://www.aamva.org>

# Attachments: American Charts

## *Resource Documents*

The following data is in the form of charts for each jurisdiction that completed our survey. It is the intent of the Working Group to have all the jurisdictions in the future listed in these charts. Please submit your changes to the FRI Committee of AAMVA. If your jurisdiction is not listed, please submit the information to the FRI Committee for publication.

We have included the following.

*Chart I: State Report Programs (See Attachment A)*

*Chart II: Financial Responsibility Report Programs (See Attachment B)*