

1 SB273  
2 165528-4  
3 By Senator Sanford  
4 RFD: Transportation and Energy  
5 First Read: 18-MAR-15

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 Relating to motor vehicle liability insurance; to  
12 amend Section 32-7A-6, Code of Alabama 1975, and to add  
13 Section 32-7A-26 to the Code of Alabama 1975; to allow  
14 evidence of motor vehicle liability insurance to be presented  
15 in an electronic format; to authorize the Department of  
16 Revenue to send notices, in an electronic format, to verify  
17 that a liability insurance policy exists on a motor vehicle;  
18 and to clarify that the use of a cellular phone or other  
19 electronic device to display evidence of insurance does not  
20 constitute consent for a law enforcement officer to access any  
21 other content on the device.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 32-7A-6, Code of Alabama 1975, is  
24 amended to read as follows:

25 "§32-7A-6.

26 "(a) Every operator of a motor vehicle subject to  
27 the provisions of Section 32-7A-4 shall carry within the

1 vehicle evidence of insurance. The evidence shall be legible  
2 and sufficient to demonstrate that the motor vehicle currently  
3 is covered by a liability insurance policy or a commercial  
4 automobile liability insurance policy as required under  
5 Section 32-7A-4 and may include, but is not limited to, the  
6 following:

7 "(1) An insurance card, or temporary insurance card,  
8 provided by the insurer or an authorized representative under  
9 this section.

10 "(2) The combination of proof of purchase of the  
11 motor vehicle within the previous 20 calendar days and a  
12 current and valid insurance card issued for the motor vehicle  
13 replaced by such purchase.

14 "(3) The current declarations page of a liability  
15 insurance policy.

16 "(4) A liability insurance binder, or legible copy  
17 thereof, certificate of liability insurance, or legible copy  
18 thereof; provided such document contains all information  
19 required in this chapter.

20 "(5) A current motor vehicle rental agreement for  
21 the vehicle, which specifies insurance coverage by the rental  
22 company or the operator in the minimum amounts, provided in  
23 Section 32-7-6(c).

24 "(b) The insurer issuing the liability insurance  
25 policy or the commercial automobile liability insurance policy  
26 shall provide an insurance card for each motor vehicle insured  
27 that shall contain the following information:

- 1           "(1) The vehicle year model.  
2           "(2) The vehicle make.  
3           "(3) The vehicle identification number (VIN).  
4           "(4) The name of the insured(s).  
5           "(5) The name of the insurance company.  
6           "(6) The policy number, not required on temporary  
7 insurance card.

8           "(7) The effective date and expiration date, which  
9 shall cover a period of time not to exceed 12 months.

10           "(8) Insurance company's NAIC number.

11           "(c) Notwithstanding the foregoing, if the insurance  
12 card is issued for a commercial automobile liability insurance  
13 policy, the card may state "FLEET," "COMMERCIAL," "COMMERCIAL  
14 POLICY," or "COMMERCIAL EXEMPT" in lieu of vehicle years,  
15 makes, and VIN's if vehicle years, makes, and VIN's are not  
16 captured by the insurer. If the vehicle years, makes, and  
17 VIN's are captured by the insurer, then the insurer may  
18 provide such information on the insurance card, but must state  
19 "FLEET," "COMMERCIAL," "COMMERCIAL POLICY," or "COMMERCIAL  
20 EXEMPT" on the insurance card. If the insurance card is issued  
21 for a nonowner policy, the card may state "NONOWNER POLICY" in  
22 lieu of the vehicle year, make, and VIN.

23           "(d) ~~The minimum size of the insurance card shall be~~  
24 ~~3" by 2 1/8".~~ All required information shall ~~be printed~~ appear  
25 on the front of the card. The insurance card may include other  
26 information at the discretion of the insurer. Insurance  
27 companies may allow authorized representatives to issue

1 temporary insurance cards to satisfy the requirements of this  
2 chapter. Temporary insurance cards are not required to have  
3 the policy number but shall contain all other required  
4 information.

5 "(e) No insurer shall issue a card, similar in  
6 appearance, form, and content to the insurance card required  
7 under this section, in connection with an insurance policy  
8 that does not provide the liability insurance coverage  
9 required under Section 32-7A-4.

10 "(f) Insurance binders, certificates of liability  
11 insurance, and other evidence of insurance as required under  
12 this section, must meet the following requirements (except  
13 where noted):

14 "(1) Insurance company name.

15 "(2) Policy number - not required on a binder or  
16 temporary insurance card.

17 "(3) Effective date.

18 "(4) Expiration date.

19 "(5) Name of insured(s).

20 "(6) Vehicle year model - not required if issued for  
21 a commercial automobile liability insurance policy or for a  
22 nonowner policy.

23 "(7) Vehicle make - not required if issued for a  
24 commercial automobile liability insurance policy or for a  
25 nonowner policy.

1           "(8) Vehicle identification number - not required if  
2 issued for a commercial automobile liability insurance policy  
3 or for a nonowner policy.

4           "(9) Signature of authorized representative.

5           "(g) The combination proof of purchase of a motor  
6 vehicle, as provided in subsection (a) above, shall consist of  
7 a legible copy of the legal bill of sale if the motor vehicle  
8 is not subject to the provisions of the Alabama Uniform  
9 Certificate of Title and Antitheft Act, or the owner's copy of  
10 the application for certificate of title for a motor vehicle  
11 subject to the provisions of the Alabama Uniform Certificate  
12 of Title and Antitheft Act, or an Alabama certificate of title  
13 issued in the name of the vehicle owner or operator.

14           "(h) The evidence of insurance shall be presented  
15 upon request made by any law enforcement officer wearing a  
16 uniform or presenting a badge, or both or other sign of  
17 authority. Any person who fails or refuses to comply with such  
18 request is in violation of Section 32-7A-16 unless evidence of  
19 motor vehicle liability insurance or other evidence of  
20 financial responsibility as provided in this chapter is  
21 verified through the online insurance verification system. Any  
22 person who presents evidence of insurance, knowing there is no  
23 valid liability insurance in effect on the motor vehicle as  
24 required under Section 32-7A-4 or knowing the evidence of  
25 insurance is illegally altered, counterfeit, or otherwise  
26 invalid, is in violation of Section 32-7A-16.

1           "(i) The evidence of insurance may be provided in  
2           either a tangible format or an electronic format. Acceptable  
3           electronic formats include the display of electronic images on  
4           a cellular phone or other electronic device.

5           "(j) The use of a cellular phone or other electronic  
6           device to display evidence of insurance does not constitute  
7           consent for law enforcement or other governmental employees to  
8           access any other content on the electronic device. Any law  
9           enforcement officer or other governmental employee presented  
10           with an electronic device pursuant to this section shall be  
11           subject to the provisions of Section 36-1-12 for damages to  
12           the electronic device resulting from acts taken when viewing  
13           the device pursuant to this section."

14           Section 2. Section 32-7A-26 is added to the Code of  
15           Alabama 1975, to read as follows:

16           §32-7A-26.

17           The department may establish rules pursuant to the  
18           Administrative Procedure Act regarding procedures to send  
19           notices, prescribed by this chapter, in an electronic format.  
20           Notices sent in electronic format shall be allowed only if the  
21           content satisfies all of the requirements of this chapter.

22           Section 3. This act shall become effective  
23           immediately following its passage and approval by the  
24           Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate  
committee on Transportation and Energy..... 18-MAR-15

Acted on by Transportation and Energy as Favorable  
with 1 amendment..... 07-APR-15

Read for the third time and passed as amended .... 30-APR-15

Yeas 35  
Nays 0

Patrick Harris  
Secretary