

# MAINE STATE LEGISLATURE

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INSURANCE AND FINANCIAL SERVICES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 108, L.D. 133, Bill, "An Act To Allow an Operator of a Motor Vehicle To Show Proof of Insurance by Electronic Means"

Amend the bill by striking out all of section 1 and inserting the following:

Sec. 1. 24-A MRSA §2412, sub-§7, as enacted by PL 1991, c. 715, §1, is amended to read:

7. Motor vehicle insurance identification cards. Pursuant to this section, the superintendent, with the advice of the Secretary of State, shall adopt rules that prescribe both paper and electronic forms of a uniform motor vehicle insurance identification card form for evidence of liability insurance or financial responsibility required under Title 29-A. The superintendent shall require all insurance companies transacting business within this State to provide with each motor vehicle liability insurance policy an a form of insurance identification card for each vehicle, describing the vehicle covered. When an insured has 5 or more motor vehicles registered in this State, the insurer may use the designation "all owned vehicles" on each card in lieu of a specific description. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 29-A MRSA §402, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Method of establishing evidence of insurance. A person establishes insurance by showing the vehicle insurance identification card as defined by section 1551, subsection 4, a letter from an insurance company or agent showing that the vehicle is covered by a liability insurance policy, an insurance binder or an insurance policy that has a summary document that describes the vehicle insured, the name of the insured, the amount of insurance, the type of insurance coverage and the period for which the vehicle is covered to either the municipal agent or the bureau. Evidence of insurance may be provided at the time of registration in electronic form, including the display of an image on a portable electronic device as defined in section 1551, subsection 11-A.

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**Sec. 3. 29-A MRSA §1551, sub-§4**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**4. Insurance identification card.** "Insurance identification card" means ~~a card~~ an identification of insurance in paper or electronic form issued to an insured by an insurer pursuant to Title 24-A, section 2412, subsection 7; or ~~a card~~ an identification of proof of financial responsibility in paper or electronic form issued by the Secretary of State to a person who elects to provide proof of financial responsibility in accordance with section 1605.

**Sec. 4. 29-A MRSA §1551, sub-§11-A** is enacted to read:

**11-A. Portable electronic device.** "Portable electronic device" means an electronic device that is portable in nature, including but not limited to a device for sending or receiving e-mail, a text messaging device, a cellular telephone and a computer.

**Sec. 5. 29-A MRSA §1601, sub-§2**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**2. Evidence of insurance or financial responsibility.** When a law enforcement officer stops an operator for a moving violation or the operator is involved in an accident that must be reported under section 2251, the officer shall request the operator to produce evidence of liability insurance or financial responsibility. Evidence of liability insurance or financial responsibility may be in electronic form, including the display of an image on a portable electronic device. The use of a portable electronic device to provide evidence of liability insurance or financial responsibility in electronic form does not constitute consent for a law enforcement officer to access other contents of the electronic device.

**Sec. 6. 29-A MRSA §1605, sub-§2**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**2. Scope of proof.** Insurance in the minimum amounts listed in subsection 1, paragraph C must be furnished for each vehicle registered, and evidence of insurance may be provided at the time of registration in electronic form, including the display of an image on a portable electronic device. Separate proof of financial responsibility is not required for a trailer, semitrailer, camp trailer or mobile home, registered to a person required to file proof of financial responsibility, that is covered by a policy on a vehicle registered by that person and provides the coverage required for a motor vehicle liability policy.'

**SUMMARY**

This amendment replaces the bill. The amendment provides that evidence of liability insurance or financial responsibility may be in electronic form when an operator of a motor vehicle registers a motor vehicle and when an operator is stopped by a law enforcement officer for a moving violation or is involved in an accident. The amendment clarifies that providing proof of insurance on a portable electronic device does not constitute consent for a law enforcement officer to access other contents of the portable electronic device. The amendment also makes technical changes to reflect the authorization to issue evidence of liability insurance or financial responsibility in electronic form.