

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1351

By: Wright

AS INTRODUCED

An Act relating to the Compulsory Insurance Law; amending 47 O.S. 2001, Section 7-608, which relates to notice to the Department of Public Safety of termination of vehicle liability policies; requiring insurance carriers to include certain information in notice to the Department; requiring the Department of Public Safety to establish a secure website with certain information; requiring website to be accessible through the use of a password to insurance carriers and law enforcement; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2001, Section 7-608, is amended to read as follows:

Section 7-608. A. Each insurance carrier, which issues a vehicle liability policy pursuant to the provisions of Sections 7-601 through ~~7-610~~ 7-609 of this title, shall provide notice, either by means of written or electronic communication, to the Department of Public Safety of the termination of the policy for nonpayment or refund of premium if the termination is final and occurs within the first one hundred eighty (180) days of the inception date of such policy. Each insurance carrier also shall provide such notice for any such policy which has been issued for a period of less than six (6) months which expires without renewal. Any notice required by this subsection shall include the vehicle identification number (VIN) of the vehicle or vehicles covered by the policy. Any notice required by this subsection shall be provided to the Department within a reasonable time after the expiration of any applicable grace period.

B. If an insurance carrier, required to provide notification pursuant to subsection A of this section, has knowledge that relinquishment of vehicle ownership is the reason for termination or expiration without renewal of a policy, that fact shall be included in the notification.

C. The Department of Public Safety shall use a secure website, accessible by use of a password to insurance carriers and law enforcement, that lists the vehicle identification numbers of vehicles provided for in subsection A of this section, unless the vehicle is a vehicle provided for in subsection B of this section.

D. The Department of Public Safety shall promulgate rules governing the notification requirements specified in subsections A and B of this section, including the development of procedures which would permit insurance carriers to provide the required notices to the Department by means of written or electronic communication on a monthly basis.

~~D.~~ E. Upon receipt of a notice of termination of insurance from a carrier pursuant to subsection A of this section, the Department of Public Safety shall notify the vehicle owner of the receipt of the termination notice and shall request proof of insurance from the vehicle owner. Within thirty (30) days of the postmark date of the request for proof of insurance, the vehicle owner shall submit such proof of insurance on a form prescribed by the Department. The Department shall not be required to notify or request proof of insurance from a former vehicle owner if the Department receives the notification as provided in subsection B of this section, unless the Department has reason to believe that the person should be maintaining an operator's policy.

SECTION 2. This act shall become effective November 1, 2005.

50-1-5581 SD 01/09/05