

1 ENGROSSED SENATE AMENDMENTS
TO

2 ENGROSSED HOUSE
BILL NO. 2525

By: Martin (Steve) of the House

3
4 and

5 Barrington of the Senate

6 An Act relating to motor vehicles; amending 47 O.S.
7 2011, Section 7-600.2, which relates to online
8 verification of compulsory insurance compliance;
9 authorizing certain traffic stops; and providing an
effective date.

10 AMENDMENT NO. 1. Page 3, line 7, after the first comma and before
11 the word "may" delete the language "with probable
cause,"

12 AMENDMENT NO. 2. Page 1, strike the title to read

13 "[motor vehicles - online verification - traffic
14 stops - effective date]"

15 Passed the Senate the 24th day of April, 2012.

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17 _____
Presiding Officer of the Senate

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19 Passed the House of Representatives the ____ day of _____,
20 2012.

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22 Presiding Officer of the House
23 of Representatives
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7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Section 7-600.2, which relates to online
9 verification of compulsory insurance compliance;
10 authorizing certain traffic stops; and providing an
11 effective date.

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

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 7-600.2, is
14 amended to read as follows:

15 Section 7-600.2 A. The Department of Public Safety shall
16 promulgate and adopt, pursuant to the Administrative Procedures Act,
17 rules for an online verification system for motor vehicle liability
18 policies as required by the Compulsory Insurance Law, subject to the
19 following:

20 1. The Oklahoma Tax Commission and the Insurance Department
21 shall cooperate with the Department of Public Safety in the
22 development of the verification system;

23 2. The verification system shall be accessible through the
24 Internet, World Wide Web or a similar proprietary or common carrier

1 electronic system by authorized personnel of the Department, the Tax
2 Commission, the courts, law enforcement personnel, and any other
3 entities authorized by the Department;

4 3. The verification system shall provide for direct inquiry and
5 response between the Department and insurance carriers, or such
6 other method of inquiry and response as agreed to by the Department
7 and individual insurance carriers, and direct access to insurers'
8 records by personnel authorized by the Department;

9 4. The verification system shall be available twenty-four (24)
10 hours a day to verify the insurance status of any vehicle registered
11 in this state through the vehicle's identification number, policy
12 number, registered owner's name or other identifying characteristic
13 or marker as prescribed by the Department in its rules;

14 5. The Department may contract with a private vendor to assist
15 in establishing and maintaining the verification system;

16 6. The verification system shall include appropriate
17 provisions, consistent with industry standards, to secure its data
18 against unauthorized access and to maintain a record of all
19 information requests;

20 7. Information contained in the verification system shall not
21 be considered a public record;

22 8. Any law enforcement officer, to establish compliance with
23 the Compulsory Insurance Law:
24

1 a. during a traffic stop or accident investigation, shall
2 access information from the online verification system
3 to verify the current validity of the policy described
4 on a security verification form produced by the
5 operator of each motor vehicle during the traffic stop
6 or accident investigation, or

7 b. at any other time, with probable cause, may access
8 information from the online verification system and,
9 if compliance is not confirmed, stop the operator of
10 the motor vehicle and verify the current validity of
11 the policy described on a security verification form
12 produced by the operator.

13 ~~If compliance is not confirmed for the policy described on the~~
14 ~~security verification form produced by the operator and a subsequent~~
15 ~~investigation conducted by the officer verifies that the operator is~~
16 ~~not in compliance or if no current security verification form is~~
17 produced, the officer shall issue a citation to the operator for
18 failure to comply with the Compulsory Insurance Law. ~~Establishing~~
19 ~~compliance with the Compulsory Insurance Law through the online~~
20 ~~verification system shall not be the primary cause for law~~
21 ~~enforcement to stop a motor vehicle~~ If the operator produces a
22 security verification form which appears to be valid but is not
23 confirmed by the online verification system, the law enforcement
24 officer shall issue a citation only after a subsequent

1 investigation. If a citation is not issued and a law enforcement
2 officer determines after a subsequent investigation that the
3 operator was not in compliance with the Compulsory Insurance Law
4 requirements at the time of the stop, the officer may issue a
5 citation to the operator by first class mail and upon the operator's
6 failure to appear, request and a court shall issue a bench warrant
7 for the operator; and

8 9. All information exchanged between the Department and
9 insurance companies, any database created, and all reports,
10 responses, or other information generated for the purposes of the
11 verification system shall not be subject to the Oklahoma Open
12 Records Act.

13 B. This section shall not apply to a policy issued pursuant to
14 paragraph 3 of subsection A of Section 7-601.1 of this title or
15 paragraph 3 of subsection A of Section 7-602 of this title to insure
16 a commercial motor vehicle or to insure any vehicle under a
17 commercial policy that provides commercial auto coverage as defined
18 in Section 7-600 of this title.

19 C. As a condition for writing motor vehicle liability policies
20 in this state, insurance carriers shall cooperate with the
21 Department in establishing and maintaining the insurance
22 verification system and shall provide access to motor vehicle
23 insurance policy status information as provided in the rules of the
24 Department.

