

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2525

By: Martin (Steve)

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6 AS INTRODUCED

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;
authorizing certain traffic stops; and providing an
effective date.

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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 during a traffic stop or accident
24 investigation, shall access information from the online verification

1 system to verify the current validity of the policy described on a
2 security verification form produced by the operator of each motor
3 vehicle during the traffic stop or accident investigation. If
4 compliance is not confirmed for the policy described on the security
5 verification form produced by the operator and a subsequent
6 investigation conducted by the officer verifies that the operator is
7 not in compliance or if no security verification form is produced,
8 the officer shall issue a citation to the operator for failure to
9 comply with the Compulsory Insurance Law. Establishing compliance
10 with the Compulsory Insurance Law through the online verification
11 system ~~shall not~~ may be the primary cause for law enforcement to
12 stop a motor vehicle; and

13 9. All information exchanged between the Department and
14 insurance companies, any database created, and all reports,
15 responses, or other information generated for the purposes of the
16 verification system shall not be subject to the Oklahoma Open
17 Records Act.

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

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1 C. As a condition for writing motor vehicle liability policies
2 in this state, insurance carriers shall cooperate with the
3 Department in establishing and maintaining the insurance
4 verification system and shall provide access to motor vehicle
5 insurance policy status information as provided in the rules of the
6 Department.

7 SECTION 2. This act shall become effective November 1, 2012.

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9 53-2-8180 SDR 12/15/11

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