

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2416

By: Kannady

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicle insurance; amending  
8 47 O.S. 2011, Section 7-601, which relates to proof  
9 of compliance; requiring persons to file affirmation  
10 of motor vehicle insurance; providing penalty for  
11 failure to comply; and providing an effective date.

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

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 7-601, is  
14 amended to read as follows:

15 Section 7-601. A. Every owner of a motor vehicle registered in  
16 this state, other than a licensed used motor vehicle dealer, shall,  
17 at all times, maintain in force with respect to such vehicle  
18 security for the payment of loss resulting from the liability  
19 imposed by law for bodily injury, death and property damage  
20 sustained by any person arising out of the ownership, maintenance,  
21 operation or use of the vehicle. Every person, while operating or  
22 using a motor vehicle registered in this state which is not owned by  
23 the person, shall maintain in force security for the payment of loss  
24 resulting from the liability imposed by law for bodily injury, death

1 or property damage sustained by any person arising out of the  
2 operation or use of the vehicle, unless the security has been  
3 provided by the owner in accordance with this section which does not  
4 exclude the person from coverage.

5 B. 1. Unless otherwise provided by law, no motor vehicle shall  
6 be operated in this state unless there is in effect with respect to  
7 the vehicle security for the payment of loss resulting from the  
8 liability imposed by law for bodily injury, death and property  
9 damage sustained by any person arising out of the ownership,  
10 maintenance, operation or use of the vehicle. Every person, while  
11 operating or using a motor vehicle in this state which is not owned  
12 by the person, shall maintain in force security for the payment of  
13 loss resulting from the liability imposed by law for bodily injury,  
14 death or property damage sustained by any person arising out of the  
15 operation or use of the vehicle, unless the security has been  
16 provided by the owner in accordance with this section which does not  
17 exclude the person from coverage. Proof of security shall be  
18 carried in the vehicle at all times and shall be produced for  
19 inspection upon request by any law enforcement officer or  
20 representative of the Department of Public Safety and, in case of  
21 an accident, the proof shall be shown upon request of any person  
22 affected by the accident. The proof of security required in this  
23 paragraph shall be filed with the Oklahoma Insurance Department by  
24 July 1, 2020, and July 1 each year thereafter. Failure to file

1 proof of security with the Oklahoma Insurance Department shall  
2 result in an administrative fine in the amount of Five Hundred  
3 Dollars (\$500.00).

4       2. The nonresident owner of a motor vehicle not registered in  
5 this state may give proof of financial responsibility by providing  
6 proof of financial responsibility which is in compliance with the  
7 laws of the state in which the vehicle is registered or by filing  
8 with the Insurance Department a certificate of an insurance company  
9 authorized to transact insurance in the state in which the vehicle  
10 is registered, or if the nonresident does not own a motor vehicle,  
11 then in the state in which the insured resides, provided the  
12 certificate otherwise conforms to the provisions of this ~~article~~  
13 section, and the Insurance Department shall accept the certificate  
14 upon condition that the insurance company complies with the  
15 following provisions with respect to the policy so certified:

- 16           a. the insurance company shall execute a power of  
17 attorney authorizing the Insurance Department to  
18 accept service on its behalf or notice of process in  
19 any action arising out of a motor vehicle accident in  
20 this state, and  
21           b. the insurance company shall agree in writing that its  
22 policies shall be deemed to conform with the laws of  
23 this state relating to the terms of motor vehicle  
24 liability policies issued in this state.

1        3. The provisions of this subsection shall apply to nonresident  
2 owners and operators of vehicles that are not registered in this  
3 state only if the state in which the vehicle is registered requires  
4 compulsory liability insurance. In which cases, compliance with the  
5 requirements of the law of the state of registration shall be deemed  
6 compliance with the laws of this state.

7        SECTION 2. This act shall become effective November 1, 2019.  
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