

HB 638 -- Insured Vehicle Identification Network Act

Sponsor: Funderburk

This bill replaces the Motorist Insurance Identification Database Act which expired June 30, 2007, with the Insured Vehicle Identification Network Act to track insured motorists, identify uninsured motorists, and maintain this information in a statewide database. In its main provisions, the bill:

(1) Requires the Department of Insurance, Financial Institutions and Professional Registration, in collaboration with the departments of Revenue and Public Safety, to establish and operate for six months the Insured Vehicle Identification Network Pilot Program. At the end of the six-month period, the Department of Insurance, Financial Institutions and Professional Registration may continue the program, terminate the program, or continue the program and submit a recommendation to terminate it to the General Assembly by December 31, 2011. The General Assembly may, upon receiving the termination recommendation, authorize the termination of the program by enacting a concurrent resolution within the first 60 days of the Second Regular Session of the Ninety-sixth General Assembly;

(2) Renames the Insurance Identification Database Fund as the Insured Motorist Fund and specifies that all fees from the program must be deposited into the fund and all, instead of the current 6%, of the revenue from collections of the insurance premiums tax levied and collected under Sections 148.310 - 148.461, RSMo;

(3) Requires the information provided by insurers and the department to remain the property of the original entity after any termination of the program and prohibits the information contained in the database from being sold but requires it to be disclosed to verify a person's insurance coverage upon request by any state or local government agency investigating, litigating, or enforcing compliance with the motor vehicle financial responsibility requirements or upon the request of other specified individuals or agencies;

(4) Requires the department to annually review the operation and performance of the program and submit a report of its findings to the General Assembly by January 15, 2012, and every year thereafter, if the program has not been terminated;

(5) Requires the designated agent of the program to notify the Department of Revenue of any vehicle owner who the database cannot identify as maintaining financial responsibility. The Department of Insurance, Financial Institutions and Professional

Registration, in consultation with the Department of Revenue, will determine the intervals for notification. Upon receiving the notification, the Department of Revenue must review the list and authorize the designated agent to notify the owners of their noncompliance; and

(6) Authorizes the Department of Insurance, Financial Institutions and Professional Registration to enter into reciprocal agreements with other states for the mutual use of the information contained in the database and similar information contained in a database operated by another state.

The bill contains an emergency clause.