

**CHAPTER 10****( HB 218 )**

AN ACT relating to motor vehicle insurance.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 304.39-117 is amended to read as follows:

- (1) Each insurer issuing an insurance contract which provides security covering a motor vehicle shall provide to the insured, in compliance with administrative regulations promulgated by the department, written proof in the form of an insurance card that the insured has in effect an insurance contract providing security in conformity with this subtitle. An insurer may provide an insurance card in either a paper or an electronic format.
- (2) ***If an owner enters into an insurance contract on a newly acquired motor vehicle, or changes insurance carriers on an existing motor vehicle,*** the owner shall keep the paper insurance card or a portable electronic device to download the insurance card in his or her motor vehicle ***for forty-five (45) days from the date the coverage took effect*** as prima facie evidence ~~[, except as provided in subsection (3) of this section,]~~ that the required security is currently in full force and effect, and shall show the card to a peace officer upon request.
- (3) ~~[On and after January 1, 2006,]~~As to personal motor vehicles as defined in KRS 304.39-087, the paper or electronic insurance card ~~or~~ ~~and~~ the database created by KRS 304.39-087 shall be evidence to a peace officer who requests the card if the peace officer has access to the database through AVIS. If AVIS does not list the vehicle identification number of the personal motor vehicle as an insured vehicle, the peace officer may accept a paper or electronic insurance card as evidence that the required security is currently in full force and effect on the personal motor vehicle if the card was effective no more than forty-five (45) days before the date on which the peace officer requests the card.
- (4) For purposes of this section:
  - (a) An insurance card in an electronic format means the display of an image on any portable electronic device, including a cellular phone or any other type of portable electronic device, depicting a current valid representation of the card;
  - (b) Whenever a person presents a mobile electronic device pursuant to this section, that person assumes all liability for any damage to the mobile electronic device; and
  - (c) When a person provides evidence of financial responsibility using a mobile electronic device to a peace officer, the peace officer shall only view the electronic image of the insurance card and is prohibited from viewing any other content on the mobile electronic device.

**Signed by Governor March 25, 2014.**