

1 AN ACT relating to motor vehicle insurance coverage.

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

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

4 (1) (a) Each insurer issuing an insurance contract ~~that~~^{which} provides security
5 covering a motor vehicle shall provide to the insured, in compliance with
6 administrative regulations promulgated by the department, written proof, in
7 the form of an insurance card, that the insured has in effect an insurance
8 contract providing security in conformity with this subtitle.

9 **(b) The insurance card required under this subsection shall reflect only the**
10 **date through which the insurance has been paid. For insureds that pay in**
11 **installments, the insurer shall provide a new card for each paid installment**
12 **period. An insurer shall not issue a card, or any proof of insurance, for any**
13 **part of a coverage period for which the premium has not been paid.**

14 (c) An insurer may provide an insurance card in either a paper or an electronic
15 format.

16 (2) If an owner enters into an insurance contract on a newly acquired motor vehicle, or
17 changes insurance carriers on an existing motor vehicle, the owner shall keep the
18 paper insurance card or a portable electronic device to download the insurance card
19 in his or her motor vehicle for forty-five (45) days from the date the coverage took
20 effect as prima facie evidence that the required security is currently in full force and
21 effect, and shall show the card to a peace officer upon request.

22 (3) As to personal motor vehicles as defined in KRS 304.39-087, the paper or
23 electronic insurance card or the database created by KRS 304.39-087 shall be
24 evidence to a peace officer who requests the card if the peace officer has access to
25 the database through AVIS. If AVIS does not list the vehicle identification number
26 of the personal motor vehicle as an insured vehicle, the peace officer may accept a
27 paper or electronic insurance card as evidence that the required security is currently

1 in full force and effect on the personal motor vehicle if the card was effective no
2 more than forty-five (45) days before the date on which the peace officer requests
3 the card.

4 (4) For purposes of this section:

5 (a) An insurance card in an electronic format means the display of an image on
6 any portable electronic device, including a cellular phone or any other type of
7 portable electronic device, depicting a current valid representation of the card;

8 (b) Whenever a person presents a mobile electronic device pursuant to this
9 section, that person assumes all liability for any damage to the mobile
10 electronic device; and

11 (c) When a person provides evidence of financial responsibility using a mobile
12 electronic device to a peace officer, the peace officer shall only view the
13 electronic image of the insurance card and is prohibited from viewing any
14 other content on the mobile electronic device.

15 ➔Section 2. KRS 304.20-045 is amended to read as follows:

16 (1) No insurer shall increase the premium on an automobile liability insurance policy,
17 including the premiums for uninsured or underinsured motorists coverages,
18 solely as a result of a claim for an automobile accident filed by an insured if the
19 insured was not at fault nor contributorily negligent.

20 (2) An insured may notify in writing the commissioner if the insured believes that an
21 insurer has increased his or her premium in violation of subsection (1) of this
22 section. The commissioner shall investigate the complaint, take appropriate action,
23 and send written notice of his or her actions to the insured.