

SECOND REGULAR SESSION

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 783

101ST GENERAL ASSEMBLY

4260S.04C

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 303.025 and 303.041, RSMo, and to enact in lieu thereof seven new sections relating to motor vehicle financial responsibility, with penalty provisions, with an effective date.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 303.025 and 303.041, RSMo, are
2 repealed and seven new sections enacted in lieu thereof, to be
3 known as sections 303.025, 303.041, 303.420, 303.422, 303.425,
4 303.430, and 303.440, to read as follows:

303.025. 1. No owner of a motor vehicle registered in
2 this state, or required to be registered in this state,
3 shall operate, register or maintain registration of a motor
4 vehicle, or permit another person to operate such vehicle,
5 unless the owner maintains the financial responsibility
6 which conforms to the requirements of the laws of this
7 state. No nonresident shall operate or permit another
8 person to operate in this state a motor vehicle registered
9 to such nonresident unless the nonresident maintains the
10 financial responsibility which conforms to the requirements
11 of the laws of the nonresident's state of residence.
12 Furthermore, no person shall operate a motor vehicle owned
13 by another with the knowledge that the owner has not
14 maintained financial responsibility unless such person has
15 financial responsibility which covers the person's operation

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 of the other's vehicle; however, no owner or nonresident
17 shall be in violation of this subsection if he or she fails
18 to maintain financial responsibility on a motor vehicle
19 which is inoperable or being stored and not in operation.
20 **The director of the department of revenue shall establish by**
21 **rule a process for voluntary suspension of motor vehicle**
22 **registration for vehicles which are inoperable or being**
23 **stored and not in operation. The owner or nonresident shall**
24 **not further operate the vehicle until the owner or**
25 **nonresident notifies the department of revenue that the**
26 **vehicle will be in use, and the department shall reinstate**
27 **the motor vehicle registration upon receipt of proof of**
28 **financial responsibility. Owners or nonresidents who**
29 **operate a motor vehicle during a period of inoperability or**
30 **storage claimed under this subsection shall be guilty of a**
31 **class B misdemeanor and may additionally be guilty of a**
32 **violation of this subsection. Notwithstanding any provision**
33 **of law to the contrary, the department of revenue may verify**
34 **motor vehicle financial responsibility as provided by law,**
35 **but shall not otherwise take legal or administrative action**
36 **to enforce the requirements of this section unless, in the**
37 **discretion of the director, the motor vehicle is determined**
38 **to have been operated in violation of this section, a motor**
39 **vehicle registration is applied for in violation of this**
40 **section, or the motor vehicle on two separate occasions**
41 **thirty days apart is determined to have its registration**
42 **maintained in violation of this section. The director may**
43 **prescribe rules and regulations for the implementation of**
44 **this section.**

45 2. A motor vehicle owner shall maintain the owner's
46 financial responsibility in a manner provided for in section
47 303.160, or with a motor vehicle liability policy which

48 conforms to the requirements of the laws of this state. A
49 nonresident motor vehicle owner shall maintain the owner's
50 financial responsibility which conforms to the requirements
51 of the laws of the nonresident's state of residence.

52 3. Any person who violates this section is guilty of a
53 misdemeanor. A first violation of this section shall be
54 punishable as a class D misdemeanor. A second or subsequent
55 violation of this section **[shall] may** be **[punishable]**
56 **punished** by imprisonment in the county jail for a term not
57 to exceed fifteen days **[and/or] and shall be punished by** a
58 fine **not less than two hundred dollars but** not to exceed
59 five hundred dollars. Prior pleas of guilty and prior
60 findings of guilty shall be pleaded and proven in the same
61 manner as required by section 558.021. However, no person
62 shall be found guilty of violating this section if the
63 operator demonstrates to the court that he or she met the
64 financial responsibility requirements of this section at the
65 time the peace officer, commercial vehicle enforcement
66 officer or commercial vehicle inspector wrote the citation.
67 In addition to any other authorized punishment, the court
68 shall notify the director of revenue of any person convicted
69 pursuant to this section and shall do one of the following:

70 (1) Enter an order suspending the driving privilege as
71 of the date of the court order. If the court orders the
72 suspension of the driving privilege, the court shall require
73 the defendant to surrender to it any driver's license then
74 held by such person. The length of the suspension shall be
75 as prescribed in subsection 2 of section 303.042. The court
76 shall forward to the director of revenue the order of
77 suspension of driving privilege and any license surrendered
78 within ten days;

79 (2) Forward the record of the conviction for an
80 assessment of four points;

81 (3) In lieu of an assessment of points, render an
82 order of supervision as provided in section 302.303. An
83 order of supervision shall not be used in lieu of points
84 more than one time in any thirty-six-month period. Every
85 court having jurisdiction pursuant to the provisions of this
86 section shall forward a record of conviction to the Missouri
87 state highway patrol, or at the written direction of the
88 Missouri state highway patrol, to the department of revenue,
89 in a manner approved by the director of the department of
90 public safety. The director shall establish procedures for
91 the record keeping and administration of this section; or

92 (4) For a nonresident, suspend the nonresident's
93 driving privileges in this state in accordance with section
94 303.030 and notify the official in charge of the issuance of
95 licenses and registration certificates in the state in which
96 such nonresident resides in accordance with section 303.080.

97 4. Nothing in sections 303.010 to 303.050, 303.060,
98 303.140, 303.220, 303.290, 303.330 and 303.370 shall be
99 construed as prohibiting the department of commerce and
100 insurance from approving or authorizing those exclusions and
101 limitations which are contained in automobile liability
102 insurance policies and the uninsured motorist provisions of
103 automobile liability insurance policies.

104 5. If a court enters an order of suspension, the
105 offender may appeal such order directly pursuant to chapter
106 512 and the provisions of section 302.311 shall not apply.

107 **6. Any fines owed to the state pursuant to this**
108 **section may be eligible for payment in installments. The**
109 **director shall promulgate rules for the application of**

110 **payment plans, which shall take into account individuals'**
111 **ability to pay.**

303.041. 1. **Except as otherwise provided in**
2 **subsection 7 of section 303.425,** if the director determines
3 [that as a result of a verification sample or accident
4 report that the owner of a motor vehicle has not maintained
5 financial responsibility, or if the director determines as a
6 result of an order of supervision] that the **owner or**
7 operator of a motor vehicle has not maintained the financial
8 responsibility as required in this chapter, the director
9 shall thirty-three days after mailing notice, suspend the
10 driving privilege of the owner or operator and/or the
11 registration of the vehicle failing to meet such
12 requirement. The notice of suspension shall be mailed to
13 the person at the last known address shown on the
14 department's records. The notice of suspension is deemed
15 received three days after mailing. The notice of suspension
16 shall clearly specify the reason and statutory grounds for
17 the suspension and the effective date of the suspension, the
18 right of the person to request a hearing, the procedure for
19 requesting a hearing, and the date by which that request for
20 a hearing must be made. If the request for a hearing is
21 received by the department prior to the effective date of
22 the suspension, the effective date of the suspension will be
23 stayed until a final order is issued following the hearing.

24 2. **Except as otherwise provided by law,** neither the
25 fact that subsequent to the date of verification or
26 conviction, the owner acquired the required liability
27 insurance policy nor the fact that the owner terminated
28 ownership of the motor vehicle, shall have any bearing upon
29 the director's decision to suspend. Until it is terminated,
30 the suspension shall remain in force after the registration

31 is renewed or a new registration is acquired for the motor
32 vehicle. The suspension also shall apply to any motor
33 vehicle to which the owner transfers the registration.
34 Effective January 1, 2000, the department shall not extend
35 any suspension for failure to pay a delinquent late
36 surrender fee pursuant to this subsection.

303.420. As used in sections 303.420 to 303.440,
2 unless the context requires otherwise, the following terms
3 shall mean:

4 (1) "Law enforcement agency", the department of
5 revenue, the Missouri state highway patrol, the prosecuting
6 attorney or sheriff's office of any county or city not
7 within a county, the chiefs of police of any city or
8 municipality, or any other authorized law enforcement agency
9 recognized by the state;

10 (2) "Program", the motor vehicle financial
11 responsibility enforcement and compliance incentive program
12 established under section 303.425;

13 (3) "System" or "verification system", the web-based
14 resource established under section 303.430 for online
15 verification of motor vehicle financial responsibility.

303.422. 1. There is hereby created in the state
2 treasury the "Motor Vehicle Financial Responsibility
3 Verification and Enforcement Fund", which shall consist of
4 money received by the department of revenue under sections
5 303.420 to 303.440. The state treasurer shall be custodian
6 of the fund. In accordance with sections 30.170 and 30.180,
7 the state treasurer may approve disbursements. The fund
8 shall be a dedicated fund and money in the fund shall be
9 used solely by the department of revenue for the
10 administration of sections 303.420 to 303.440.

11 2. Notwithstanding the provisions of section 33.080 to
12 the contrary, any moneys remaining in the fund at the end of
13 the biennium shall not revert to the credit of the general
14 revenue fund.

15 3. The state treasurer shall invest moneys in the fund
16 in the same manner as other funds are invested. Any
17 interest and moneys earned on such investments shall be
18 credited to the fund.

 303.425. 1. (1) There is hereby created within the
2 department of revenue the motor vehicle financial
3 responsibility enforcement and compliance incentive
4 program. The department of revenue may enter into
5 contractual agreements with third-party vendors to
6 facilitate the necessary technology and equipment,
7 maintenance thereof, and associated program management
8 services, and may enter into contractual agreements with the
9 Missouri office of prosecution services as provided in
10 sections 303.420 to 303.440. Where sections 303.420 to
11 303.440 authorize the department of revenue to enter into
12 contracts with a third-party vendor or the Missouri office
13 of prosecution services at its option, the department of
14 revenue shall contract with the Missouri office of
15 prosecution services unless the Missouri office of
16 prosecution services declines to enter into the contract.

17 (2) The department of revenue or a third-party vendor
18 shall utilize technology to compare vehicle registration
19 information with the financial responsibility information
20 accessible through the system. The department of revenue
21 shall utilize this information to identify motorists who are
22 in violation of the motor vehicle financial responsibility
23 law. The department of revenue may offer offenders under
24 this program the option of pretrial diversion as an

25 alternative to statutory fines or reinstatement fees
26 prescribed under the motor vehicle financial responsibility
27 law as a method of encouraging compliance and discouraging
28 recidivism.

29 (3) All fees paid to or collected by third-party
30 vendors or the Missouri office of prosecution services under
31 sections 303.420 to 303.440 may come from violator diversion
32 fees generated by the pretrial diversion option established
33 under this section. A contractual agreement between the
34 department of revenue and the Missouri office of prosecution
35 services under sections 303.420 to 303.440 may provide for
36 retention by the Missouri office of prosecution services of
37 part or all of the violator diversion fees as consideration
38 for the contract.

39 2. The department of revenue may authorize law
40 enforcement agencies or third-party vendors to use
41 technology to collect data for the investigation, detection,
42 analysis, and enforcement of the motor vehicle financial
43 responsibility law.

44 3. The department of revenue may authorize traffic
45 enforcement officers, third-party vendors, or the Missouri
46 office of prosecution services to administer the processing
47 and issuance of notices of violation, the collection of fees
48 for a violation of the motor vehicle financial
49 responsibility law, or the referral of cases for
50 prosecution, under the program.

51 4. Access to the system shall be restricted to
52 authorized law enforcement agency users in the program, the
53 department of revenue, and the third-party vendors with
54 which the department of revenue contracts for purposes of
55 the program, provided that any third-party vendor with which
56 a contract is executed to provide necessary technology,

57 equipment, or maintenance for the program shall be
58 authorized as necessary to collaborate for required updates
59 and maintenance of system software.

60 5. For purposes of the program, any data collected and
61 matched to a corresponding vehicle insurance record as
62 verified through the system, and any Missouri vehicle
63 registration database, may be used to identify violations of
64 the motor vehicle financial responsibility law. Such images
65 and corresponding data shall constitute evidence of the
66 violations.

67 6. Except as otherwise provided in this section, the
68 department of revenue shall suspend, in accordance with
69 section 303.041, the registration of any motor vehicle that
70 is determined under the program to be in violation of the
71 motor vehicle financial responsibility law.

72 7. The department of revenue shall send to an owner
73 whose vehicle is identified under the program as being in
74 violation of the motor vehicle financial responsibility law
75 a notice that the vehicle's registration may be suspended
76 unless the owner, within thirty days, provides proof of
77 financial responsibility for the vehicle or proof, in a form
78 specified by the department of revenue, that the owner has a
79 pending criminal charge for a violation of the motor vehicle
80 financial responsibility law. The notice shall include
81 information on steps an individual may take to obtain proof
82 of financial responsibility and a web address to a page on
83 the department of revenue's website where information on
84 obtaining proof of financial responsibility shall be
85 provided. If proof of financial responsibility or a pending
86 criminal charge is not provided within the time allotted,
87 the department of revenue shall provide a notice of
88 suspension and suspend the vehicle's registration in

89 accordance with section 303.041, or shall send a notice of
90 vehicle registration suspension, clearly specifying the
91 reason and statutory grounds for the suspension and the
92 effective date of the suspension, the right of the vehicle
93 owner to request a hearing, the procedure for requesting a
94 hearing, and the date by which that request for a hearing
95 must be made, as well as informing the owner that the matter
96 will be referred for prosecution if a satisfactory response
97 is not received in the time allotted, informing the owner
98 that the minimum penalty for the violation is three hundred
99 dollars and four license points, and offering the owner
100 participation in a pretrial diversion option to preclude
101 referral for prosecution and registration suspension under
102 sections 303.420 to 303.440. The notice of vehicle
103 registration suspension shall give a period of thirty-three
104 days from mailing for the vehicle owner to respond, and
105 shall be deemed received three days after mailing. If no
106 request for a hearing or agreement to participate in the
107 diversion option is received by the department of revenue
108 prior to the date provided on the notice of vehicle
109 registration suspension, the director shall suspend the
110 vehicle's registration, effective immediately, and refer the
111 case to the appropriate prosecuting attorney. If an
112 agreement by the vehicle owner to participate in the
113 diversion option is received by the department of revenue
114 prior to the effective date provided on the notice of
115 vehicle registration suspension, then upon payment of a
116 diversion participation fee not to exceed two hundred
117 dollars, agreement to secure proof of financial
118 responsibility within the time provided on the notice of
119 suspension, and agreement that such financial responsibility
120 shall be maintained for a minimum of two years, no points

121 shall be assessed to the vehicle owner's driver's license
122 under section 302.302 and the department of revenue shall
123 not take further action against the vehicle owner under
124 sections 303.420 to 303.440, subject to compliance with the
125 terms of the pretrial diversion option. The department of
126 revenue shall suspend the vehicle registration of, and shall
127 refer the case to the appropriate prosecuting attorney for
128 prosecution of, participating vehicle owners who violate the
129 terms of the pretrial diversion option. If a request for
130 hearing is received by the department of revenue prior to
131 the effective date provided on the notice of vehicle
132 registration suspension, then for all purposes other than
133 eligibility for participation in the diversion option, the
134 effective date of the suspension shall be stayed until a
135 final order is issued following the hearing. The department
136 of revenue shall suspend the registration of vehicles
137 determined under the final order to have violated the motor
138 vehicle financial responsibility law, and shall refer the
139 case to the appropriate prosecuting attorney for
140 prosecution. Notices under this subsection shall be mailed
141 to the vehicle owner at the last known address shown on the
142 department of revenue's records. The department of revenue
143 or its third-party vendor or the Missouri office of
144 prosecution services shall issue receipts for the collection
145 of diversion participation fees. Except as otherwise
146 provided in subsection 1 of this section, all such fees
147 shall be deposited into the motor vehicle financial
148 responsibility verification and enforcement fund established
149 in section 303.422. A vehicle owner whose registration has
150 been suspended under sections 303.420 to 303.440 may obtain
151 reinstatement of the registration upon providing proof of
152 financial responsibility and payment to the department of

153 revenue of a nonrefundable reinstatement fee equal to the
154 fee that would be applicable under subsection 2 of section
155 303.042 if the registration had been suspended under section
156 303.041.

157 8. Data collected or retained under the program shall
158 not be used by any entity for purposes other than
159 enforcement of the motor vehicle financial responsibility
160 law. Data collected and stored by law enforcement under the
161 program shall be considered evidence if noncompliance with
162 the motor vehicle financial responsibility law is
163 confirmed. The evidence, and an affidavit stating that the
164 evidence and system have identified a particular vehicle as
165 being in violation of the motor vehicle financial
166 responsibility law, shall constitute probable cause for
167 prosecution and shall be forwarded in accordance with
168 subsection 7 of this section to the appropriate prosecuting
169 attorney.

170 9. Owners of vehicles identified under the program as
171 being in violation of the motor vehicle financial
172 responsibility law shall be provided with options for
173 disputing such claims which do not require appearance at any
174 state or local court of law, or administrative facility.
175 Any person who presents timely proof that he or she was in
176 compliance with the motor vehicle financial responsibility
177 law at the time of the alleged violation shall be entitled
178 to dismissal of the charge with no assessment of fees or
179 fines. Proof provided by a vehicle owner to the department
180 of revenue that the vehicle was in compliance at the time of
181 the suspected violation of the motor vehicle financial
182 responsibility law shall be recorded in the system
183 established by the department of revenue under section
184 303.430.

185 10. The collection of data or use of any technology
186 pursuant to this section shall be done in a manner that
187 prohibits any bias towards a specific community, race,
188 gender, or socioeconomic status of vehicle owner.

189 11. Law enforcement agencies, third-party vendors, or
190 other entities authorized to operate under the program shall
191 not sell data collected or retained under the program for
192 any purpose or share it for any purpose not expressly
193 authorized in this section. All data shall be secured and
194 any third-party vendor or other entity authorized to operate
195 under the program may be liable for any data security breach.

196 12. The department of revenue shall not take action
197 under sections 303.420 to 303.440 against vehicles
198 registered as fleet vehicles under section 301.032, or
199 against vehicles known to the department of revenue to be
200 insured under a policy of commercial auto coverage, as such
201 term is defined in subdivision (10) of subsection 2 of
202 section 303.430.

203 13. Following one year after the implementation of the
204 program, and every year thereafter, the department of
205 revenue shall provide a report to the president pro tempore
206 of the senate, the speaker of the house of representatives,
207 the chairs of the house and senate committees with
208 jurisdictions over insurance or transportation matters, and
209 the chairs of the house budget and senate appropriations
210 committees. The report shall include an evaluation of
211 program operations, information as to the costs of the
212 program incurred by the department of revenue, insurers, and
213 the public, information as to the effectiveness of the
214 program in reducing the number of uninsured motor vehicles,
215 and anonymized demographic information including the race
216 and zip code of vehicle owners identified under the program

217 as being in violation of the motor vehicle financial
218 responsibility law, and may include any additional
219 information and recommendations for improvement of the
220 program deemed appropriate by the department of revenue.
221 The department of revenue may, by rule, require the state,
222 counties, and municipalities to provide information in order
223 to complete the report.

224 14. The Missouri office of prosecution services in
225 consultation with the department of revenue may promulgate
226 rules as necessary for the implementation of this section.
227 Any rule or portion of a rule, as that term is defined in
228 section 536.010, that is created under the authority
229 delegated in this section shall become effective only if it
230 complies with and is subject to all of the provisions of
231 chapter 536 and, if applicable, section 536.028. This
232 section and chapter 536 are nonseverable and if any of the
233 powers vested with the general assembly pursuant to chapter
234 536 to review, to delay the effective date, or to disapprove
235 and annul a rule are subsequently held unconstitutional,
236 then the grant of rulemaking authority and any rule proposed
237 or adopted after August 28, 2022, shall be invalid and void.

2 303.430. 1. The department of revenue shall establish
3 and maintain a web-based system for the verification of
4 motor vehicle financial responsibility, shall provide access
5 to insurance reporting data and vehicle registration and
6 financial responsibility data, and shall require motor
7 vehicle insurers to establish functionality for the
8 verification system, as provided in sections 303.420 to
9 303.440. The verification system, including any exceptions
10 as provided for in sections 303.420 to 303.440 or in the
11 implementation guide developed to support the program, shall
supersede any existing verification system, and shall be the

12 sole system used for the purpose of verifying financial
13 responsibility required under this chapter.

14 2. The system established pursuant to subsection 1 of
15 this section shall be subject to the following:

16 (1) The verification system shall transmit requests to
17 insurers for verification of motor vehicle insurance
18 coverage via web services established by the insurers
19 through the internet in compliance with the specifications
20 and standards of the Insurance Industry Committee on Motor
21 Vehicle Administration, or "IICMVA". Insurance company
22 systems shall respond to each request with a prescribed
23 response upon evaluation of the data provided in the
24 request. The system shall include appropriate protections
25 to secure its data against unauthorized access, and the
26 department of revenue shall maintain a historical record of
27 the system data for a period of no more than twelve months
28 from the date of all requests and responses. The system
29 shall be used for verification of the financial
30 responsibility required under this chapter. The system
31 shall be accessible to authorized personnel of the
32 department of revenue, the courts, law enforcement
33 personnel, and other entities authorized by the state as
34 permitted by state or federal privacy laws, and it shall be
35 interfaced, wherever appropriate, with existing state
36 systems. The system shall include information enabling the
37 department of revenue to submit inquiries to insurers
38 regarding motor vehicle insurance which are consistent with
39 insurance industry and IICMVA recommendations,
40 specifications, and standards by using the following data
41 elements for greater matching accuracy: insurer National
42 Association of Insurance Commissioners, or "NAIC", company
43 code; vehicle identification number; policy number;

44 verification date; or as otherwise described in the
45 specifications and standards of the IICMVA. The department
46 of revenue shall promulgate rules to offer insurers who
47 insure one thousand or fewer vehicles within this state an
48 alternative method for verifying motor vehicle insurance
49 coverage in lieu of web services, and to provide for the
50 verification of financial responsibility when financial
51 responsibility is proven to the department to be maintained
52 by means other than a policy of motor vehicle insurance.
53 Insurers shall not be required to verify insurance coverage
54 for vehicles registered in other jurisdictions;

55 (2) The verification system shall respond to each
56 request within a time period established by the department
57 of revenue. An insurer's system shall respond within the
58 time period prescribed by the IICMVA's specifications and
59 standards. Insurer systems shall be permitted reasonable
60 system downtime for maintenance and other work with advance
61 notice to the department of revenue. Insurers shall not be
62 subject to enforcement fees or other sanctions under such
63 circumstances, or when systems are not available because of
64 emergency, outside attack, or other unexpected outages not
65 planned by the insurer and reasonably outside its control;

66 (3) The system shall assist in identifying violations
67 of the motor vehicle financial responsibility law in the
68 most effective way possible. Responses to individual
69 insurance verification requests shall have no bearing on
70 whether insurance coverage is determined to be in force at
71 the time of a claim. Claims shall be individually
72 investigated to determine the existence of coverage.
73 Nothing in sections 303.420 to 303.440 shall prohibit the
74 department of revenue from contracting with a third-party
75 vendor or vendors who have successfully implemented similar

76 systems in other states to assist in establishing and
77 maintaining this verification system;

78 (4) The department of revenue shall consult with
79 representatives of the insurance industry and may consult
80 with third-party vendors to determine the objectives,
81 details, and deadlines related to the system by
82 establishment of an advisory council. The advisory council
83 shall consist of voting members comprised of:

84 (a) The director of the department of commerce and
85 insurance, or his or her designee, who shall serve as chair;

86 (b) Two representatives of the department of revenue,
87 to be appointed by the director of the department of revenue;

88 (c) One representative of the department of commerce
89 and insurance, to be appointed by the director of the
90 department of commerce and insurance;

91 (d) Three representatives of insurance companies, to
92 be appointed by the director of the department of commerce
93 and insurance;

94 (e) One representative from the Missouri Insurance
95 Coalition;

96 (f) One representative chosen by the National
97 Association of Mutual Insurance Companies;

98 (g) One representative chosen by the American Property
99 and Casualty Insurance Association;

100 (h) One representative chosen by the Missouri
101 Independent Agents Association; and

102 (i) Such other representatives as may be appointed by
103 the director of the department of commerce and insurance;

104 (5) The department of revenue shall publish for
105 comment, and then issue, a detailed implementation guide for
106 its online verification system;

107 (6) The department of revenue and its third-party
108 vendors, if any, shall each maintain a contact person for
109 insurers during the establishment, implementation, and
110 operation of the system;

111 (7) If the department of revenue has reason to believe
112 a vehicle owner does not maintain financial responsibility
113 as required under this chapter, it may also request an
114 insurer to verify the existence of such financial
115 responsibility in a form approved by the department of
116 revenue. In addition, insurers shall cooperate with the
117 department of revenue in establishing and maintaining the
118 verification system established under this section, and
119 shall provide motor vehicle insurance policy status
120 information as provided in the rules promulgated by the
121 department of revenue;

122 (8) Every property and casualty insurance company
123 licensed to issue motor vehicle insurance or authorized to
124 do business in this state shall comply with sections 303.420
125 to 303.440, and corresponding rules promulgated by the
126 department of revenue, for the verification of such
127 insurance for every vehicle insured by that company in this
128 state;

129 (9) Insurers shall maintain a historical record of
130 insurance data for a minimum period of six months from the
131 date of policy inception or policy change for the purpose of
132 historical verification inquiries;

133 (10) For the purposes of this section, "commercial
134 auto coverage" shall mean any coverage provided to an
135 insured, regardless of number of vehicles or entities
136 covered, under a commercial coverage form and rated from a
137 commercial manual approved by the department of commerce and
138 insurance. Sections 303.420 to 303.440 shall not apply to

139 vehicles insured under commercial auto coverage; however,
140 insurers of such vehicles may participate on a voluntary
141 basis, and vehicle owners may provide proof at or subsequent
142 to the time of vehicle registration that a vehicle is
143 insured under commercial auto coverage, which the department
144 of revenue shall record in the system;

145 (11) Insurers shall provide commercial or fleet
146 automobile customers with evidence reflecting that the
147 vehicle is insured under a commercial or fleet automobile
148 liability policy. Sufficient evidence shall include an
149 insurance identification card clearly marked with a suitable
150 identifier such as "commercial auto insurance identification
151 card", "fleet auto insurance identification card", or other
152 clear identification that the vehicle is insured under a
153 fleet or commercial policy;

154 (12) Notwithstanding any provision of sections 303.420
155 to 303.440, insurers shall be immune from civil and
156 administrative liability for good faith efforts to comply
157 with the terms of sections 303.420 to 303.440;

158 (13) Nothing in this section shall prohibit an insurer
159 from using the services of a third-party vendor for
160 facilitating the verification system required under sections
161 303.420 to 303.440.

162 3. The department of revenue shall promulgate rules as
163 necessary for the implementation of sections 303.420 to
164 303.440. Any rule or portion of a rule, as that term is
165 defined in section 536.010, that is created under the
166 authority delegated in this section shall become effective
167 only if it complies with and is subject to all of the
168 provisions of chapter 536 and, if applicable, section
169 536.028. This section and chapter 536 are nonseverable and
170 if any of the powers vested with the general assembly

171 pursuant to chapter 536 to review, to delay the effective
172 date, or to disapprove and annul a rule are subsequently
173 held unconstitutional, then the grant of rulemaking
174 authority and any rule proposed or adopted after August 28,
175 2022, shall be invalid and void.

303.440. The verification system established under
2 section 303.430 shall be installed and fully operational on
3 January 1, 2024, following an appropriate testing or pilot
4 period of not less than nine months. Until the successful
5 completion of the testing or pilot period in the judgment of
6 the director of the department of revenue, no enforcement
7 action shall be taken based on the system, including but not
8 limited to action taken under the program established under
9 section 303.425.

Section B. The repeal and reenactment of sections
2 303.025 and 303.041 shall take effect on January 1, 2024.

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