COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 373

(By Senators Nohe, Gaunch,
D. Hall, Karnes and Blair)

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[Originating in the
Committee on the Judiciary;
reported February 23, 2015.]

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A BILL to amend and reenact §17D-2A-4 of the Code of West Virginia, 1931, as amended, relating to allowing image displayed on a wireless communication device to serve as proof of insurance on a motor vehicle.

Be it enacted by the Legislature of West Virginia:

That §17D-2A-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2A. SECURITY UPON MOTOR VEHICLES.

§17D-2A-4. Certificate of insurance.

1	(a) All insurance carriers transacting insurance in this state shall supply a certificate to the

2	insured or to any person subject to the registration provisions of article three, chapter seventeen-a

3	of this code certifying that there is in effect a motor vehicle liability policy upon such motor vehicle

4	in accordance with the provisions of article three, chapter seventeen-a of this code. The certificate

5	shall give its effective date and the effective date of the policy and, unless the policy is issued to a

6	person who is not the owner of a motor vehicle, must designate by explicit description, in such detail

1 as the Commissioner of the Division of Motor Vehicles shall by rule require, all motor vehicles

2 covered and all replacement vehicles of similar classification: *Provided,* That on and after July 1,

3 1984, insurance companies shall supply a certificate of insurance in duplicate for each policy term

4 and for each vehicle included in a policy, except for those listed in a fleet policy. Each such

5 certificate of insurance shall list the name of the policyholder and the name of the vehicle owner if

6 different from the policyholder.

7   The certificate must specify for each vehicle listed therein that there is a minimum liability

8 insurance coverage not less than the requirements of section two, article four, chapter seventeen-d

9 of this code.

10   (b) The certificate provided pursuant to the provisions of this section or other proof of

11 insurance shall be carried by the insured in the appropriate vehicle for use as proof of security, and

12 must be presented at the time of vehicle inspection as required by article sixteen, chapter seventeen-c

13 of this code. Any person violating the provisions of this subsection is guilty of a misdemeanor and,

14 upon conviction thereof, shall be fined not less than $200 nor more than $5,000; and upon a second

15 or subsequent conviction, shall be fined not less than $200 nor more than $5,000, or confined in the

16 county or regional jail for not less than fifteen days nor more than one year, or both: *Provided,* That

17 an insured shall not be guilty of a violation of this subsection (b) if he or she furnishes proof that

18 such insurance was in effect within seven days of being cited for not carrying such certificate or other

19 proof in such vehicle.

20   (c) As used in this section, proof of insurance means a certificate of insurance, an insurance

21 policy, a mechanically reproduced copy of an insurance policy, a certificate of self-insurance, an

22 image displayed on a wireless communication device, as defined in section one, article one, chapter

1 <u>seventeen-b of this code, that includes the information required by this section as provided by a</u>

2 <u>liability insurer</u> or a copy of the current registration issued to a motor carrier by the Public Service

3 Commission: (1) Through the single state registration system established pursuant to section

4 fourteen, article six-a, chapter twenty-four-a of this code; or (2) pursuant to the provisions of section

5 four, article six, chapter twenty-four-a of this code.

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(NOTE: The purpose of this bill is to allow an image displayed on a wireless communication device to serve as proof of insurance on a motor vehicle.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.)