

1 accordance with the provisions of article three, chapter
2 seventeen-a of this code. ~~The certificate shall give its effective~~
3 ~~date and the effective date of the policy and, unless the policy is~~
4 ~~issued to a person who is not the owner of a motor vehicle, must~~
5 ~~designate by explicit description, in such detail as the~~
6 ~~commissioner of the Division of Motor Vehicles shall by rule~~
7 ~~require, all motor vehicles covered and all replacement vehicles of~~
8 ~~similar classification: *Provided, That on and after the first day*~~
9 ~~of July, one thousand nine hundred eighty-four, insurance companies~~
10 ~~shall supply a certificate of insurance in duplicate for each~~
11 ~~policy term and for each vehicle included in a policy, except for~~
12 ~~those listed in a fleet policy. Each such certificate of insurance~~
13 ~~shall list the name of the policyholder and the name of the vehicle~~
14 ~~owner if different from the policyholder.~~

15 ~~The certificate must specify for each vehicle listed therein,~~
16 ~~that there is a minimum liability insurance coverage not less than~~
17 ~~the requirements of section two, article four, chapter seventeen-d~~
18 ~~of this code.~~

19 ~~(b) The certificate provided pursuant to the provisions of~~
20 ~~this section or other proof of insurance shall be carried by the~~
21 ~~insured in the appropriate vehicle for use as proof of security,~~
22 ~~and must be presented at the time of vehicle inspection as required~~
23 ~~by article sixteen, chapter seventeen-c of this code: Any person~~
24 ~~violating the provisions of this subsection is guilty of a~~

1 ~~misdemeanor and, upon conviction thereof, shall be fined not less~~
2 ~~than two hundred dollars nor more than five thousand dollars; and~~
3 ~~upon a second or subsequent conviction, shall be fined not less~~
4 ~~than two hundred dollars nor more than five thousand dollars, or~~
5 ~~confined in the county or regional jail for not less than fifteen~~
6 ~~days nor more than one year, or both: *Provided*, That an insured~~
7 ~~shall not be guilty of a violation of this subsection (b) if he or~~
8 ~~she furnishes proof that such insurance was in effect within seven~~
9 ~~days of being cited for not carrying such certificate or other~~
10 ~~proof in such vehicle.~~

11 ~~(C) As used in this section, proof of insurance means a~~
12 ~~certificate of insurance, an insurance policy, a mechanically~~
13 ~~reproduced copy of an insurance policy or a certificate of~~
14 ~~self insurance, or copy of the current registration issued to a~~
15 ~~motor carrier by the Public Service Commission: (1) through the~~
16 ~~single state registration system established pursuant to section~~
17 ~~fourteen, article six-a of this code; or (2) pursuant to the~~
18 ~~provisions of section four, article six, chapter twenty-four-a of~~
19 ~~this code. The certificate of insurance is a decal to be affixed~~
20 ~~to the windshield of a motor vehicle and shall contain the serial~~
21 ~~number, make and model of the insured vehicle, and a number 1~~
22 ~~through 12, which identifies the month of purchase of liability~~
23 ~~insurance. The certificate of insurance is color coded to identify~~
24 ~~the length of purchase of insurance coverage with the color red to~~

1 identify insurance coverage purchased for a period of three months,
2 the color blue to identify insurance coverage purchased for a
3 period of six months and the color green to identify insurance
4 coverage purchased for a period of one year. A certificate of
5 insurance mandated by this article is provided for each vehicle
6 insured.

7 (b) All certificates of insurance issued pursuant to this
8 section are the property of the state and are affixed by the owner
9 of the vehicle covered by the required security only during the
10 time when the security which it represents remains in full force
11 and effect. Every vehicle owner shall immediately remove from the
12 vehicle any certificate of insurance representing security which he
13 or she knows has been terminated, canceled, impaired or is
14 otherwise ineffective to serve as security for the vehicle.

15 (c) Every vehicle owner meeting the security requirements of
16 this article through the purchase of a contract of insurance shall
17 obtain within thirty days a certificate of insurance evidencing
18 the security from the authorized insurance company or its
19 authorized agent with which he or she has contracted for the
20 security. The commissioner shall furnish or authorize for each
21 insurer sufficient quantities of certificates of insurance as they
22 may require for each vehicle which insurer reasonably expects to
23 insure during each period for which its policies of insurance are
24 expected to be in force.

1 (d) Every authorized insurance company which cancels or
2 refuses to renew any contract of insurance on any vehicle insured
3 by it for any vehicle owner prior to the normal expiration date of
4 the certificate of insurance which it has furnished the owner for
5 the vehicle shall notify the owner of the date which the
6 certificate of insurance will no longer be in full force and effect
7 and should be removed from the vehicle.

8 (e) Every authorized insurance company which cancels any
9 contract of insurance shall provide the insured, as well as the
10 Superintendent of the State Police, notice of the cancellation.

11 (f) Every authorized insurance company shall provide notice of
12 cancellation to the Superintendent of the State Police within
13 thirty days following the voluntary cancellation of a policy of
14 insurance by a policyholder during the policy period.

15 (g) Every authorized insurer shall, upon the request of the
16 Commissioner of the Division of Motor Vehicles, furnish to the
17 commissioner with regard to any numbered certificate of insurance
18 furnished by it, the name of the owner for whom the security was
19 provided, the vehicle insured by the security and the beginning and
20 ending dates during which the security was in full force and
21 effect.

22 (h) Upon complaint by any person, filed with the commissioner
23 on a form to be prescribed by him or her, alleging that any
24 certificate of insurance was improperly affixed to any vehicle

1 because the security therefor was not then in full force and
2 effect, the commissioner shall determine the probable validity of
3 the complaint by inquiry pursuant to subsection (g) of this section
4 and shall certify the results of his or her findings to the
5 complainant and, if the security was not in full force and effect
6 on the date alleged, shall send a copy thereof to the
7 Superintendent of the State Police, who shall enforce the penalties
8 provided in this section.

9 (i) The commissioner may, by rule, provide for:

10 (1) A temporary certificate of insurance which may be
11 displayed in lieu of the original or permanent decal or certificate
12 of insurance required by this section for a period not to exceed
13 thirty days, during which time the owner of the vehicle shall
14 secure the permanent decal or certificate of insurance required by
15 this section; or

16 (2) Every motor vehicle dealer or owner of more than five
17 motor vehicles providing the required security under an insurance
18 policy that provides automatic coverage for all owned vehicles may
19 be furnished a supply sufficient for his or her needs of
20 certificates of insurance or other evidence of the security by his
21 or her insurer. A certificate of insurance evidencing coverage by
22 a motor vehicle dealer does not expire until that dealer ceases to
23 own the vehicle or ceases to maintain insurance coverage.

24 (j) All state, city and county police officers shall issue a

1 citation for violation of this section to the owner or operator of
2 any vehicle which has neither a current certificate of insurance
3 affixed thereto or a temporary certificate of insurance as required
4 by this section.

5 (k) The owner of any vehicle who fails to have in full force
6 and effect security required by this section and who does not have
7 any certificate of insurance affixed to the vehicle is guilty of a
8 misdemeanor and, upon conviction thereof, shall be fined not less
9 than \$50 nor more than \$500 and shall have the license plates
10 thereof suspended for a period of thirty days or until proof, in a
11 form satisfactory to the commissioner, is furnished that the
12 security is then and will remain in effect.

13 (l) The owner of any vehicle who fails to have in full force
14 and effect the security required by this section and who has
15 affixed to the vehicle a certificate of insurance which he or she
16 knows is not in full force and effect, is guilty of a misdemeanor
17 and, upon conviction thereof, shall be fined not less than \$50 nor
18 more than \$500 and shall have the license plates of the vehicle
19 suspended for a period of ninety days or until proof, in a form
20 satisfactory to the commissioner, is furnished that the security is
21 then and will remain in effect.

22 (m) The owner of any vehicle who fails to have in full force
23 and effect the security required by this section and who has
24 affixed to the vehicle a certificate of insurance which he or she

1 knows is fraudulent or counterfeit is guilty of a misdemeanor and,
2 upon conviction thereof, shall be fined not less than \$500 nor more
3 than \$1,000 and shall have the license plates of the vehicle
4 suspended for a period of one year or until proof, in a form
5 satisfactory to the commissioner, is furnished that the security is
6 then and will remain in effect.

7 (n) Any person who fraudulently distributes any certificate of
8 insurance or temporary certificate of insurance or who knowingly
9 distributes a counterfeit certificate of insurance to any person
10 for any vehicle is guilty of a misdemeanor and, upon conviction
11 thereof, is fined not less than \$500 nor more than \$1,000 or
12 confined to jail for a period not to exceed thirty days or both
13 fined and confined.

14 (o) An insured is not guilty of a violation of this section
15 if, within seven days of being cited for the violation, he or she
16 furnishes proof that the insurance was in full force and effect at
17 the time of the citation. As used in this section, proof of
18 insurance means a decal, an insurance policy, a mechanically
19 reproduced copy of an insurance policy or a certificate of self
20 insurance.

NOTE: The purpose of this bill is to require color coded certificates of insurance to be placed on the windshield of the insured motor vehicle and to provide penalties for violations of this section.

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

be added.