
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. **1480** Session of
2013

INTRODUCED BY TOBASH, DeLUCA, MICOZZIE, KAUFFMAN, MILLARD,
R. MILLER, BARBIN, CALTAGIRONE, BARRAR, LAWRENCE AND MURT,
JUNE 4, 2013

SENATOR WHITE, BANKING AND INSURANCE, IN SENATE, AS AMENDED,
JUNE 26, 2013

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for MANNER OF PROVIDING PROOF OF <--
3 FINANCIAL RESPONSIBILITY, FOR REQUIRED FINANCIAL
4 RESPONSIBILITY AND FOR availability of uninsured,
5 underinsured, bodily injury liability and property damage
6 coverages and mandatory deductibles.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 ~~Section 1. Section 1792(b) heading, (1) and (2) of Title 75 <--~~
10 ~~of the Pennsylvania Consolidated Statutes are amended to read:~~

11 SECTION 1. SECTION 1782(D) OF TITLE 75 OF THE PENNSYLVANIA <--
12 CONSOLIDATED STATUTES IS AMENDED AND THE SECTION IS AMENDED BY
13 ADDING A SUBSECTION TO READ:

14 § 1782. MANNER OF PROVIDING PROOF OF FINANCIAL RESPONSIBILITY.

15 * * *

16 (D) FINANCIAL RESPONSIBILITY IDENTIFICATION CARDS.--INSURERS
17 SHALL PROVIDE FINANCIAL RESPONSIBILITY IDENTIFICATION CARDS TO
18 INSUREDS WHICH SHALL BE VALID ONLY FOR THE PERIOD FOR WHICH

1 COVERAGE HAS BEEN PAID BY THE INSURED. IF THE INSURED AND
2 INSURER BOTH AGREE, THE INSURER MAY ISSUE THE FINANCIAL
3 RESPONSIBILITY IDENTIFICATION CARD SOLELY IN ELECTRONIC FORMAT.
4 FINANCIAL RESPONSIBILITY IDENTIFICATION CARDS SHALL DISCLOSE THE
5 PERIOD FOR WHICH COVERAGE HAS BEEN PAID BY THE INSURED AND SHALL
6 CONTAIN SUCH OTHER INFORMATION AS REQUIRED BY THE INSURANCE
7 DEPARTMENT. IN SUCH INSTANCE WHERE THE INSURED HAS FINANCED
8 PREMIUMS THROUGH A PREMIUM FINANCE COMPANY OR WHERE THE INSURED
9 IS ON AN INSURER-SPONSORED OR AGENCY-SPONSORED PAYMENT PLAN,
10 FINANCIAL RESPONSIBILITY IDENTIFICATION CARDS MAY BE ISSUED FOR
11 PERIODS OF SIX MONTHS EVEN THOUGH SUCH PAYMENT BY THE INSURED
12 MAY BE FOR A PERIOD OF LESS THAN SIX MONTHS. NOTHING IN THIS
13 SUBSECTION SHALL BE CONSTRUED TO REQUIRE THE IMMEDIATE ISSUANCE
14 OF FINANCIAL RESPONSIBILITY IDENTIFICATION CARDS WHERE AN
15 INSURED REPLACES AN INSURED VEHICLE, ADDS A VEHICLE OR INCREASES
16 COVERAGES UNDER AN EXISTING POLICY FOR WHICH A PREMIUM
17 ADJUSTMENT IS REQUIRED.

18 (E) IMMUNITY.--IF AN INSURED CHOOSES TO PROVIDE PROOF OF
19 FINANCIAL RESPONSIBILITY TO BE VIEWED IN AN ELECTRONIC FORMAT ON
20 AN ELECTRONIC DEVICE PURSUANT TO SECTION 1786 (RELATING TO
21 REQUIRED FINANCIAL RESPONSIBILITY), A POLICE OFFICER
22 ADMINISTERING THIS SUBCHAPTER IN GOOD FAITH SHALL BE IMMUNE FROM
23 ANY CIVIL OR CRIMINAL LIABILITY WHICH ARISES FROM THAT CHOICE,
24 INCLUDING THE INADVERTENT VIEWING OF MATERIALS ON THE DEVICE
25 OTHER THAN THE PROOF OF FINANCIAL RESPONSIBILITY, INADVERTENT
26 DELETION OF INFORMATION FROM THE DEVICE, INADVERTENT
27 INTERCEPTION OF A COMMUNICATION WHILE IN POSSESSION OF THE
28 DEVICE AND BREAKAGE WHILE IN POSSESSION OF THE DEVICE.

29 SECTION 2. SECTIONS 1786(C) AND 1792(B) HEADING, (1) AND (2)
30 OF TITLE 75 ARE AMENDED TO READ:

1 § 1786. REQUIRED FINANCIAL RESPONSIBILITY.

2 * * *

3 (C) CONSENT TO PRODUCE PROOF OF FINANCIAL RESPONSIBILITY.--
4 UPON REGISTERING A MOTOR VEHICLE OR RENEWING A MOTOR VEHICLE
5 REGISTRATION, THE OWNER OF THE MOTOR VEHICLE SHALL BE DEEMED TO
6 HAVE GIVEN CONSENT TO PRODUCE PROOF, UPON REQUEST, TO THE
7 DEPARTMENT OF TRANSPORTATION OR A POLICE OFFICER THAT THE
8 VEHICLE REGISTRANT HAS THE FINANCIAL RESPONSIBILITY REQUIRED BY
9 THIS CHAPTER. PROOF OF FINANCIAL RESPONSIBILITY MAY BE SATISFIED
10 UNDER THIS SUBCHAPTER BY PRODUCTION OF A FINANCIAL
11 RESPONSIBILITY IDENTIFICATION CARD IN PAPER OR ELECTRONIC FORM.
12 IF AN OWNER OF A MOTOR VEHICLE IS PROVIDING ELECTRONIC PROOF OF
13 FINANCIAL RESPONSIBILITY TO A POLICE OFFICER OR AGENTS OF THE
14 DEPARTMENT, THE POLICE OFFICER OR AGENTS OF THE DEPARTMENT SHALL
15 ONLY VIEW CONTENT THAT IS REASONABLY NECESSARY TO DEMONSTRATE
16 PROOF OF FINANCIAL RESPONSIBILITY. THE OWNER OF THE ELECTRONIC
17 DEVICE ASSUMES LIABILITY FOR ANY DAMAGE TO THE ELECTRONIC DEVICE
18 CONTAINING THE FINANCIAL RESPONSIBILITY IDENTIFICATION CARD
19 WHILE IN POSSESSION OF THE POLICE OFFICER OR AGENTS OF THE
20 DEPARTMENT.

21 * * *

22 § 1792. Availability of uninsured, underinsured, bodily injury
23 liability and property damage coverages and mandatory
24 deductibles.

25 * * *

26 (b) [Mandatory] Physical damage deductibles.--

27 (1) Every private passenger automobile insurance policy
28 providing collision coverage issued or renewed on and after
29 the effective date of this subsection shall [provide] offer a
30 deductible in an amount of \$500 for collision coverage[,

1 unless the named insured signs a statement indicating the
2 insured is aware that the purchase of a lower deductible is
3 permissible and that there is an additional cost of
4 purchasing a lower deductible, and the insured agrees to
5 accept it.

6 (2) Under no circumstances may a private passenger
7 automobile insurance policy provide a collision deductible in
8 an amount less than \$100.] and may offer a deductible in a
9 greater or lesser amount or a zero deductible.

10 * * *

11 Section ~~2~~ 3. The amendment of 75 Pa.C.S. § 1792(b) heading, <--
12 (1) and (2) shall apply to a private passenger automobile
13 insurance policy issued or renewed on or after the effective
14 date of this section.

15 Section ~~3~~ 4. This act shall take effect in 60 days. <--