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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1040 Session of  
2013

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INTRODUCED BY EICHELBERGER, JUNE 24, 2013

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REFERRED TO BANKING AND INSURANCE, JUNE 24, 2013

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in financial responsibility, further providing for  
3 manner of providing proof of financial responsibility, for  
4 required financial responsibility and for availability of  
5 uninsured, underinsured, bodily injury liability and property  
6 damage coverages and mandatory deductibles.

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

9 Section 1. Section 1782(d) of Title 75 of the Pennsylvania  
10 Consolidated Statutes is amended and the section is amended by  
11 adding a subsection to read:

12 § 1782. Manner of providing proof of financial responsibility.

13 \* \* \*

14 (d) Financial responsibility identification cards.--Insurers  
15 shall provide financial responsibility identification cards to  
16 insureds which shall be valid only for the period for which  
17 coverage has been paid by the insured. If the insured and  
18 insurer both agree, the insurer may issue the financial  
19 responsibility identification card solely in electronic format.  
20 Financial responsibility identification cards shall disclose the

1 period for which coverage has been paid by the insured and shall  
2 contain such other information as required by the Insurance  
3 Department. In such instance where the insured has financed  
4 premiums through a premium finance company or where the insured  
5 is on an insurer-sponsored or agency-sponsored payment plan,  
6 financial responsibility identification cards may be issued for  
7 periods of six months even though such payment by the insured  
8 may be for a period of less than six months. Nothing in this  
9 subsection shall be construed to require the immediate issuance  
10 of financial responsibility identification cards where an  
11 insured replaces an insured vehicle, adds a vehicle or increases  
12 coverages under an existing policy for which a premium  
13 adjustment is required.

14 (e) Immunity.--If an insured chooses to provide proof of  
15 financial responsibility to be viewed in an electronic format on  
16 an electronic device pursuant to section 1786 (relating to  
17 required financial responsibility), a police officer  
18 administering in good faith this subchapter shall be immune from  
19 any civil or criminal liability which arises from the insured's  
20 choice, including the inadvertent viewing of materials on the  
21 device other than the proof of financial responsibility,  
22 inadvertent deletion of information from the device, inadvertent  
23 interception of a communication while in possession of the  
24 device and breakage which occurs to the device.

25 Section 2. Section 1786(c) of Title 75 is amended to read:  
26 § 1786. Required financial responsibility.

27 \* \* \*

28 (c) Consent to produce proof of financial responsibility.--  
29 Upon registering a motor vehicle or renewing a motor vehicle  
30 registration, the owner of the motor vehicle shall be deemed to

1 have given consent to produce proof, upon request, to the  
2 Department of Transportation or a police officer that the  
3 vehicle registrant has the financial responsibility required by  
4 this chapter. Proof of financial responsibility may be satisfied  
5 under this chapter by production of a financial responsibility  
6 identification card in paper or electronic form. If an owner of  
7 a motor vehicle is providing electronic proof of financial  
8 responsibility to a police officer, the police officer shall  
9 only view content that is reasonably necessary to demonstrate  
10 proof of financial responsibility. The owner of the electronic  
11 device assumes liability for any damage to the electronic device  
12 containing the financial responsibility identification card  
13 while in possession of the police officer or agents of the  
14 department.

15 \* \* \*

16 Section 3. Section 1792(b) heading, (1) and (2) of Title 75  
17 are amended to read:

18 § 1792. Availability of uninsured, underinsured, bodily injury  
19 liability and property damage coverages and mandatory  
20 deductibles.

21 \* \* \*

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

23 (1) Every private passenger automobile insurance policy  
24 providing collision coverage issued or renewed on and after  
25 the effective date of this subsection shall [provide] offer a  
26 deductible in an amount of \$500 for collision coverage[,  
27 unless the named insured signs a statement indicating the  
28 insured is aware that the purchase of a lower deductible is  
29 permissible and that there is an additional cost of  
30 purchasing a lower deductible, and the insured agrees to

1 accept it.

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

6 \* \* \*

7 Section 4. The amendment of 75 Pa.C.S. § 1792(b) heading,  
8 (1) and (2) shall apply to a private passenger automobile  
9 insurance policy issued or renewed on or after the effective  
10 date of this section.

11 Section 5. This act shall take effect in 60 days.