

JAN 28 2009

A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE INSURANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 431:10C, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§431:10C- Motor vehicle insurance verification system;
5 website. (a) The commissioner, in cooperation with the county
6 with the largest number of registered motor vehicles, shall
7 establish a motor vehicle insurance verification system website.
8 The commissioner shall adopt rules in conformance with this
9 section, pursuant to chapter 91.

10 (b) The motor vehicle insurance verification system shall:

11 (1) Require motor vehicle insurers to establish a website
12 service, in compliance with the specifications and
13 standards of the Insurance Industry Committee on Motor
14 Vehicle Administration, and other applicable standards
15 as required by the commissioner;

16 (2) Secure data against unauthorized access;



- 1 (3) Maintain a record of all requests and corresponding
2 responses;
- 3 (4) Be accessible to authorized personnel, as determined
4 by the commissioner; and
- 5 (5) Include information as required by subsection (d) and
6 other information, as deemed necessary by the
7 commissioner.

8 (c) The commissioner may determine that certain motor
9 vehicle insurers are exempt from this section, based upon the
10 number of policies issued in the State; provided that any
11 property or casualty insurer that also issues motor vehicle
12 insurance and is authorized, pursuant to section 431:3-201,
13 shall provide information for motor vehicles registered in the
14 State.

15 (d) The motor vehicle insurance verification system shall
16 be available twenty-four hours a day, seven days a week, for the
17 purposes of verifying the insurance status of any vehicle using:

- 18 (1) The vehicle identification number;
- 19 (2) The insurance policy number;
- 20 (3) The registered owner's name; or
- 21 (4) Other identifying characteristics, as deemed necessary
22 by the commissioner.



1 (e) Information contained in the motor vehicle insurance
2 verification system shall not be considered a public record,
3 except that the commissioner may permit and charge a fee for
4 controlled access to the motor vehicle insurance verification
5 system by entities such as the following for other purposes:

- 6 (1) Lenders;
- 7 (2) Rental car companies;
- 8 (3) Vehicle dealers; and
- 9 (4) Insurers for investigation of insurance fraud and
10 claims.

11 (f) Notwithstanding the provisions of this section, any
12 law enforcement officer may access the motor vehicle insurance
13 verification system to ensure compliance with section 431:10C-
14 104 or in the course of any lawful investigation.

15 (g) The commissioner shall have the authority to impose
16 finances and penalties for any insurer that does not comply with
17 this section."

18 SECTION 2. New statutory material is underscored.

19 SECTION 3. This Act shall take effect on July 1, 2009;
20 provided that the insurance commissioner shall ensure the motor

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Report Title:

Motor Vehicle Insurance Verification System; Website

Description:

Establishes a motor vehicle insurance verification system website where motor vehicle insurers are required to provide information on motor vehicle insurance policies and provides for access by law enforcement and other authorized users.

