
A BILL FOR AN ACT

RELATING TO INSURANCE.

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

1 SECTION 1. Section 286-26, Hawaii Revised Statutes, is
2 amended by amending subsection (i) to read as follows:

3 "(i) As part of the inspection required by this section,
4 the owner of the vehicle to be inspected shall produce and
5 display the motor vehicle insurance identification card for the
6 inspected motor vehicle required by section 431:10C-107 or the
7 proof of insurance card required by section 431:10G-106.

8 The owner of the vehicle may display the motor vehicle
9 insurance identification card or the proof of insurance card in
10 electronic format on a mobile electronic device, as defined in
11 section 291C-137.

12 If no card is displayed, then the sticker authorized by the
13 director shall not be affixed to the vehicle and the certificate
14 of inspection shall not be issued."

15 SECTION 2. Section 286-108, Hawaii Revised Statutes, is
16 amended by amending subsection (d) to read as follows:



H.B. NO. 103

1 "(d) As part of the examination required by this section,
2 the applicant for a driver's license shall produce and display a
3 valid motor vehicle or liability insurance identification card
4 for the motor vehicle required by sections 431:10C-107 and
5 431:10G-106, when the applicant demonstrates the ability to
6 operate a motor vehicle to the satisfaction of the examiner of
7 drivers.

8 The applicant may display the motor vehicle or liability
9 insurance identification card in electronic format on a mobile
10 electronic device, as defined in section 291C-137.

11 If no valid motor vehicle or liability insurance
12 identification card is displayed, the examiner of drivers shall
13 not issue a driver's license to the applicant."

14 SECTION 3. Section 286-116, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

16 "(a) Every licensee shall have a valid driver's license in
17 the licensee's immediate possession at all times, and a valid
18 motor vehicle or liability insurance identification card
19 applicable to the motor vehicle operated as required under
20 section 431:10C-107 and section 431:10G-106, when operating a
21 motor vehicle, and shall display the same upon demand of a



1 police officer. Every police officer or law enforcement officer
2 when stopping a vehicle or inspecting a vehicle for any reason
3 shall demand that the driver or owner display the driver's or
4 owner's driver's license and insurance identification card.

5 Upon demand, the driver or owner may display the driver's
6 or owner's insurance identification card in electronic format on
7 a mobile electronic device, as defined in section 291C-137. For
8 the purposes of this section, when a person uses a mobile
9 electronic device to display an insurance identification card to
10 a police officer or law enforcement officer, the officer may
11 only view the insurance identification card and is otherwise
12 prohibited from viewing any other content on the mobile
13 electronic device. Whenever a person presents a mobile
14 electronic device pursuant to this section, that person assumes
15 all liability for any damage to the mobile electronic device.

16 No person charged with violating this section shall be
17 convicted if the person produces in court, or proves from the
18 proper official or other records that the person was the holder
19 of a driver's license or a motor vehicle or liability insurance
20 identification card and policy conforming to article 10C and
21 article 10G of chapter 431 or a certificate of self-insurance



1 issued by the insurance commissioner pursuant to section
2 431:10C-107 and section 431:10G-103, theretofore issued to the
3 person and valid at the time of the person's arrest."

4 SECTION 4. Section 431:10C-107, Hawaii Revised Statutes,
5 is amended by amending subsections (b) and (c) to read as
6 follows:

7 "(b) The identification card shall be in the insured motor
8 vehicle or carried by the operator of the insured motor vehicle
9 at all times and shall be exhibited to a law enforcement officer
10 upon demand.

11 (c) The identification card may be issued in either paper
12 or electronic format; provided that the identification card
13 shall be resistant to forgery by whatever means appropriate.
14 Acceptable electronic formats shall include the display of
15 electronic images on a mobile electronic device, as defined in
16 section 291C-137. The commissioner shall approve the
17 construction, form, and design of the identification card to
18 ensure that the card is forgery resistant."

19 SECTION 5. Section 431:10G-106, Hawaii Revised Statutes,
20 is amended to read as follows:



1 "§431:10G-106 Verification of insurance. Every insurer
2 shall issue to each of its insureds a proof of insurance card
3 for each motorcycle or motor scooter for which a liability
4 policy under this article is written. The proof of insurance
5 card may be issued in either paper or electronic format.
6 Acceptable electronic formats shall include the display of
7 electronic images on a mobile electronic device, as defined in
8 section 291C-137. The proof of insurance card shall show the
9 following:

- 10 (1) Name, make, year, and factory or serial number of the
11 motorcycle or motor scooter; provided that insurers of
12 five or more motorcycles or motor scooters that are
13 under common registered ownership and used in the
14 regular course of business shall not be required to
15 indicate the name, make, year, and the factory or
16 serial number of each motorcycle or motor scooter;
17 (2) Policy number;
18 (3) Names of the insured and the insurer; and
19 (4) Effective dates of coverage including the expiration
20 date.



1 The proof of insurance card shall be carried on the person
 2 operating the insured motorcycle or motor scooter at all times
 3 and shall be exhibited to a law enforcement officer upon
 4 demand."

5 SECTION 6. This Act does not affect rights and duties that
 6 matured, penalties that were incurred, and proceedings that were
 7 begun before its effective date.

8 SECTION 7. Statutory material to be repealed is bracketed
 9 and stricken. New statutory material is underscored.

10 SECTION 8. This Act shall take effect upon its approval.

11

INTRODUCED BY:

GSE

Calvin K. Ray
Linda L. King
APR

Guyton

Mark J. Hank

[Signature]
[Signature]

Allen A. Smith



H.B. NO. 703

Report Title:

Motor Vehicle Insurance; Electronic Proof of Insurance

Description:

Allows proof of motor vehicle insurance to be stored and displayed on a mobile electronic device.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

