

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4
5 By: Senator P. Malone

A Bill

SENATE BILL 715

For An Act To Be Entitled

8 AN ACT TO ELIMINATE THE REQUIREMENT FOR A MOTORIST TO
9 CARRY AN INSURANCE CARD IN HIS OR HER MOTOR VEHICLE
10 AND TO CREATE A REBUTTABLE PRESUMPTION THAT THE
11 VEHICLE INSURANCE DATABASE INFORMATION IS CORRECT;
12 AND FOR OTHER PURPOSES.

Subtitle

16 TO ELIMINATE THE REQUIREMENT FOR A
17 MOTORIST TO CARRY AN INSURANCE CARD IN
18 HIS OR HER MOTOR VEHICLE AND TO CREATE A
19 REBUTTABLE PRESUMPTION THAT THE VEHICLE
20 INSURANCE DATABASE INFORMATION IS
21 CORRECT.

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26 SECTION 1. Arkansas Code § 27-22-104(a), regarding minimum insurance
27 coverage, is amended to read as follows:

28 (a)(1) It ~~shall be~~ is unlawful for ~~any a~~ a person to operate a motor
29 vehicle within this state ~~unless if~~ if both the motor vehicle and the person's
30 operation of the motor vehicle are not covered by:

31 (A) a A certificate of self-insurance under ~~the provisions~~
32 ~~of~~ § 27-19-107; or

33 (B) ~~an~~ An insurance policy issued by an insurance company
34 authorized to do business in this state.

35 (2)(A) ~~Failure to present proof of insurance coverage at the~~
36 ~~time of arrest or a failure~~ of the Vehicle Insurance Database ~~or proof of~~



1 ~~insurance card issued under § 23-89-213~~ to show current insurance coverage at
2 the time of the traffic stop creates a rebuttable presumption that the motor
3 vehicle or the person's operation of the motor vehicle is uninsured.

4 (B) The rebuttable presumption shall be overcome if a
5 person presents at the time of arrest:

6 (i) Proof of insurance coverage;

7 (ii) Proof of an insurance card issued under § 23-
8 89-213; or

9 (iii) A certificate of self-insurance.

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11 SECTION 2. Arkansas Code § 27-22-104(c)(1)(A), regarding minimum
12 insurance coverage, is amended to read as follows:

13 (c)(1)(A) ~~If the operator of the motor vehicle is unable to present~~
14 ~~proof of insurance coverage as required in subsection (a) of this section~~
15 ~~when requested by a law enforcement officer or if a check of the Vehicle~~
16 ~~Insurance Database at the time of the traffic stop fails to show current~~
17 ~~insurance coverage and the person is unable to provide any items listed in~~
18 subdivision (a)(2)(B) of this section, the operator shall be issued, in
19 addition to any traffic citation issued for a violation of this section, a
20 notice of noncompliance with the provisions of this section on a form to be
21 provided to the Department of Finance and Administration.

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