

## No. 2013-132

## AN ACT

SB 1040

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

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

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

§ 1782. Manner of providing proof of financial responsibility.

\* \* \*

(d) Financial responsibility identification cards.—Insurers shall provide financial responsibility identification cards to insureds which shall be valid only for the period for which coverage has been paid by the insured. ***If the insured and insurer both agree, the insurer may issue the financial responsibility identification card solely in electronic format.*** Financial responsibility identification cards shall disclose the period for which coverage has been paid by the insured and shall contain such other information as required by the Insurance Department. In such instance where the insured has financed premiums through a premium finance company or where the insured is on an insurer-sponsored or agency-sponsored payment plan, financial responsibility identification cards may be issued for periods of six months even though such payment by the insured may be for a period of less than six months. Nothing in this subsection shall be construed to require the immediate issuance of financial responsibility identification cards where an insured replaces an insured vehicle, adds a vehicle or increases coverages under an existing policy for which a premium adjustment is required.

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

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

\* \* \*

(c) Consent to produce proof of financial responsibility.—Upon registering a motor vehicle or renewing a motor vehicle registration, the owner of the motor vehicle shall be deemed to have given consent to produce proof, upon request, to the Department of Transportation or a police officer that the vehicle registrant has the financial responsibility required by this chapter. *Proof of financial responsibility may be satisfied under this chapter by production of a financial responsibility identification card in paper or electronic form. If an owner of a motor vehicle is providing electronic proof of financial responsibility to a police officer, the police officer shall only view content that is reasonably necessary to demonstrate proof of financial responsibility. The owner of the electronic device assumes liability for any damage to the electronic device containing the financial responsibility identification card while in possession of the police officer or agents of the department.*

\* \* \*

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

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

\* \* \*

(b) [Mandatory] *Physical damage* deductibles.—

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

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

\* \* \*

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

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

APPROVED—The 23rd day of December, A.D. 2013

TOM CORBETT