

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 1040

PRINTER'S NO. 1277

AMOUNT

No Fiscal Impact

FUND

General Fund &
Motor License Fund

DATE INTRODUCED

June 24, 2013

PRIME SPONSOR

Senator Eichelberger

HISTORY OF BILL

Referred to BANKING AND INSURANCE, June 24, 2013
Reported as committed, June 26, 2013
First consideration, June 26, 2013
Re-referred to APPROPRIATIONS, June 30, 2013
Re-reported as committed, Nov. 12, 2013

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 1040 amends Title 75 (Vehicles) of the Pennsylvania Consolidate Statutes, regarding proof of financial responsibility, availability of uninsured, underinsured, bodily injury liability and property damage coverages and mandatory deductibles.

Specifically, this legislation does the following:

- Amends §1782(d) (Financial responsibility identification cards) to allow insurers to issue the financial responsibility identification card solely in electronic format if the insured agrees to such format;
- Adds a new subsection, §1782(e) (Immunity) to provide immunity from civil and criminal liability to a police officer acting in good faith when an insured chooses to provide proof of financial responsibility in an electronic format, including the inadvertent viewing of materials on the device, deletion of information from the device, interception of a communication and breakage which occurs to the device while in possession of the device;
- Amends §1786(c) (Consent to produce proof of financial responsibility) to allow an insured to provide proof of financial responsibility in paper or electronic format to a police officer or agents of the Pennsylvania Department of Transportation (Department) and provides that if such proof of financial responsibility is provided by electronic format that that be the only content viewed by such persons. Additionally, the owner of the electronic device assumes liability for damage to the electronic device while in possession of the police officer or agents of the Department; and

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- Amends §1792 (relating to availability of uninsured, underinsured, bodily injury liability and property damage coverages and mandatory deductibles) by repealing the following two provisions:
 - 1) The requirement that an insured sign a statement, when selecting a deductible under \$500, 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; and
 - 2) The \$100 minimum deductible for collision coverage.

The amendment to §1792 (relating to availability of uninsured, underinsured, bodily injury liability and property damage coverages and mandatory deductibles) shall apply to a private passenger automobile insurance policy issued or renewed on or after the legislation's effective date.

This act shall take effect in 60 days.

FISCAL IMPACT:

Enactment of this legislation will have no fiscal impact on Commonwealth funds.