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**HOUSE BILL NO. 1938**

Offered January 10, 2001

Prefiled January 8, 2001

*A BILL to amend and reenact § 46.2-104 of the Code of Virginia, and to amend the Code of Virginia by adding in Chapter 22 of Title 38.2 a section numbered 38.2-2233, relating to proof of liability insurance; penalty.*

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 Patron—Armstrong
 

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Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That § 46.2-104 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding in Chapter 22 of Title 38.2 a section numbered 38.2-2233 as follows:**

*§ 38.2-2233. Issuance of proof of insurance.*

*Any insurer issuing motor vehicle insurance policies as defined in § 38.2-2212, including those policies assigned to any insurer by the Virginia Automobile Insurance Plan, shall provide the named insured with a card displaying the name of the insurer, the name of the insured, the date of coverage of such insurance, and a statement that the policy covers the minimum amounts required by law. The Commission shall approve the form of the card prior to its use.*

**§ 46.2-104. Possession of registration cards; exhibiting registration card, licenses, and proof of liability insurance; failure to carry license, registration card, or proof of liability insurance.**

*A. The operator of any motor vehicle, trailer, or semitrailer being operated on the highways in the Commonwealth, shall have in his possession: (i) the registration card issued by the Department or the registration card issued by the state or country in which the motor vehicle, trailer, or semitrailer is registered, and (ii) his driver's license, learner's permit, or temporary driver's permit. The operator of any insured motor vehicle, as defined in § 46.2-705, shall also have in his possession proof of liability insurance or payment of the uninsured motorist fee.*

*B. The owner or operator of any motor vehicle, trailer, or semitrailer shall stop on the signal of any law-enforcement officer who is in uniform or shows his badge or other sign of authority and shall, on the officer's request, exhibit his registration card, driver's license, learner's permit, or temporary driver's permit, proof of liability insurance, if required under subsection A, and write his name in the presence of the officer, if so required, for the purpose of establishing his identity.*

*C. Every person licensed by the Department as a driver or issued a learner's or temporary driver's permit who fails to carry his license or permit, and the registration card for the vehicle which that he operates, and, if required under subsection A, proof of liability insurance, shall be guilty of a traffic infraction and upon conviction punished by a fine of ten dollars. However, if any person summoned to appear before a court for failure to display his license, permit, or registration card presents, or proof of liability insurance presents to the officer issuing the summons or a magistrate of the county or city in which the summons was issued, before the return date of the summons, a license or permit issued to him prior to the time the summons was issued, proof of liability insurance, if required under subsection A, or a registration card, as the case may be, issued to him prior to the time the summons was issued, or appears pursuant to the summons and produces before the court a license or permit issued to him prior to the time the summons was issued or a registration card or, if required under subsection A, proof of liability insurance, as the case may be, issued to him prior to the time the summons was issued, he shall have complied with the provisions of this section.*

*D. No person shall falsify, alter, forge or otherwise tamper with such proof of liability insurance, or carrying proof of liability insurance knowing the applicable insurance policy to be expired or cancelled. Any person convicted of a violation of this subsection shall be guilty of a class 6 felony.*

**2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined.**

INTRODUCED

HB1938