

TITLE 13: DEPARTMENT OF MOTOR VEHICLES
Division 1, Chapter 1
Article 2.3 – Financial Responsibility

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NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (department) proposes to amend Section 82.00 in Article 2.3, Chapter 1, Division 1, Title 13 of the California Code of Regulations, related to Insurance Cards.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than **June 10, 2024**, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt/amend/repeal these regulations under the authority granted by Vehicle Code sections 1651, 4000.37, and 16020, in order to implement, interpret, or make specific Vehicle Code sections 4000.37, 16020, and 16056.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Vehicle Code section 16020 requires all drivers and owners of a motor vehicle to be able to establish financial responsibility and carry in the vehicle evidence of the form of financial responsibility in effect for the vehicle. Upon application for renewal of vehicle registration, Vehicle Code section 4000.37 requires the applicant to submit a form approved by the department, but issued by the insurer, as evidence of financial responsibility.

Currently, Section 82.00 in Article 2.3, Title 13 of the California Code of Regulations, establishes the uniform format of an evidence of liability insurance document and provides a sample image of an approved insurance document. The department is amending Section 82.00 to allow insurance companies greater flexibility when developing their insurance document while also retaining the information requirements of Vehicle Code section 4000.37. Due to the increased availability of services through mobile devices, the department is also including language that ensures evidence of liability offered on a mobile device will contain the same information that is required on a paper insurance card.

BENEFITS OF THE PROPOSED REGULATION

The department anticipates this action will benefit insurance companies that will be able to provide policy holders written proof of financial responsibility in a format of their own choosing to satisfy Vehicle Code section 16028 requirements, and will benefit insured drivers in California by ensuring consistent information will be available whether the insurance information is on a paper insurance card or through a mobile device.

CONSISTENCY AND COMPATIBILITY WITH STATE REGULATIONS

The department has conducted a review of other state regulations and has determined that this action is neither inconsistent nor incompatible with existing state regulations.

COMPARABLE FEDERAL STATUTES OR STATE REGULATIONS

The department is the only state entity responsible for identifying the contents of the evidence of liability insurance card. Therefore, there are no comparable federal statutes or regulations.

DOCUMENTS INCORPORATED BY REFERENCE

There are no documents incorporated by reference.

ECONOMIC AND FISCAL IMPACT DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- *Cost or Savings to Any State Agency:* None.
- *Other Non-Discretionary Cost or Savings to Local Agencies:* None.
- *Costs or Savings in Federal Funding to the State:* None.
- *Effects on Housing Costs:* None.
- *Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code section 17500 et seq.:* None.
- *Cost Impact on Representative Private Persons or Businesses:* The proposed regulatory text does not impact private persons. The amended rule identifies the information required to appear on an evidence of liability insurance card. There is no cost impact on businesses. The rule is amended to remove outdated form content requirements and ensures that vehicle insurance companies can continue to use the document they are currently providing to customers.
- *Small Business Impact:* This amendment may impact small businesses.
- *Local Agency/School District Mandate:* The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

- *Significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states:* This proposed action identifies information requirements for an evidence of liability form that is provided to drivers in California. This action will not have a significant statewide adverse economic impact affecting businesses, including the ability of California businesses to compete with businesses in other states.

RESULTS OF THE ECONOMIC IMPACT STATEMENT

The department has made the following determinations when assessing the economic impact associated with this proposed regulation:

The department has made the initial determination that this action will not impact, 1) the creation or elimination of jobs within the State of California, 2) the creation or elimination of existing businesses within the State of California, 3) the expansion of businesses currently doing business within the State of California, or 4) worker safety or the state's environment.

The department does not anticipate any specific benefit other than potential non-monetary benefits by ensuring this rule aligns with business practices followed by insurance companies during the time they have been providing electronic insurance updates to the department.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Randi Calkins, Regulations Specialist
Department of Motor Vehicles
Legal Affairs Division
PO Box 932382, MS C-244
Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 282-7294
Facsimile: (916) 657-6243
E-Mail: LADRegulations@dmv.ca.gov

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Peggy Gibson, Attorney IV
Department of Motor Vehicles
Telephone: (916) 657-6469

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed regulatory action and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strikeout to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, and Express Terms) may be accessed at <https://www.dmv.ca.gov/portal/about-the-california-department-of-motor-vehicles/california-dmv-rulemaking-actions/>.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Requests for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.