

**2015 SENATE TRANSPORTATION**

**SB 2179**

# 2015 SENATE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Lewis and Clark Room, State Capitol

SB 2179  
1/29/2015  
Recording job number 22782

☐ Subcommittee ☐ Conference Committee

Committee Clerk Signature

*Doris E. Pérez*

**Explanation or reason for introduction of bill/resolution:**

To amend and reenact section 26.1-40-25 of the North Dakota Century Code, relating to evidence of motor vehicle insurance.

**Minutes:**

Attachments: 1

**Chairman Oehlke** opened the hearing on SB 2179 all committee members present except **Senator Campbell**, **Senator Rust** and **Senator Axness**

**Jeff Evink**, Professional Insurance Agents of North Dakota (PIAND) in support of this bill. This bill will give an insurance company the ability to provide proof of auto insurance electronically to their insured as an accepted method which would match up with the motor vehicle code. See attachment #1. This could be an application in your phone or an e-mail to your phone; it would depend on the company.

No additional testimony in favor, opposition or neutral. **Chairman Oehlke** closed the hearing.

**Rebecca Ternes**, Deputy Commissioner, ND Insurance Department, we have no problems with this bill. Law enforcement would have to accept this because they do in the insurance side.

**Arik Spencer**, North Dakota Motor Carriers Association, This bill will benefit owners and operators, we see no problems.

No additional testimony in favor, against nor neutral. **Chairman Oehlke** closed the hearing, will wait to act on this bill when most of the committee members are present.

# 2015 SENATE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Lewis and Clark Room, State Capitol

SB 2179  
1/29/2015  
Recording job number 22786

☐ Subcommittee      ☐ Conference Committee

Committee Clerk Signature

*Chris E. Davis*

**Explanation or reason for introduction of bill/resolution:**

To amend and reenact section 26.1-40-25 of the North Dakota Century Code, relating to evidence of motor vehicle insurance.

**Minutes:**

Attachment: 0

Chairman Oehlke opened the discussion on SB 2179, all committee members present except Senator Campbell

Senator Sinner moved: do pass

Vice Chairman Casper seconded the motion

Roll call vote was taken: Yes 5 No 0 Absent 1

Carrier: Senator Axness

(Recording segment 0-1:40)

**2015 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
SB BILL NO. 2179**

Senate TRANSPORTATION Committee

☐ Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation: ☐ Adopt Amendment  
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation  
☐ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ \_\_\_\_\_

Motion Made By Senator Sinner Seconded By Vice Chairman Casper

Senators	Yes	No	Senators	Yes	No
Chairman Oehlke	X		Senator Axness	X	
Vice Chairman Casper	X		Senator Sinner	X	
Senator Campbell	Abs				
Senator Rust	x				

Total (Yes) 5 No 0

Absent 1

Floor Assignment Senator Axness

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2179: Transportation Committee (Sen. Oehlke, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2179 was placed on the Eleventh order on the calendar.

**2015 HOUSE TRANSPORTATION**

**SB 2179**

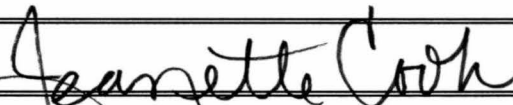
# 2015 HOUSE STANDING COMMITTEE MINUTES

**Transportation Committee**  
Fort Totten Room, State Capitol

SB 2179  
3/12/2015  
#24777

☐ Subcommittee  
Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A bill relating to evidence of motor vehicle insurance.

## Minutes:

Attachment # 1

**Chairman Dan Ruby** opened the hearing on SB 2179.

**Senator Oehlke** introduced SB 2179. He explained that it is a simple bill. A person would be able to provide proof of insurance on an electronic "gizmo". As far as know the law enforcement officers approve of this and are already allowing it.

**Jeff Evink, Professional Insurance Agents of North Dakota (PIAND)**, spoke to support SB 2179 and provided written testimony. See attachment #1.

**Representative Marvin Nelson:** When it says written or electronic, would that mean that they would no longer need to provide written evidence?

**Jeff Evink:** I don't know that there will be something specifically that says an insurance company CAN'T provide you a written policy. The insurance company will just be able to e-mail you a copy that you can have on your phone. It is another way to show proof of insurance.

**Chairman Dan Ruby:** If someone wants an e-mailed copy of their policy, it could easily be sent.

**Jeff Evink:** Yes, and the police officers are already accepting that.

**Chairman Dan Ruby:** I want written policies in my trucks. I wouldn't want employees to have them on their phones.

**Jeff Envit:** You would still have the policies that were sent to you when your policy renewed.

**Representative Gary Paur:** Mr. Chairman, would it be a good idea, to amend it to say written and electronic?

**Chairman Dan Ruby:** I'm not sure. That would then say that they would have to do both.

**Jeff Evink:** The companies might not like the idea of using "and", so they have to send out both the paper copy and the electronic copy. I think there will be a lot of things that are going to be more electronic going forward.

**Representative Chris Olson:** Do you know if there are any insurance companies locally or nationally that are providing electronic proof, currently?

**Jeff Evink:** Yes, there are, but I wouldn't be able to name them off the top of my head. There are companies already have apps.

**Representative Lois Delmore:** I would think it would be possible to just scan the proof document and send an e-mail to anyone requesting it.

**Jeff Evink:** I agree; it might just be a picture of it, too.

**Steve Becker, PIA of North Dakota:** I just want to clarify one thing. Last session this was changed in the Motor Vehicle Code. It was never changed in the Insurance Code. The current insurance code requires insurance companies to ONLY provide written proof. That is the only reason for this bill; to let insurance companies provide electronic proof just like the Motor Vehicle Code allows it on that side.

**Representative Chris Olson:** There was a concern with the "or"; thinking that insurance companies might just deliver electronic proof rather than written. I would assume that the company would want to provide whatever the customer wants. Could you speak to that?

**Steve Becker:** There is another bill that talks about electronic policies. That would be on an "opt in" basis. I would assume this would be the same way.

**Representative Lois Delmore:** Have you visited with the Highway Patrol and transportation to see which forms would be accepted?

**Steve Becker:** Yes, they have no problem with this.

**Representative Lois Delmore moved a DO PASS on SB 2179.**  
**Representative Chris Olson seconded the motion.**

**A roll call vote was taken: Aye 13 Nay 0 Absent 1**  
**The motion carried.**

**Representative Chris Olson will carry SB 2179.**



**2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. "Enter Bill/Resolution No." SB2179**

House Transportation Committee

☐ Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation: ☐ Adopt Amendment  
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation  
☐ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar  
 Other Actions: ☐ Reconsider ☐ \_\_\_\_\_

Motion Made By Delmore Seconded By Olson

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby	X		Rep. Lois Delmore	X	
Vice Chair. Lisa Meier	X		Ben Hanson	X	
Rick C. Becker	X		Marvin E. Nelson	X	
Robert Frantsovog	A				
Kathy Hawken	X				
Christopher D. Olson	X				
Mark S. Owens	X				
Gary Paur	X				
Mike Schatz	X				
Gary R. Sukat	X				
Robin Weisz	X				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Olson

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2179: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2179 was placed on the Fourteenth order on the calendar.

**2015 TESTIMONY**

**SB 2179**

WT#1  
1/29/15

1-1

## Testimony for Senate Bill 2179 – Senate Transportation Committee

Chairman Oehlke and members of the Senate Transportation Committee for the record my name is Jeff Evink with Professional Insurance Agents of North Dakota (PIAND) and I am here today in support of Senate Bill 2179. PIAND is a trade association representing over 300 main street insurance agencies across the state of North Dakota with over 1,000 independent insurance agents.

PIA of ND supported law enforcement last session to change the driving without insurance violation to an infraction which made the process easier for law enforcement and put the onus on the driver to provide proof of insurance to the court if they were stopped without an auto insurance ID card in the vehicle. The bill last session also allowed the proof of insurance to be in written or electronic form. When the electronic proof wording was added to the motor vehicle code it was overlooked that the insurance code requires written proof from an insurance company to an insured. Senate Bill 2179 will simply give an insurance company the ability to provide proof of auto insurance electronically to their insureds as an accepted method which would match up with the motor vehicle code.

It is in the interests of all the citizens of North Dakota as well as the insurance industry we feel that a driver shouldn't face an infraction when they simply fail to have a piece of paper in their vehicle and have the capabilities to show proof of insurance on their smartphone. I would encourage a Do Pass recommendation on Senate Bill 2179 and would be happy to answer any questions that you may have.

SB 2179  
3-12-15  
# 1

Testimony for Senate Bill 2179 – House

Transportation Committee

Chairman Ruby and members of the House Transportation Committee for the record my name is Jeff Evink with Professional Insurance Agents of North Dakota (PIAND) and I am here today in support of Senate Bill 2179. PIAND is a trade association representing over 300 main street insurance agencies across the state of North Dakota with over 1,000 independent insurance agents.

PIA of ND supported law enforcement last session to allow a motor vehicle driver to show proof of insurance electronically as an accepted method to police officers; this was added after having no proof of insurance was changed to an infraction against the driver in North Dakota. Senate Bill 2179 will simply give an insured driver the capability to show proof of insurance electronically as an accepted method in regards to insurance, as nothing was changed in the century code under 26.1-40-25 Proof of Insurance last session to match up with the motor vehicle code.

It is in the interests of all the citizens of North Dakota as well as the insurance industry we feel that a driver shouldn't face an infraction when they simply fail to have a piece of paper in their vehicle and have the capabilities to show proof of insurance on their smartphone or other electronic device. I would encourage a Do Pass recommendation on Senate Bill 2179 and would be happy to answer any questions that you may have.