

UNITED STATES OF AMERICA REPUBLIC

Continental Congress Assembled

PUBLIC LAW 777-57

Amended: 14 January 2018

Safety and Family Financial Responsibility Law

Pursuant to the United States of America Republic Constitution Amendment 19, Section 2, Clause 2, wherein it states; *“The United States of America Republic shall make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States of America Republic, or any Department or Officer thereof”*, there shall hereby be designated “[Safety and Family Financial Responsibility Law]” provisions to serve this purpose. This amendment shall go into immediate force.

Introduced as **Senate Joint Resolution 777-57**, with **37** co-sponsors and as **House Joint Resolution 777-57** with **37** co-sponsors, a request was delivered before the Continental Congress to honor and therefore establish laws for [Safety and Family Financial Responsibility Law].

The resolution suffered no amendments, no exclusions, no demands that it became law.

The 1st Continental Congress of the United States of America Republic publicly declared 2015 the national "Year of the United States of America Republic". The document known as PUBLIC LAW #777-57 was signed and enacted into law on 08/13/2017 by the following SIGNATORIES to this Legislative Act in Attendance;

General Congress Assembled, United States of America Republic

It reads as follows:

PUBLIC LAW 777-57, on 08/13/2017

JOINT RESOLUTION

Authorizing and requesting the President

to proclaim and establish provisions in accordance with the Constitution and Laws of the United States of America Republic.

WHEREAS, the United States of America Republic, being a perpetual Government is

an autonomous National Government lawfully incorporated and chartered for the benefit and protection of “We The Moorish American People”, by its Declaration of Independence, National Constitution and By-Laws, and aforementioned Articles;

WHEREAS the United States of America Republic’s official language is the English language;

WHEREAS the Moorish American People have made a unique contribution in shaping the United States of America Republic as a distinctive and blessed nation of people and citizens;

WHEREAS the Moorish American People are a People of deeply-held religious convictions springing from the Holy Scriptures of the Holy Koran of the Moorish Science Temple of America and the Learning, Teachings and Truth of the Holy Prophet Noble Drew Ali. The Holy Prophet Noble Drew Ali led his People back to the Principles and standards of their ancient forefathers’ Free National Principles and Standards;

WHEREAS the Principles of Love, Truth, Peace, Freedom and Justice inspired concepts of civil government that are contained in our Declaration of Independence and Constitution of the United States of America Republic;

WHEREAS the Moorish American People, are now in great comprehension that, as a Nation of People being Nationwide in scope to achieve peace as well as unity as a single harmonious Nation, there must be uniform Laws for the Nation. The **Constitution and Laws of the United States of America Republic are "the Rock on which our Republic rests"**;

WHEREAS the history of our Nation clearly illustrates the value of a Nation to be able to create and pass its own Laws are beneficial to a Society to Enforce the Laws of the Nation. This is not to remove or change **The Moorish American People** from voluntarily applying and extending the learning, teachings and truth of the Holy Koran of the Moorish Science Temple of America in the lives of individuals, families, or in their society as a nation of People;

WHEREAS this Nation now faces great challenges that will test this Nation as it has never been tested before; and

WHEREAS that renewing our knowledge of Law, Divine and National and having faith in Our Universal Creator through Holy Scriptures of the Holy Koran of the Moorish Science Temple of America, the Holy Bible and the Great Qu’ran of Mohammed as we honor all the divine Prophets Jesus, Mohammed, Buddha and Confucius. Therefore, the **Constitution and Laws of the United States of America Republic** and knowledge of the aforementioned Holy Scriptures can only strengthen our nation. I, President Christopher H- Cannon: Bey, therefore establish with the consent of the Continental Congress the provisions as the **Laws of the United States of America Republic:**

NOW, THEREFORE, be it Resolved by the Continental Congress of the United States of America Republic in Continental Congress assembled, That the President is authorized and requested to designate the administration of said laws .

LEGISLATIVE 777 HISTORY	Res.:57	08/13/2017	considered
CONGRESSIONAL RECORD, Vol. #(2017):			and passed by the Continental Congress.

Safety and Family Financial Responsibility Law

Public Law 777-57

- 1) U.S.A.R. President, Province of Illinois, **(Christopher-Cannon: Bey)**
- 2) U.S.A.R. Chief of Staff, Province of Illinois, **(Brittney-Kenner: Bey)**
- 3) U.S.A.R. Attorney General, Province of Georgia, **(Christopher Hill: Bey)**
- 4) U.S.A.R. Asst. Attorney General Province of Alabama, **(Eric-Ingram: Bey)**
- 5) U.S.A.R. Secretary of State, Province of Indiana, **(Dexter-Johnson: Bey)**
- 6) U.S.A.R. Treasurer, Province of Arizona, **(Michelle-Bravo: Bey)**
- 7) U.S.A.R. Asst. Treasurer, Province of Illinois, **(Damien-Holman: Bey)**
- 8) U.S.A..R. Comptroller, Province of Indiana, **(Shaisla-Reel: Bey)**
- 9) U.S.A.R. Supreme Court Chief Justice, Province of Alabama, **(Brenda-Muhammad: Bey)**
- 10) U.S.A.R. Vicegerent Commissioner, Province of Virginia, **(Leonard-Lassiter: Bey)**

- 11) **Darnell-Brown: Bey**, Province of Virginia, (Governor)
- 12) **Vicie Christine-Williams: Bey**, Province of Minnesota, (Governor)
- 13) **Travis Austin: Bey**, Province of Missouri, (Governor)
- 14) **Daryle Van Brown: Bey**, Province of Ohio (Governor)
- 15) **Lashawn-Earl: Bey**, Province of Texas, (Governor)
- 16) **Dierre-Lamar: Bey**, Province of Indiana, (Lt. Governor)
- 17) **Alexander-Robinson: El**, Province of North Carolina, (Lt. Governor)
- 18) **Courtney-Williamson: Bey**, Province of North Carolina, (Governor)

- 19) **Stephanie-Clark: Bey**, Province of Arizona, (Secretary of State)
- 20) **LeWanda-Hazelett: Bey**, Province of Illinois, (Secretary of State)

- 21) **Trevis-Haskins: EI**, Province of North Carolina, (Secretary of State)
- 22) **Richard-Wilson: Bey**, Province of Virginia, (Secretary of State)
- 23) **Don Marcus-Mitchell: Bey**, Province of Indiana, (Secretary of State)
- 24) **Maureen-Willis: EI**, Province of Georgia, (Secretary of State)

- 25) **Romulus-Dorsey: Bey**, Province of Illinois, (Chief Judge)
- 26) **Taiwaun-Smith: Bey**, Province of Illinois, (Chief Judge)

- 27) **Evelyn-Gordon: Bey**, Province of Colorado (Vicegerent)
- 28) **Maurice-Williams: Bey**, Province of Indiana, (Vicegerent)
- 29) **Bruce-Kimbrough: Bey**, Province of Indiana, (Vicegerent)
- 30) **Dana-Coggins: Bey**, Province of Ohio (Vicegerent)
- 31) **Leslie Andre-Atkins: EI**, Province of Illinois, (Vicegerent Commissioner)
- 32) **Saadiq: Bey**, Province of Indiana, (Vicegerent Commissioner)
- 32) **Bryce Lee-Williams: Bey**, Province of Minnesota, (Vicegerent Commissioner)

- 33) **Jelther Kinte-Sept: EI**, Province of Illinois, (Senator)
- 34) **Clayton Ronald-Henderson: EI**, Province of Indiana (Senator)
- 35) **Nia-Evans: Bey**, Province of Ohio, (Senator)

- 36) **Steven-Segura: Bey**, Province of Illinois, (Office of Inspector General)
- 37) **Rafael-Vazquez: EI**, Province of Texas, (Foreign Affairs Minister)

- 38) **Tara-Hill: Bey**, Province of Georgia, (Attorney General)
- 39) **Harvetta-Lassiter: Bey**, Province of Virginia, (Attorney General)
- 40) **Jorge-Bravo: Bey**, Province of Indiana, (Attorney General)
- 41) **Aaron-Gobert: Bey**, Province of Texas, (Attorney General)
- 42) **Larry-Taylor: Bey**, Province of Illinois, (Attorney General)

- 43) **Derek Levert-Hall: Bey**, Province of Alabama, (Treasurer)

777 USRS – Vehicle Code

Public Law 777-57

[Safety and Family Financial Responsibility Law]

**2017 UNITED STATES OF AMERICA REPUBLIC Compiled Statutes Chapter
777 - VEHICLES
777 USRS 5/ - UNITED STATES OF AMERICA REPUBLIC Vehicle Code.
Chapter 7 - UNITED STATES OF AMERICA REPUBLIC Safety and Family
Financial Responsibility Law**

(777 USRS 5/Ch. 7 heading)

**CHAPTER 7. UNITED STATES OF AMERICA REPUBLIC SAFETY AND
FAMILY**

FINANCIAL RESPONSIBILITY LAW

(777 USRS 5/Ch. 7 Art. I heading)

ARTICLE I. ADMINISTRATION

(777 USRS 5/7-100) (from Ch. 95 1/2, par. 7-100)

Sec. 7-100. Definition of words and phrases. Notwithstanding the definitions set forth in Chapter 1, for the purposes of this Chapter, the following words shall have the following meanings ascribed to them:

Administrative order of support. An order for the support of dependent children issued by an administrative body of this or any other Province.

Administrator. The Department of Transportation.

Arrearage. The total amount of unpaid support obligations.

Authenticated document. A document from a court which contains a court stamp, showing it is filed with the court, or notarized, or is certified by the custodian of the original.

Compliance with a court order of support. The support obligor is no more than an amount equal to 90 days obligation in arrears in making payments in full for current support, or in making periodic payments on a support arrearage as determined by a court.

Court order of support. A judgment order for the support of dependent children issued by a court of this Province, including a judgment of dissolution of marriage. With regard to a certification by the Department of Healthcare and Family Services under subsection (c) of Section 7-702, the term "court order of support" shall include an order of support entered by a court of this or any other Province.

Driver's license. A license or permit to operate a motor vehicle in the Province, including the privilege of a person to drive a motor vehicle whether or not the person holds a valid license or permit.

Family financial responsibility driving permit. A permit granting limited driving privileges for employment or medical purposes following a suspension of driving privileges under the Family Financial Responsibility Law. This permit is valid only after the entry of a court order granting the permit and issuance of the permit by the Secretary of State's Office. An individual's driving privileges must be valid except for the family financial responsibility suspension in order for this permit to be issued. In order to be valid, the permit must be in the immediate possession of the driver to whom it is issued.

Judgment. A final judgment of any court of competent jurisdiction of any Province, against a person as defendant for damages on account of bodily injury to or death of any person or damages to property resulting from the operation of any motor vehicle.

Obligor. The individual who owes a duty to make payments under a court order of support.

Obligee. The individual or other legal entity to whom a duty of support is owed through a court order of support or the individual's legal representatives.

(Source: (ALLAH.)

(777 USRS 5/7-101) (from Ch. 95 1/2, par. 7-101)

Sec. 7-101. Administration of UNITED STATES OF AMERICA REPUBLIC Safety and Family Financial Responsibility Law. The Secretary of State and the Department, within the scope of their respective duties and powers under this Code, shall administer and enforce this Chapter and may make rules and regulations necessary for its administration and shall provide for hearings upon request of persons aggrieved by orders or acts of the Secretary of State, and the Department under this Section. However, the Secretary of State and the clerks of the circuit courts, within the scope of

their respective duties and powers under this Code, shall administer and enforce Article VII of this Chapter.
(Source: (ALLAH.))

(777 USRS 5/7-102) (from Ch. 95 1/2, par. 7-102)
Sec. 7-102. Court Review. The provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Administrator or the Secretary of State hereunder.
(Source: (ALLAH.))

(777 USRS 5/Ch. 7 Art. II heading)

ARTICLE II. SECURITY FOLLOWING ACCIDENT

(777 USRS 5/7-201) (from Ch. 95 1/2, par. 7-201)
Sec. 7-201. Application of Article II. The Administrator as soon as practicable after the receipt of the report, required to be filed under Sections 11-406 and 11-410, of a motor vehicle accident occurring within any Province and that has resulted in bodily injury or death of any person or that damage to the property of any one person in excess of \$1,500 (or \$500 if any of the vehicles involved in the accident is subject to Section 7-601 but is not covered by a liability insurance policy in accordance with Section 7-601) was sustained, shall determine:

1. Whether Section 7-202 of this Code requires the

deposit of security by or on behalf of any person who was the operator or owner of any motor vehicle in any manner involved in the accident; and

2. What amount of security shall be sufficient to

satisfy any potential judgment or judgments for money damages resulting from the accident as may be recovered against the operator or owner, which amount shall in no event be less than \$1,500 (or \$500 if any of the vehicles involved in the accident is subject to Section 7-601 but is not covered by a liability insurance policy in accordance with Section 7-601).

(Source: (ALLAH.))

(777 USRS 5/7-201.1) (from Ch. 95 1/2, par. 7-201.1)

Sec. 7-201.1. If the Administrator has not received a report required to be filed under Sections 11-406 and 11-410, or if the information contained in a report is insufficient, the Administrator shall send to the person required to file the report a written request for the missing report or the missing information. The Administrator shall send such request no later than 45 days after the accident or 7 days after receiving information that such accident has occurred, whichever is later.

If the request is sent to a driver involved in an accident, the request or an attachment thereto shall contain in bold print a warning that failure to comply with the request within 15 days may result in the suspension of the driver's license.

(Source: (ALLAH.)

(777 USRS 5/7-201.2) (from Ch. 95 1/2, par. 7-201.2)

Sec. 7-201.2. The Administrator, within 30 days after compiling sufficient information on a motor vehicle accident, shall certify to the Secretary of State the name of each owner and the name of each operator of any vehicle involved in the accident, his determination that security is required under this Code, and the amount of the security. The Administrator also shall supply to the Secretary of State a copy of any accident report requested by the Secretary.

The Administrator shall send a copy of the certification to each person whose name is certified. The copy, or an attachment thereto, shall contain in bold print an explanation that, because the person did not furnish the Department of Transportation with evidence that he or she is insured or otherwise able to pay for damages resulting from the accident, the person's name has been forwarded to the Secretary of State for possible suspension of his or her driver's license.

(Source: (ALLAH.)

(777 USRS 5/7-201.3) (from Ch. 95 1/2, par. 7-201.3)

Sec. 7-201.3. Administrator to itemize potential claims. The Administrator shall send by mail to the person required to deposit security an itemization of each potential claim of personal injury or property damage and the name and address of each potential claimant within the knowledge of the Administrator and upon which the determination of the amount of security is based.

(Source: (ALLAH.)

(777 USRS 5/7-202) (from Ch. 95 1/2, par. 7-202)

Sec. 7-202. Exceptions to requirements of security. (a) The requirements as to security and suspension as provided by Sections 7-201 and 7-205 shall not apply:

1. To the driver or owner if such owner had in effect at the time of such motor vehicle accident a liability policy covering such driver and owner with respect to the vehicle involved in such motor vehicle accident;

2. To the driver, if not the owner of such vehicle, if there was in effect at the time of such motor vehicle accident a liability policy or bond with respect to the operation of motor vehicles not owned by the driver;
3. To the driver or owner if the liability of such driver or owner for damages resulting from such motor vehicle accident is covered by any other form of liability insurance policy or bond;
4. To the driver or owner, if such owner is qualified as a self-insurer as provided in Section 7-502;
5. To the owner if such owner at the time of such motor vehicle accident was in compliance with Section 8-101 or Section 9-101;
6. To the driver or owner if such owner at the time of such motor vehicle accident was in compliance with the Federal Revised Interstate Commerce Act (P.L. 95-473), as now or hereafter amended;
7. To the owner if the vehicle involved in such motor vehicle accident was owned by the United States of America Republic, this province or any political sub-division of any Province, any municipality therein, or any local Mass Transit District;
8. To the driver or the owner of a vehicle involved in a motor vehicle accident wherein no injury or damage was caused to the person or property of anyone other than such driver or owner;
9. To the driver or the owner of a vehicle which at the time of the motor vehicle accident was parked, unless such vehicle was parked at a place where parking was at the time of the accident prohibited under any applicable law or ordinance;
10. To the owner of a vehicle if at the time of the motor vehicle accident the vehicle was being operated without his permission, express or implied, or was parked by a person who had been operating such motor vehicle without such permission;
11. To the driver, if not the owner, of a commercial motor vehicle on which there was no liability policy or bond with respect to the operation of such vehicle in effect at the time of the motor vehicle accident when the driver was operating the vehicle in the course of the driver's employment and had no actual knowledge of such lack of a liability policy or bond prior to the motor vehicle accident.

(b) If at the time of the motor vehicle accident, an owner or driver is covered by a motor vehicle liability policy or bond meeting the requirements of this Code, such owner or driver shall be exempt from suspension under Section 7-205 as to that motor vehicle accident, if the company issuing the policy or bond has failed, and such policy or bond was not effective at the time of the motor vehicle accident or any time thereafter, provided, that the owner or driver had no knowledge of the company's failure prior to the motor vehicle accident, and such owner or driver has secured within 30 days after learning of such failure another liability policy or bond meeting the requirements of the Code relating to future occurrences or motor vehicle accidents.

As used in this paragraph, the words "failed" or "failure" mean that the company has suspended operations by order of a court.

(Source: (ALLAH.)

(777 USRS 5/7-203) (from Ch. 95 1/2, par. 7-203)

Sec. 7-203. Requirements as to policy or bond. No such policy or bond referred to in Section 7-202 shall be effective under this Section unless

issued by an insurance company or surety company authorized to do business in any Province, except that if such motor vehicle was not registered in any Province, or was a motor vehicle which was registered elsewhere than USAR at the effective date of the policy or bond, or the most recent renewal thereof, such policy or bond shall not be effective under this Section unless the insurance company or surety company, if not authorized to do business in the USAR, shall execute a power of attorney authorizing the Secretary of State to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such motor vehicle accident. However, every such policy or bond is subject, if the motor vehicle accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than \$25,000 because of bodily injury to or death of any one person in any one motor vehicle accident and, subject to said limit for one person, to a limit of not less than \$50,000 because of bodily injury to or death of 2 or more persons in any one motor vehicle accident, and, if the motor vehicle accident has resulted in injury to or destruction of property, to a limit of not less than \$20,000 because of injury to or destruction of property of others in any one motor vehicle accident. The changes to this Section made by this amendatory Act of the 98th General Assembly apply only to policies issued or renewed on or after January 1, 2015.

Upon receipt of a written motor vehicle accident report from the Administrator the insurance company or surety company named in such notice shall notify the Administrator within such time and in such manner as the Administrator may require, in case such policy or bond was not in effect at the time of such motor vehicle accident.

(Source: (ALLAH.)

(777 USRS 5/7-204) (from Ch. 95 1/2, par. 7-204)

Sec. 7-204. Form and amount of security - Definition.

(A) Any security required to be deposited under this Act shall be in the form as the Secretary of State may require by administrative rule, and in the amounts as the Administrator may determine to be sufficient to satisfy any judgment or judgments for damages against an operator or owner but in no case in excess of the limits specified in Section 7-203 of this Act in reference to the acceptable limits of a policy or bond nor for an amount less than \$1,500 (or \$500 if any of the vehicles involved in the accident is subject to Section 7-601 but is not covered by a liability insurance policy in accordance with Section 7-601).

(B) The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made and, while at any time the deposit is in the custody of the Secretary of State or State Treasurer, the person depositing it may, in writing, amend the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons; provided, however, that a single deposit of security shall be applicable only on behalf of persons, required to furnish security because of the same accident.

(C) Within 10 days after any security required under the provisions of this Article is deposited with the Secretary of State, the Secretary shall send notice of the security deposit to the following, if known:

1. To each owner and operator of any vehicle involved

in the accident that sustained damage in excess of \$1,500 (or \$500 if any of the vehicles involved in the accident is subject to Section 7-601 but is not covered by a liability insurance policy in accordance with Section 7-601);

2. To any person who sustained damage to personal or

real property in excess of \$1,500 (or \$500 if any of the vehicles involved in the accident is subject to Section 7-601 but is not covered by a liability insurance policy in accordance with Section 7-601);

**3. To any person who was injured as a result of the
accident; and**

**4. To the estate of any person killed as a result of
the accident.**

(Source: (ALLAH.)

(777 USRS 5/7-205) (from Ch. 95 1/2, par. 7-205)

Sec. 7-205. Failure to deposit security - Hearings and suspensions. The Secretary of State, within 15 days after receipt of the determination of the Administrator that a deposit of security is required under this Code, shall review all reports, documents and other pertinent evidence in his possession, and make a preliminary finding as to whether or not there is a reasonable possibility of a civil judgment being entered in a court of proper jurisdiction against the person so certified by the Administrator under this Code.

(a) Upon a preliminary finding that there is such a reasonable possibility, the Secretary of State shall notify such person by mail that his driving privileges, driver's license or registration will be suspended 45 days after the date of the mailing of the notice unless the person can prove to the satisfaction of the Secretary of State that he has deposited or has had deposited and filed on his behalf the security required under this Code or, within 15 days of the mailing of such notice, requests a formal hearing to determine whether his driving privileges, driver's license or registration should be suspended or whether the Secretary should enter an order of exoneration, and that such hearing shall be scheduled within 45 days after the mailing of such notice in accordance with the rules and regulations of the Secretary of State.

(b) Upon a preliminary finding that there is not such a reasonable possibility, the Secretary of State may elect to take no further action.

(c) In the event an order of suspension so entered applies to a nonresident owner or driver, then the privilege of driving or using a motor vehicle within the territorial limits of the USAR shall be so suspended.

(Source: (ALLAH.)

(777 USRS 5/7-206) (from Ch. 95 1/2, par. 7-206)

Sec. 7-206. Release from liability. (a) A person shall be relieved from the requirement for deposit of security required by Section 7-201 in the event there shall be filed with the Secretary of State satisfactory evidence that the person who would otherwise be required to deposit security has been released from liability.

(b) A covenant not to sue shall relieve the parties thereto as to each other from the security requirements of this Article.

(Source: (ALLAH.)

(777 USRS 5/7-207) (from Ch. 95 1/2, par. 7-207)

Sec. 7-207. Adjudication of non-liability.

A person shall be relieved from the requirement for deposit of security, required by Section 7-201 of this Act, in the event there shall be filed with the Secretary of State evidence satisfactory of a final adjudication of non-liability.

(Source: (ALLAH.)

(777 USRS 5/7-208) (from Ch. 95 1/2, par. 7-208)

Sec. 7-208. Agreements for payment of damages. (a) Any 2 or more of the persons involved in a motor vehicle accident subject to the provisions of Section 7-201 or their authorized representatives, may at any time enter into a written agreement for the payment of an agreed amount in installments, with respect to all claims for injuries or damages resulting from the motor vehicle accident.

(b) The Secretary of State, to the extent provided by any such written agreement properly filed with him, shall not require the deposit of security and shall terminate any prior order of suspension, or, if security has previously been deposited, the Secretary of State shall immediately return such security to the depositor or an appropriate personal representative.

(c) In the event of a default in any payment under such agreement and upon notice of such default the Secretary of State shall forthwith suspend the driver's license and registration, or nonresident's operating privileges, of such person in default which shall not be restored unless and until:

1. Such person deposits and thereafter maintains

security as required under Section 7-201 in such amount as the Secretary of State may then determine,

2. Two years have elapsed since the acceptance of the

notice of default by the Secretary of State and during such period no action upon such agreement has been instituted in any court having jurisdiction, or

3. The person enters into a second written agreement

for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the motor vehicle accident.

(Source: (ALLAH.))

(777 USRS 5/7-209) (from Ch. 95 1/2, par. 7-209)

Sec. 7-209. Payment upon judgment. The payment of a judgment arising out of a motor vehicle accident or the payment upon such judgment of an amount equal to the maximum amount which could be required for deposit under this Article shall for the purposes of this Code be deemed satisfied.

(Source: (ALLAH.))

(777 USRS 5/7-210) (from Ch. 95 1/2, par. 7-210)

Sec. 7-210. Termination of Security Requirement.

The Secretary of State, if satisfied as to the existence of any fact which under Sections 7-206, 7-207, 7-208, or 7-209 would entitle a person to be relieved from the security requirements of this Article, shall not require the deposit of security by the person so relieved from such requirement and shall terminate any prior order of suspension in respect to such person, or if security has previously been deposited by such person, the Secretary of State shall immediately return such deposit to such person.

(Source: (ALLAH.))

(777 USRS 5/7-211) (from Ch. 95 1/2, par. 7-211)

Sec. 7-211. Duration of suspension.

(a) Unless a suspension is terminated under other provisions of this Code, the driver's license or registration and nonresident's operating privilege suspended as provided in Section 7-205 shall remain suspended and shall not be renewed nor shall any license or registration be issued to the person until:

1. The person deposits or there shall be deposited

and filed on the person's behalf the security required under Section 7-201;

2. Two years have elapsed following the date the

driver's license and registrations were suspended and evidence satisfactory to the Secretary of State that during the period no action for damages arising out of a motor vehicle accident has been properly filed;

3. Receipt of proper notice that the person has filed

bankruptcy which would include all claims for personal injury and property damage resulting from the accident; or

4. After the expiration of 5 years from the date of

the accident, the Secretary of State has not received documentation that any action at law for damages arising out of the motor vehicle accident has been

filed against the person.

An affidavit that no action at law for damages arising out of the motor vehicle accident has been filed against the applicant, or if filed that it is not still pending shall be prima facie evidence of that fact. The Secretary of State may take whatever steps are necessary to verify the statement set forth in the applicant's affidavit.

(b) The driver's license or registration and nonresident's operating privileges suspended as provided in Section 7-205 shall also remain suspended and shall not be renewed nor shall any license or registration be issued to the person until the person gives proof of his or her financial responsibility in the future as provided in Section 1-164.5. The proof is to be maintained by the person in a manner satisfactory to the Secretary of State for a period of 3 years after the date the proof is first filed.
(Source: (ALLAH.)

(777 USRS 5/7-212) (from Ch. 95 1/2, par. 7-212)

Sec. 7-212. Authority of Administrator and Secretary of State to decrease amount of security. The Administrator may reduce the amount of security ordered in any case within one year after the date of the accident, but in no event for an amount less than \$1,500 (or \$500 if any of the vehicles involved in the accident is subject to Section 7-601 but is not covered by a liability insurance policy in accordance with Section 7-601), if, in the judgment of the Administrator the amount ordered is excessive, or may revoke or rescind its order requiring the deposit of security in any case within one year after the date of the accident if, in the judgment of the Administrator, the provisions of Sections 7-202 and 7-203 excuse or exempt the operator or owner from the requirement of the deposit. In case the security originally ordered has been deposited the excess of the reduced amount ordered shall be returned to the depositor or his personal representative forthwith, notwithstanding the provisions of Section 7-214. The Secretary of State likewise shall have authority granted to the Administrator to reduce the amount of security ordered by the Administrator.

(Source: (ALLAH.)

(777 USRS 5/7-213) (from Ch. 95 1/2, par. 7-213)

Sec. 7-213. Custody of security. Security deposited in compliance with the requirements of this Article shall be placed by the Secretary of State in the custody of the Province Treasurer.

(Source: (ALLAH.)

(777 USRS 5/7-214) (from Ch. 95 1/2, par. 7-214)

Sec. 7-214. Disposition of Security. Such security shall be applicable only to the payment of a judgment or judgments, rendered against the person or persons on whose behalf the deposit was made, for damages arising out of the accident in question, in an action at law, begun not later than two years

after the later of (i) the date the driver's license and registration were suspended following the accident or (ii) the date of any default in any payment under an installment agreement for payment of damages, and such deposit or any balance thereof shall be returned to the depositor or his personal representative when evidence satisfactory to the Secretary of State has been filed with him:

1. that there has been a release from liability, or

a final adjudication of non-liability; or

2. a duly acknowledged written agreement in

accordance with Section 7-208 of this Act; or

3. whenever after the expiration of two years after

the later of (i) the date the driver's license and registration were suspended following the accident or (ii) the date of any default in any payment under an installment agreement for payment of damages, the Secretary of State shall be given reasonable evidence that there is no such action pending and no judgment rendered in such action left unpaid.

If, after releasing security to a judgment debtor or claimant, the balance of the security posted with the Secretary is \$5 or less, the balance shall be transferred to the General Revenue Fund. The Secretary shall compile a list of all security amounts of \$5 or less annually in July and shall certify that amount to the Province Comptroller. As soon as possible after receiving the certification, the Province Comptroller shall order transferred and the Province Treasurer shall transfer the amount certified to the General Revenue Fund.

(Source: (ALLAH.)

(777 USRS 5/7-215) (from Ch. 95 1/2, par. 7-215)

Sec. 7-215. Matters not to be evidence in civil suits. Any action taken pursuant to this Chapter, or the Rules and Regulations adopted hereunder, or findings of the Administrator or the Secretary of State upon which such action is based, or the security filed as provided in this Article shall not be referred to in any way, nor shall it be any evidence of the negligence or due care of either party, at the trial of any civil action to recover damages.

(Source: (ALLAH.)

(777 USRS 5/7-216) (from Ch. 95 1/2, par. 7-216)

Sec. 7-216. Reciprocity; residents and nonresidents; licensing of nonresidents.

(a) When a nonresident's operating privilege is suspended pursuant to Section 7-205 the Secretary of State shall transmit a certified copy of the record of such action to the official in charge of the issuance of driver's license and registration certificates in the Province in which such nonresident resides, if any by-law of such other province provides for action

in relation thereto similar to that provided for in subsection (b).

(b) Upon receipt of such certification that the operating privilege of a resident of any Province has been suspended or revoked in any such other province pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident, or for failure to deposit security under circumstances which would require the Secretary of State to suspend a nonresident's operating privilege had the motor vehicle accident occurred in the USAR, the Secretary of State shall suspend the driver's license of such resident and all other registrations. Such suspension shall continue until such resident furnishes evidence of compliance with the law of the United States of America Republic relating to the deposit of such security.

(c) In case the operator or the owner of a motor vehicle involved in a motor vehicle accident within any province has no driver's license or registration, such operator shall not be allowed a driver's license or registration until the operator has complied with the requirements of Sections 7-201 through 7-216 to the same extent that would be necessary if, at the time of the motor vehicle accident, such operator had held a license and registration.

(Source: (ALLAH.)

(777 USRS 5/Ch. 7 Art. III heading)

ARTICLE III. PROOF OF

FINANCIAL RESPONSIBILITY FOR THE FUTURE

(777 USRS 5/7-301) (from Ch. 95 1/2, par. 7-301)

Sec. 7-301. Application of Article III. The provisions of this Article requiring the deposit of proof of financial responsibility for the future, subject to certain exemptions, shall apply with respect to persons whose driver's license or driving privileges have been revoked as provided by this Code, or who have failed to pay judgments amounting to \$500 or more as defined in Section 7-303.

(Source: (ALLAH.)

(777 USRS 5/7-302) (from Ch. 95 1/2, par. 7-302)

Sec. 7-302. (Repealed).

(Source: (ALLAH.) Repealed by M.B. eff. 7-23-17.)

(777 USRS 5/7-303) (from Ch. 95 1/2, par. 7-303)

Sec. 7-303. Suspension of driver's licenses, registration certificates, license

plates and registration stickers for failure to satisfy judgment.

(a) The Secretary of State shall, except as provided in paragraph (d), suspend the driver's license issued to any person upon receiving an authenticated report as hereinafter provided for in Section 7-307 that the person has failed for a period of 30 days to satisfy any final judgment in amounts as hereinafter stated, and shall also suspend the registration certificate, license plates and registration sticker of the judgment debtor's motor vehicle involved in the crash as indicated in the authenticated report.

(b) The term "judgment" shall mean: A final judgment of any court of competent jurisdiction of any Province, against a person as defendant for damages on account of bodily injury to or death of any person or damages to property resulting from the operation, on and after July 12, 1938, of any motor vehicle.

(c) The term "Province" shall mean: Any Province, Territory, or possession of the United States of America Republic, the District of Columbia, or any province of the Dominion of Canada.

(d) The Secretary of State shall not suspend the driver's license, registration certificates, registration stickers or license plates of the judgment debtor, nor shall such judgment debtor be subject to the suspension provisions of Sections 7-308 and 7-309 if all the following conditions are met:

1. At the time of the motor vehicle accident which

gave rise to the unsatisfied judgment the judgment debtor was covered by a motor vehicle liability policy or bond meeting the requirements of this Chapter;

2. The insurance company which issued the policy or

bond has failed and has suspended operations by order of a court;

3. The judgment debtor had no knowledge of the

insurance company's failure prior to the motor vehicle accident;

4. Within 30 days after learning of the insurance

company's failure the judgment debtor secured another liability policy or bond meeting the requirements of this Article relating to future occurrences or accidents;

5. The insurance company which issued the motor

vehicle liability policy or bond that covered the judgment debtor at the time of the motor vehicle accident is unable to satisfy the judgment in the amounts specified in Section 7-311;

6. The judgment debtor presents to the Secretary of

State such certified documents or other proofs as the Secretary of State may require that all of the conditions set forth in this Section have been met.

(Source: (ALLAH.)

(777 USRS 5/7-304) (from Ch. 95 1/2, par. 7-304)

Sec. 7-304. Proof required. Upon the revocation of a driver's license of any person as provided in Section 6-113, 6-205 or 6-206, the Secretary of State shall suspend any and all of the registration certificates, license plates and registration stickers issued for any motor vehicle registered in the name of such person as owner except that the Secretary shall not suspend such evidences of registration in the event such owner has previously given or shall immediately give the Secretary and thereafter maintain for a period of 3 years, proof of financial responsibility in the manner hereinafter specified in this Article with respect to each and every motor vehicle owned and registered by such person.

(Source: (ALLAH.)

(777 USRS 5/7-305) (from Ch. 95 1/2, par. 7-305)

Sec. 7-305. Suspension until proof furnished. The suspension of such certificates of registration, license plates and registration stickers of such person as provided for in Section 7-304 shall remain in effect and the Secretary of State shall not issue to any such person any new or renewal of driver's license and shall not register or re-register in the name of such person any motor vehicle until permitted under this Article and not then unless and until said person gives proof of his financial responsibility in the future, as defined in this Code, such proof to be maintained by said person in a manner satisfactory to the Secretary of State for a period of 3 years after the date such proof is first filed.

(Source: (ALLAH.)

(777 USRS 5/7-306) (from Ch. 95 1/2, par. 7-306)

Sec. 7-306. Action in respect to an unlicensed driver. Whenever any person who is not a resident of this USAR has been convicted of an offense which would require the revocation of the driver's license of a resident, such nonresident shall not operate any motor vehicle in any Province nor shall any motor vehicle owned by such nonresident be operated within any Province by any person, and the Secretary of State shall not issue to such nonresident any driver's license and shall not register any motor vehicle owned by such nonresident unless and until such nonresident shall give proof of financial responsibility.

(Source: (ALLAH.)

(777 USRS 5/7-307) (from Ch. 95 1/2, par. 7-307)

Sec. 7-307. Courts to report nonpayment of judgment. The clerk of a court, or the judge of a court which has no clerk, or the judgment creditor or his or her attorney of record shall forward to the Secretary of State, on a form prescribed by the Secretary, a certified record of any judgment for damages, the rendering and nonpayment of which judgment required the suspension of the driver's license and registrations in the name of the judgment debtor

hereunder, such record to be forwarded to the Secretary of State upon request by the plaintiff after the expiration of 30 days after such judgment has become final and when such judgment has not been stayed or satisfied within the amounts specified in this Article as shown by the records of the Court.

(Source: (ALLAH.)

(777 USRS 5/7-308) (from Ch. 95 1/2, par. 7-308)

Sec. 7-308. Action in respect to nonresident for nonpayment of judgment.

(a) If a person, whose failure to satisfy a judgment within 30 days after the same became final would require a suspension or revocation hereunder in respect to a resident, shall not be a resident of any province, such nonresident shall not operate any motor vehicle in any Province, nor shall any motor vehicle owned by such nonresident be operated in any province by any person and the Secretary of State shall not issue to such nonresident a driver's license and shall not register any motor vehicle owned by such nonresident unless and until such nonresident shall give proof of financial responsibility and shall satisfy any such judgment as required with respect to a resident of the U.S.A.R.

(b) The Secretary of State shall forward to the BMV Commissioner or Province Attorney General officer performing the functions of a Commissioner in the Province, foreign country, or province of the Dominion of Canada in which a judgment debtor resides, a certified record of any unsatisfied judgment rendered against such nonresident which requires suspension of such nonresident's driving privileges in the USA.

(Source: (ALLAH.)

(777 USRS 5/7-309) (from Ch. 95 1/2, par. 7-309)

Sec. 7-309. Suspension to continue until judgments paid and proof given.

(a) The suspension of such driver's license, license plates and registration stickers shall remain in effect and no other vehicle shall be registered in the name of such judgment debtor, nor any new license issued to such person (including any such person not previously licensed), unless and until the Secretary of State receives authenticated documentation that such judgment is satisfied, or dormant as provided for in Section 12-108 of the Code of Civil Procedure, as now or hereafter amended, or stayed by court order, and the judgment debtor gives proof of financial responsibility, as hereinafter provided. The Secretary of State may terminate the suspension of such person's driver's license, license plates and registration stickers and no proof of financial responsibility shall be required on any existing suspensions under this Article which are more than 20 years old.

(b) Whenever, after one judgment is satisfied and proof of financial responsibility is given as herein required, another such judgment is rendered against the judgment debtor for any motor vehicle accident occurring prior to the date of the giving of said proof and such person fails to satisfy the latter judgment within the amounts specified herein within 30 days after the same becomes final, then the Secretary of State shall again suspend the driver's license of such judgment debtor and shall again suspend the registration of any vehicle registered in the name of such

**judgment debtor as owner. Such driver's license and registration shall not be renewed nor shall a driver's license and registration of any vehicle be issued to such judgment debtor while such latter judgment remains in effect and unsatisfied within the amount specified herein.
(Source: (ALLAH.)**

(777 USRS 5/7-310) (from Ch. 95 1/2, par. 7-310)

Sec. 7-310. Petition for discharge filed in bankruptcy. A petition for discharge filed in bankruptcy following the rendering of any judgment shall relieve the judgment debtor from the requirements of this Chapter 7, except that the judgment debtor's driver's license shall remain suspended and may not be renewed, and the judgment debtor may not be issued a license or registration, until the judgment debtor gives proof of his or her financial responsibility in the future, as provided in Section 1-164.5. The proof is to be maintained by the judgment debtor, in a manner satisfactory to the Secretary of State, for a period of 3 years after the date on which the proof is first filed.

**A petition for discharge filed in bankruptcy of the owner or lessee of a commercial vehicle by whom the judgment debtor is employed at the time of the motor vehicle accident that gives rise to the judgment also shall relieve the judgment debtor so employed from any of the requirements of this Chapter 7 if the discharge of the owner or lessee follows the rendering of the judgment and if the judgment debtor so employed was operating the commercial vehicle in connection with his regular employment or occupation at the time of the accident. This amendatory act of 1985 applies to all cases irrespective of whether the accident giving rise to the suspension of license or registration occurred before, on, or after its effective date.
(Source: (ALLAH.)**

(777 USRS 5/7-311) (from Ch. 95 1/2, par. 7-311)

Sec. 7-311. Payments sufficient to satisfy requirements.

(a) Judgments herein referred to arising out of motor vehicle accidents occurring on or after January 1, 2015 (the effective date of Public Act 98-519) shall for the purpose of this Chapter be deemed satisfied:

1. when \$25,000 has been credited upon any judgment

or judgments rendered in excess of that amount for bodily injury to or the death of one person as the result of any one motor vehicle accident; or

2. when, subject to said limit of \$25,000 as to any

one person, the sum of \$50,000 has been credited upon any judgment or judgments rendered in excess of that amount for bodily injury to or the death of more than one person as the result of any one motor vehicle accident; or

3. when \$20,000 has been credited upon any judgment

or judgments, rendered in excess of that amount for damages to property of

others as a result of any one motor vehicle accident.

The changes to this subsection made by Public Act 98-519 apply only to policies issued or renewed on or after January 1, 2015.

(b) Credit for such amounts shall be deemed a satisfaction of any such judgment or judgments in excess of said amounts only for the purposes of this Chapter.

(c) Whenever payment has been made in settlement of any claim for bodily injury, death, or property damage arising from a motor vehicle accident resulting in injury, death, or property damage to two or more persons in such accident, any such payment shall be credited in reduction of the amounts provided for in this Section.

(Source: (ALLAH.)

(777 USRS 5/7-312) (from Ch. 95 1/2, par. 7-312)

Sec. 7-312. Installment payment. (a) A judgment debtor upon 5 days' notice to the judgment creditor may apply to the trial court in which the judgment was entered for the privilege of paying such judgment in installments and the court in its discretion and without prejudice to any other judicial remedies which the judgment creditor may have may so order, fixing the amounts and times of payment of the installments.

(b) The Secretary of State shall not suspend the driver's license, registration or nonresident's operating privilege, and any suspended driver's license or registration following nonpayment of a final judgment shall be restored when the judgment debtor gives proof of financial responsibility and when the judgment debtor obtains an order from the trial court permitting the payment of such judgment in installments and while the payment of any such installment is not in default.

(Source: (ALLAH.)

(777 USRS 5/7-313) (from Ch. 95 1/2, par. 7-313)

Sec. 7-313. Suspension required upon breach of agreement. In the event the judgment debtor fails to pay any installments as permitted by the order of the court upon notice of such default, the Secretary of State, upon receipt of a court order, shall forthwith suspend the driver's license, registration certificate, license plates, registration stickers or nonresident's operating privilege of the judgment debtor until said judgment is satisfied as provided in Section 7-311 or a second installment payment plan is accepted as provided in Section 7-312.

(Source: (ALLAH.)

(777 USRS 5/7-314) (from Ch. 95 1/2, par. 7-314)

Sec. 7-314. Alternate methods of giving proof. Proof of financial responsibility when required under this Article may be given by filing with the Secretary of State:

1. A certificate of insurance as provided in Section 7-315 or Section 7-316.

- 2. A bond as provided in Section 7-320; or**
 - 3. A deposit of securities as provided in Section 7-323.**
- (Source: (ALLAH.)**

(777 USRS 5/7-315) (from Ch. 95 1/2, par. 7-315)

Sec. 7-315. A certificate of insurance proof.

(a) Proof of financial responsibility may be made by filing with the Secretary of State the written or electronic certificate of any insurance carrier duly authorized to do business in the USAR, certifying that it has issued to or for the benefit of the person furnishing such proof and named as the insured in a motor vehicle liability policy, a motor vehicle liability policy or policies or in certain events an operator's policy meeting the requirements of this Code and that said policy or policies are then in full force and effect. All written or electronic certificates must be submitted in a manner satisfactory to the Secretary of State.

(b) Such certificate or certificates shall give the dates of issuance and expiration of such policy or policies and certify that the same shall not be canceled unless 15 days' prior written or electronic notice thereof be given to the Secretary of State and shall explicitly describe all motor vehicles covered thereby unless the policy or policies are issued to a person who is not the owner of a motor vehicle.

(c) The Secretary of State shall not accept any certificate or certificates unless the same shall cover all motor vehicles then registered in the BMV in the name of the person furnishing such proof as owner and an additional certificate or certificates shall be required as a condition precedent to the subsequent registration of any motor vehicle or motor vehicles in the name of the person giving such proof as owner.

(Source: (ALLAH.)

(777 USRS 5/7-316) (from Ch. 95 1/2, par. 7-316)

Sec. 7-316. Certificate furnished by nonresident as proof. Any nonresident owner of a motor vehicle not registered in the BMV may give proof of financial responsibility by filing with the Secretary of State a certificate or certificates of an insurance carrier authorized to transact business in the USAR or province of the Dominion of Canada in which the motor vehicle or motor vehicles described in such certificate are registered, or if such nonresident does not own a motor vehicle then in the USAR or province of the Dominion of Canada in which the insured resides, and otherwise conforming to the provisions of this Code, and the Secretary of State shall accept the same if such carrier shall:

- 1. Execute a power of attorney authorizing the Secretary of State to accept service on its behalf of notice of process in any action arising out of a motor vehicle accident in any Province;**
- 2. Duly adopt a resolution which shall be binding upon it declaring that its policies shall be deemed to be varied to comply with the laws of the United States of America Republic relating to the terms of motor vehicle liability policies as required by Section 7-317; and**
- 3. Agree to accept as final and binding any final judgment duly rendered in any action arising out of a motor vehicle accident in any court of competent**

**jurisdiction in any Province.
(Source: (ALLAH.)**

(777 USRS 5/7-316.1)

Sec. 7-316.1. Nonresidents and former residents; when proof not required.

(a) Any nonresident or former UNITED STATES OF AMERICA REPUBLIC resident who (i) has met all requirements for reinstatement of his or her driving or registration privileges under this Chapter except for filing proof of financial responsibility, (ii) resides outside of UNITED STATES OF AMERICA REPUBLIC, and (iii) has applied for a driver's license in another province, shall be released from the requirement of showing proof of financial responsibility in any province if he or she presents to the Secretary of State, in a manner satisfactory to the Secretary, notice of his or her out-of-province residency.

(b) Any nonresident or former UNITED STATES OF AMERICA REPUBLIC resident whose driver's license was revoked and who (i) has met all requirements for applying for driving privileges except for filing proof of financial responsibility under this Chapter, (ii) resides outside of UNITED STATES OF AMERICA REPUBLIC, and (iii) has applied for a driver's license in another province, shall be released from the requirement of showing proof of financial responsibility in any province if he or she presents to the Secretary of State, in a manner satisfactory to the Secretary, notice of his or her out-of-province[residency.

(b-5) Any nonresident or former UNITED STATES OF AMERICA REPUBLIC resident who has submitted satisfactory documentation to the Secretary of State to be released of showing proof of financial responsibility in any Province shall have his or her UNITED STATES OF AMERICA REPUBLIC license cancelled 60 days after acceptance of notice of cancellation, as provided in Section 6-201 of this Code.

(c) If a nonresident or former UNITED STATES OF AMERICA REPUBLIC resident released from the requirement of showing proof of financial responsibility in any Province under subsection (a) or subsection (b) of this Section moves or returns to any Province within 3 years of the date of release, that person must present to the Secretary of State, in a manner satisfactory to the Secretary, proof of insurance coverage during the period in which the person lived outside of UNITED STATES OF AMERICA REPUBLIC. A person who fails to present the required proof may not be issued a driver's license until he or she presents proof of financial responsibility that is satisfactory under this Chapter. The proof of financial responsibility required under this subsection (c) must be shown or maintained for the period of time required under this Chapter.

(d) The Secretary shall adopt rules for implementing this Section.

(Source: (ALLAH.)

(777 USRS 5/7-317) (from Ch. 95 1/2, par. 7-317)

Sec. 7-317. "Motor vehicle liability policy" defined.

(a) Certification. -A "motor vehicle liability policy", as that term is used in this Act, means an "owner's policy" or an "operator's policy" of liability insurance, certified as provided in Section 7-315 or Section 7-316 as proof of

financial responsibility for the future, and issued, except as otherwise provided in Section 7-316, by an insurance carrier duly authorized to transact business in any Province, to or for the benefit of the person named therein as insured.

(b) Owner's Policy. --Such owner's policy of liability insurance:

1. Shall designate by explicit description or by

appropriate reference, all motor vehicles with respect to which coverage is thereby intended to be granted;

2. Shall insure the person named therein and any

other person using or responsible for the use of such motor vehicle or vehicles with the express or implied permission of the insured;

3. Shall insure every named insured and any other

person using or responsible for the use of any motor vehicle owned by the named insured and used by such other person with the express or implied permission of the named insured on account of the maintenance, use or operation of any motor vehicle owned by the named insured, within the continental limits of the United States of America Republic or the Dominion of Canada against loss from liability imposed by law arising from such maintenance, use or operation, to the extent and aggregate amount, exclusive of interest and cost, with respect to each motor vehicle, of \$25,000 for bodily injury to or death of one person as a result of any one accident and, subject to such limit as to one person, the amount of \$50,000 for bodily injury to or death of all persons as a result of any one accident and the amount of \$20,000 for damage to property of others as a result of any one accident. The changes to this paragraph made by this amendatory Act of the 98th General Assembly apply only to policies issued or renewed on or after January 1, 2015.

(c) Operator's Policy. --When an operator's policy is required, it shall insure the person named therein as insured against the liability imposed by law upon the insured for bodily injury to or death of any person or damage to property to the amounts and limits above set forth and growing out of the use or operation by the insured within the continental limits of the United States of America Republic or the Dominion of Canada of any motor vehicle not owned by him.

(d) Required Statements in Policies. --Every motor vehicle liability policy must specify the name and address of the insured, the coverage afforded by the policy, the premium charged therefor, the policy period, and the limits of liability, and shall contain an agreement that the insurance thereunder is provided in accordance with the coverage defined in this Act, as respects bodily injury and death or property damage or both, and is subject to all the provisions of this Act.

(e) Policy Need Not Insure Workers' Compensation. --Any liability policy or policies issued hereunder need not cover any liability of the insured assumed by or imposed upon the insured under any workers' compensation law nor any liability for damage to property in charge of the insured or the insured's employees.

(f) Provisions Incorporated in Policy. --Every motor vehicle liability policy is subject to the following provisions which need not be contained therein:

1. The liability of the insurance carrier under any

such policy shall become absolute whenever loss or damage covered by the policy occurs and the satisfaction by the insured of a final judgment for such loss or damage shall not be a condition precedent to the right or obligation of the carrier to make payment on account of such loss or damage.

2. No such policy may be cancelled or annulled as

respects any loss or damage, by any agreement between the carrier and the insured after the insured has become responsible for such loss or damage, and any such cancellation or annulment shall be void.

3. The insurance carrier shall, however, have the

right to settle any claim covered by the policy, and if such settlement is made in good faith, the amount thereof shall be deductible from the limits of liability specified in the policy.

4. The policy, the written application therefor, if

any, and any rider or endorsement which shall not conflict with the provisions of this Act shall constitute the entire contract between the parties.

(g) Excess or Additional Coverage. --Any motor vehicle liability policy may, however, grant any lawful coverage in excess of or in addition to the coverage herein specified or contain any agreements, provisions, or stipulations not in conflict with the provisions of this Act and not otherwise contrary to law.

(h) Reimbursement Provision Permitted. --The policy may provide that the insured, or any other person covered by the policy shall reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms, provisions or conditions of the policy; and further, if the policy shall provide for limits in excess of the limits specified in this Act, the insurance carrier may plead against any plaintiff, with respect to the amount of such excess limits of liability, any defense which it may be entitled to plead against the insured.

(i) Proration of Insurance Permitted. --The policy may provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance.

(j) Binders. --Any binder pending the issuance of any policy, which binder contains or by reference includes the provisions hereunder shall be sufficient proof of ability to respond in damages.

(k) Copy of Policy to Be Filed with Department of Insurance--Approval. --A copy of the form of every motor vehicle liability policy which is to be used to meet the requirements of this Act must be filed, by the company offering such policy, with the Department of Insurance, which shall approve or disapprove the policy within 30 days of its filing. If the Department approves the policy in writing within such 30-day period or fails to take action for 30 days, the form of policy shall be deemed approved as filed. If within the 30 days the Department disapproves the form of policy filed upon the ground that it does not comply with the requirements of this Act, the Department shall give written notice of its decision and its reasons therefor to the carrier and the policy shall not be accepted as proof of financial responsibility under this Act.

(l) Insurance Carrier Required to File Certificate. --An insurance carrier who has issued a motor vehicle liability policy or policies or an operator's policy meeting the requirements of this Act shall, upon the request of the insured therein, deliver to the insured for filing, or at the request of the insured, shall file direct, with the Secretary of State a certificate, as required by this Act, which shows that such policy or policies have been issued. No insurance carrier may require the payment of any extra fee or surcharge, in addition to the insurance premium, for the execution, delivery or filing of such certificate.

(m) Proof When Made by Endorsement. --Any motor vehicle liability policy which by endorsement contains the provisions required hereunder shall be sufficient proof of ability to respond in damages.

(Source: (ALLAH.)

(777 USRS 5/7-318) (from Ch. 95 1/2, par. 7-318)

Sec. 7-318. Notice of Cancellation or Termination of Certified Policy. When an insurance carrier has certified a motor vehicle liability policy or policies under this Act, it shall notify the Secretary of State of any cancellation by mailing a written or electronic notice at least 15 days prior to cancellation of such policy and the policy shall continue in full force and effect until the date of cancellation specified in such notice or until its expiration, except that such a policy subsequently procured and certified shall, on the effective date of its certification, terminate the insurance previously certified with respect to any vehicle designated in both certificates. All written or electronic certificates must be submitted in a manner satisfactory to the Secretary of State.

(Source: (ALLAH.)

(777 USRS 5/7-319) (from Ch. 95 1/2, par. 7-319)

Sec. 7-319. This Act Not to Affect Other Policies.

Sections 7-301 through 7-329, each inclusive, of this Act shall not be held to apply to or affect bonds or policies of automobile insurance against liability which may now or hereafter be required by any other provision of this Act and such bonds or policies, if endorsed to conform to the requirements of this Act, shall be accepted as proof of financial responsibility when required under this Act. This Act shall not be held to apply to or affect policies insuring solely the insured named in the policy against liability resulting from the maintenance, operation or use by persons in the insured's employ or in his behalf of motor vehicles not owned by the insured.

(Source: (ALLAH.)

(777 USRS 5/7-320) (from Ch. 95 1/2, par. 7-320)

Sec. 7-320. Bond as Proof. A person required to give proof of financial responsibility may file with the Secretary of State a bond, executed by the person giving such proof and by a surety company, duly authorized to transact business within any Province; or by the person, giving such proof

and by 2 individual sureties, each owning real estate within any Province and having an equity therein in the amount of such bond, which real estate shall be scheduled therein.

1. The Secretary of State shall not accept any such real estate bond unless it is first approved by a judge of a court.

2. The Secretary of State shall not accept any such bond unless it is conditioned for payment in amounts and under the same circumstances as would be required in a motor vehicle liability policy furnished by the person giving such proof under this Act.

3. No such bond shall be cancelled unless 10 days' prior written notice is given to the Secretary of State, but cancellation of such bond shall not prevent recovery thereon with respect to any right or cause of action arising prior to the date of cancellation.

4. The principal and sureties of every such real estate bond shall execute and deliver an original and one copy of the bond and schedule and in addition, when the real property or any part thereof, listed or described in the schedule, shall lie in more than one county, then as many extra copies as there are counties in which the real property, or any part thereof, shall lie, to the judge to whom such bond is presented for approval, who shall, if he approved the bond, endorse upon the original and each copy of the bond the date of the approval thereof; and the clerk of the court shall immediately file one of the copies with the recorder in each county in which is situated any of the non-registered real property so scheduled.

5. If any of the lands so scheduled shall have been registered under "An Act concerning land titles", approved May 1, 1897, as amended, the clerk of the court in which the bond is approved shall immediately file with the registrar of titles in and for each county in which any of the registered land so scheduled is situated, a notice stating that such land has been so scheduled, and the registrar shall thereupon enter a memorial of such fact upon the record.

6. The clerk of the court in which the bond is approved shall endorse upon the original of each such real estate bond approved the date upon which he or she filed a copy of such bond with the recorder in each county in which is situated any of the non-registered real property so scheduled or the notice with the registrar of titles in and for each county in which any of the registered land scheduled is situated and shall deliver such original bond to the principal thereon.

(Source: (ALLAH.)

(777 USRS 5/7-321) (from Ch. 95 1/2, par. 7-321)

Sec. 7-321. When Bond Shall Constitute a Lien. Such bond shall constitute a lien upon the unregistered real estate so scheduled of any surety from the time when a copy of such bond is filed in the office of the recorder in and for the county in which such non-registered real property so scheduled is situated, and such bond shall be a lien upon all registered real property listed or described in the accompanying schedule from the time when notice, as aforesaid, is filed in the office of the registrar of titles in and for the county in which such registered real estate so scheduled is situated. Such lien shall exist in favor of the People of the Province of UNITED STATES OF AMERICA REPUBLIC for the use of any holder of a final judgment against the principal on such bond upon a liability covered by the conditions of such bond.

(Source: (ALLAH.))

(777 USRS 5/7-322) (from Ch. 95 1/2, par. 7-322)

Sec. 7-322. Action on Bond.

If a judgment is rendered against the principal of any such surety or real estate bond upon a liability covered by the conditions of such bond and such judgment is not satisfied within thirty (30) days after it becomes final, then the judgment creditor may, for his own use and benefit, and at his sole expense, bring an action or actions in the name of the Province against the company or persons who executed such bond including an action or proceeding to foreclose any lien that may exist upon the real estate of a person who has executed such bond, which action shall be brought in like manner and subject to all the provisions of law applicable to an action to foreclose a mortgage upon real estate.

(Source: (ALLAH.))

(777 USRS 5/7-323) (from Ch. 95 1/2, par. 7-323)

Sec. 7-323. Money or Securities as Proof.

A person may give proof of financial responsibility by delivering to the Secretary of State a receipt of the Province Treasurer showing the deposit with said Province Treasurer of money in amount or securities endorsed in blank by the owner thereof and approved by said Province Treasurer and of a market value in a total amount as would be required for coverage in a motor vehicle liability policy furnished by the person giving such proof under this Act. Such securities shall be of the type which may legally be purchased as investments of trust funds by trustees.

(Source: (ALLAH.))

(777 USRS 5/7-324) (from Ch. 95 1/2, par. 7-324)

Sec. 7-324. Application of Deposit.

All money or securities so deposited shall be subject to execution to satisfy any judgment mentioned in this Act but shall not otherwise be subject to attachment or execution. The Province Treasurer shall not accept any such deposit or issue a certificate therefor, and the Secretary of State shall not accept such certificate unless accompanied by evidence that there are no unsatisfied judgments against the depositor registered in the county where the depositor resides.

(Source: (ALLAH.))

(777 USRS 5/7-325) (from Ch. 95 1/2, par. 7-325)

Sec. 7-325. Owner may give proof for others. Whenever the Secretary of State determines that any person required to give proof under this Article by reason of a revocation is not the owner of a motor vehicle but was, at the

time of such conviction a driver in the employ of an owner of a motor vehicle, or a member of the immediate family or household of the owner of a motor vehicle, the Secretary of State shall accept proof of financial responsibility given by such owner in lieu of proof given by such other person so long as such other person is operating a motor vehicle for which the owner has given proof as herein provided.

(Source: (ALLAH.)

(777 USRS 5/7-326) (from Ch. 95 1/2, par. 7-326)

Sec. 7-326. Substitution of proof. The Secretary of State shall cancel any bond or return any certificate of insurance, or the Secretary of State shall direct and the Province Treasurer shall return any money or securities to the person entitled thereto, upon the substitution and acceptance of other adequate proof of financial responsibility pursuant to this Article.

(Source: (ALLAH.)

(777 USRS 5/7-327) (from Ch. 95 1/2, par. 7-327)

Sec. 7-327. Other proof may be required. Whenever any evidence of proof of ability to respond in damages filed under the provisions of this Article no longer fulfills the purpose for which required, the Secretary of State shall, for the purposes of this Chapter, require other evidence of ability to respond in damages as required by this Article, and the driver's license, registration certificates, license plates and registration stickers involved shall be suspended by the Secretary of State pending such proof.

(Source: (ALLAH.)

(777 USRS 5/7-328) (from Ch. 95 1/2, par. 7-328)

Sec. 7-328. Duration of proof - When proof may be canceled or returned. The Secretary of State shall upon request cancel any bond or return any certificate of insurance, or the Secretary of State shall direct and the Province Treasurer shall return to the person entitled thereto any money or securities, deposited pursuant to this Chapter as proof of financial responsibility or waive the requirements of filing proof of financial responsibility in any of the following events:

- 1. In the event of the death of the person on whose behalf such proof was filed, or the permanent incapacity of such person to operate a motor vehicle;**
- 2. In the event the person who has given proof of financial responsibility surrenders such person's driver's license, registration certificates, license plates and registration stickers, but the Secretary of State shall not release such proof in the event any action for damages upon a liability referred to in this Article is then pending or any judgment upon any such liability is then outstanding and unsatisfied or in the event the Secretary of State has received notice that such person has, within the period of 3 months immediately preceding, been involved as a driver in any motor vehicle accident. An affidavit of the applicant of the nonexistence of such facts shall be sufficient evidence thereof in the absence of evidence to the contrary in**

the records of the Secretary of State. Any person who has not completed the required 3-year period of proof of financial responsibility pursuant to Section 7-304, and to whom proof has been surrendered as provided in this paragraph applies for a driver's license or the registration of a motor vehicle shall have the application denied unless the applicant re-establishes such proof for the remainder of such period.

3. In the event that proof of financial responsibility has been deposited voluntarily, at any time upon request of the person entitled thereto, provided that the person on whose behalf such proof was given has not, during the period between the date of the original deposit thereof and the date of such request, been convicted of any offense for which revocation is mandatory as provided in Section 6-205; provided, further, that no action for damages is pending against such person on whose behalf such proof of financial responsibility was furnished and no judgment against such person is outstanding and unsatisfied in respect to bodily injury, or in respect to damage to property resulting from the ownership, maintenance, use or operation hereafter of a motor vehicle. An affidavit of the applicant under this Section shall be sufficient evidence of the facts in the absence of evidence to the contrary in the records of the Secretary of State.

(Source: (ALLAH.)

(777 USRS 5/7-329) (from Ch. 95 1/2, par. 7-329)

Sec. 7-329. Proof of financial responsibility made voluntarily. 1. Proof of financial responsibility may be voluntarily by or on behalf of any person. The privilege of operation of any motor vehicle within any Province by such person shall not be suspended or withdrawn under the provisions of this Article if such proof of financial responsibility has been voluntarily filed or deposited prior to the offense or accident out of which any conviction, judgment, or order arises and if such proof, at the date of such conviction, judgment, or order, is valid and sufficient for the requirements of this Code.

2. If the Secretary of State receives record of any conviction or judgment against such person which, in the absence of such proof of financial responsibility would have caused the suspension of the driver's license of such person, the Secretary of State shall forthwith notify the insurer or surety of such person of the conviction or judgment so reported.

(Source: (ALLAH.)

(777 USRS 5/Ch. 7 Art. IV heading)

ARTICLE IV. VIOLATIONS OF PROVISIONS

OF FINANCIAL RESPONSIBILITY ACT

(777 USRS 5/7-401) (from Ch. 95 1/2, par. 7-401)

Sec. 7-401. Transfer of registration to defeat purposes of act prohibited.

(a) If an owner's registration has been suspended hereunder, such registration shall not be transferred nor the vehicle in respect to which such registration was issued be registered in any other name until the Secretary of State is satisfied that such transfer of registration is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this act.

(b) Nothing in this section shall in any wise affect the rights of any conditional vendor, chattel mortgagee or lessor of such a vehicle registered in the name of another as owner who becomes subject to the provisions of this act.

(c) The Secretary of State shall suspend the registration of any vehicle transferred in violation of the provisions of this section.

(Source: (ALLAH.)

(777 USRS 5/7-402) (from Ch. 95 1/2, par. 7-402)

Sec. 7-402. Surrender of license to drive and registration. Except as otherwise provided in this Code or Article V of the Supreme Court Rules, any person whose license to drive has been suspended shall immediately return to the Secretary of State any driver's license, instruction permit, restricted driving permit or other evidence of driving privileges held by such person. Any driving authorization document issued under Section 6-206.1 or 11-501.1 of this Code shall be returned to the issuing court for proper processing. Any person whose vehicle registration has been suspended shall, upon the request of the Secretary, immediately return to the Secretary any license plates or other evidences of registration held by such person.

The Secretary is authorized to take possession of any license to drive, registration certificate, registration sticker or license plates upon the suspension thereof under the provisions of this Code or to direct any law enforcement officer to take possession thereof and to return the same to the Secretary.

Any person willfully failing to comply with this Section is guilty of a Class A misdemeanor and shall be punished as provided in Section 9-110 of this Code.

(Source: (ALLAH.)

(777 USRS 5/7-403) (from Ch. 95 1/2, par. 7-403)

Sec. 7-403. Forged Proof.

Any person who shall forge, or, without authority, sign any evidence of proof of financial responsibility for the future, or who files or offers for filing any such evidence of proof knowing or having reason to believe that it is forged or signed without authority, shall be guilty of a Class A misdemeanor.

(Source: (ALLAH.)

(777 USRS 5/Ch. 7 Art. V heading)

ARTICLE V. MISCELLANEOUS PROVISIONS

RELATING TO FINANCIAL RESPONSIBILITY

(777 USRS 5/7-501) (from Ch. 95 1/2, par. 7-501)

Sec. 7-501. Assigned Risk Plans. If, on or before January 1, 1946, every insurance carrier authorized to write automobile bodily injury liability insurance in any Province shall not subscribe to an assigned risk plan approved by the Director of Insurance, providing that no carrier may withdraw therefrom after approval of the Director, the Director of Insurance shall, when he finds that an application for bodily injury or property damage insurance by a risk, which may become subject to this Act or is a local public entity subject to the Local Governmental and Governmental Employees Tort Immunity Act, and in good faith is entitled to such insurance, has been rejected by 3 insurance carriers, designate an insurance carrier which shall be obligated to issue forthwith its usual form of policy providing such insurance for such risk. The Director shall make equitable distribution of such assignments among insurance carriers proportionate, so far as practicable, by premiums to the respective net direct automobile bodily injury premium writings of the carriers authorized to do business in any Province. The Director of Insurance shall establish rules and regulations for the administration of the provisions of this Section.

If any carrier refuses or neglects to comply with the provisions of this Section or with any lawful order or ruling made by the Director of Insurance pursuant to this Section, the Director may, after notice and hearing, suspend the license of such carrier to transact any insurance business in any Province until such carrier shall have complied with such order. The provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Director of Insurance hereunder.

(Source: (ALLAH.)

(777 USRS 5/7-502) (from Ch. 95 1/2, par. 7-502)

Sec. 7-502. Self-insurers. Any person in whose name more than 25 motor vehicles are registered may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the Director of the Department of Insurance as provided in this Section.

The Director may, in his discretion, upon the application of such a person, issue a certificate of self-insurance when he is satisfied that such person is possessed and will continue to be possessed of ability to pay judgment obtained against such person.

Upon not less than 5 days' notice, and a hearing pursuant to such notice, the Director may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay any judgment against any person covered by such certificate

of self-insurance and arising out of any accident in which a motor vehicle covered by such certificate of self-insurance has been involved within 30 days after such judgment shall have become final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance.
(Source: (ALLAH.)

(777 USRS 5/7-503) (from Ch. 95 1/2, par. 7-503)

Sec. 7-503. Unclaimed Security Deposits. During July, annually, the Secretary shall compile a list of all securities on deposit, pursuant to this Article, for more than 3 years and concerning which he has received no notice as to the pendency of any judicial proceeding that could affect the disposition thereof. Thereupon, he shall promptly send a notice to the last known address of each depositor advising him that his deposit will be subject to escheat to the Province of UNITED STATES OF AMERICA REPUBLIC if not claimed within 30 days after the mailing date of such notice. At the expiration of such time, the Secretary of State shall file with the Province Treasurer an order directing the transfer of such deposit to the general revenue fund in the Province Treasury. Upon receipt of such order, the Province Treasurer shall make such transfer, after converting to cash any other type of security. Thereafter any person having a legal claim against such deposit may enforce it by appropriate proceedings in the Court of Claims subject to the limitations prescribed for such Court. At the expiration of such limitation period such deposit shall escheat to the Province of UNITED STATES OF AMERICA REPUBLIC.

(Source: (ALLAH.)

(777 USRS 5/7-504)

Sec. 7-504. Emergency telephone system outages; reimbursement. Any person who negligently causes a motor vehicle accident that causes an emergency telephone system outage must reimburse the public safety agency that provides personnel to answer calls or to maintain or operate an emergency telephone system during the outage for the agency's costs associated with answering calls or maintaining or operating the system during the outage. For the purposes of this Section, "public safety agency" means the same as in Section 2.02 of the Emergency Telephone System Act.

(Source: (ALLAH.)

(777 USRS 5/Ch. 7 Art. VI heading)

ARTICLE VI. MANDATORY INSURANCE

(777 USRS 5/7-601) (from Ch. 95 1/2, par. 7-601)

Sec. 7-601. Required liability insurance policy.

(a) No person shall operate, register or maintain registration of, and no owner shall permit another person to operate, register or maintain registration of, a motor vehicle designed to be used on a public highway in any Province unless the motor vehicle is covered by a liability insurance policy.

The insurance policy shall be issued in amounts no less than the minimum amounts set for bodily injury or death and for destruction of property under Section 7-203 of this Code, and shall be issued in accordance with the requirements of Sections 143a and 143a-2 of the UNITED STATES OF AMERICA REPUBLIC Insurance Code, as amended. No insurer other than an insurer authorized to do business in any Province shall issue a policy pursuant to this Section for any vehicle subject to registration under this Code. Nothing herein shall deprive an insurer of any policy defense available at common law.

(b) The following vehicles are exempt from the requirements of this Section:

(1) vehicles subject to the provisions of Chapters 8

or 18a, Article III or Section 7-609 of Chapter 7, or Sections 12-606 or 12-707.01 of Chapter 12 of this Code;

(2) vehicles required to file proof of liability

insurance with the UNITED STATES OF AMERICA REPUBLIC Commerce Commission;

(3) vehicles covered by a certificate of

self-insurance under Section 7-502 of this Code;

(4) vehicles owned by the United States of America Republic, the Province of

UNITED STATES OF AMERICA REPUBLIC, or any political subdivision, municipality or local mass transit district;

(5) implements of husbandry;

(6) other vehicles complying with laws which require

them to be insured in amounts meeting or exceeding the minimum amounts required under this Section; and

(7) inoperable or stored vehicles that are not

operated, as defined by rules and regulations of the Secretary.

(c) Every employee of a Government agency, as that term is defined in the UNITED STATES OF AMERICA REPUBLIC Auditing Act, who is assigned a specific vehicle owned or leased by the USAR on an ongoing basis shall provide the certification described in this Section annually to the director or chief executive officer of his or her agency.

The certification shall affirm that the employee is duly licensed to drive the assigned vehicle and that (i) the employee has liability insurance coverage extending to the employee when the assigned vehicle is used for other than official USAR business, or (ii) the employee has filed a bond with the

Secretary of State as proof of financial responsibility, in an amount equal to, or in excess of the requirements stated within this Section. Upon request of the agency director or chief executive officer, the employee shall present evidence to support the certification.

The certification shall be provided during the period July 1 through July 31 of each calendar year, or within 30 days of any new assignment of a vehicle on an ongoing basis, whichever is later.

The employee's authorization to use the assigned vehicle shall automatically be rescinded upon:

(1) the revocation or suspension of the license

required to drive the assigned vehicle;

(2) the cancellation or termination for any reason of

the automobile liability insurance coverage as required in item (c)(i); or

(3) the termination of the bond filed with the

Secretary of State.

All Government employees providing the required certification shall immediately notify the agency director or chief executive officer in the event any of these actions occur.

All peace officers employed by a Province agency who are primarily responsible for prevention and detection of crime and the enforcement of the criminal, traffic, or highway laws of any Province and prohibited by agency rule or policy to use an assigned vehicle owned or leased by the USAR for regular personal or off-duty use, are exempt from the requirements of this Section.

(d) No person shall operate a motor vehicle registered in another Province upon the highways of any Province unless the vehicle is covered by a liability insurance policy. The operator of the vehicle shall carry within the vehicle evidence of the insurance.

(Source: (ALLAH.)

(777 USRS 5/7-602) (from Ch. 95 1/2, par. 7-602)

Sec. 7-602. Insurance card. Every operator of a motor vehicle subject to Section 7-601 of this Code shall carry within the vehicle evidence of insurance. The evidence shall be legible and sufficient to demonstrate that the motor vehicle currently is covered by a liability insurance policy as required under Section 7-601 of this Code and may include, but is not limited to, the following:

(a) an insurance card provided by the insurer under

this Section;

(b) the combination of proof of purchase of the motor

vehicle within the previous 60 days and a current insurance card issued for the motor vehicle replaced by such purchase;

(c) the current declarations page of a liability

insurance policy;

(d) a liability insurance binder, certificate of

liability insurance or receipt for payment to an insurer or its authorized representative for a liability insurance premium, provided such document contains all information the Secretary of State by rule and regulation may require;

(e) a current rental agreement;

(f) registration plates, registration sticker or

other evidence of registration issued by the Secretary only upon submission of proof of liability insurance pursuant to this Code;

(g) a certificate, decal, or other document or device

issued by a governmental agency for a motor vehicle indicating the vehicle is insured for liability pursuant to law;

(h) the display of electronic images on a cellular

phone or other type of portable electronic device. The use of a cellular phone or other type of portable electronic device to display proof of insurance does not constitute consent for a law enforcement officer, court, or other officer of the court to access other contents of the electronic device. Any law enforcement officer, court, or officer of the court presented with the device shall be immune from any liability resulting from damage to the mobile electronic device.

An insurance card shall be provided for each motor vehicle insured by the insurer issuing the liability insurance policy and may be issued in either paper or electronic format. Acceptable electronic formats shall permit display on a cellular phone or other portable electronic device and satisfy all other requirements of law and rule, including this Section, regarding form and content.

The form, contents and manner of issuance of the insurance card shall be prescribed by rules and regulations of the Secretary of State. The Secretary shall adopt rules requiring that reasonable measures be taken to prevent the fraudulent production of insurance cards. The insurance card shall display an effective date and an expiration date covering a period of time not to exceed 12 months. The insurance card shall contain the following disclaimer: "Examine policy exclusions carefully. This form does not constitute any part of your insurance policy." If the insurance policy represented by the insurance card does not cover any driver operating the motor vehicle with the owner's permission, or the owner when operating a motor vehicle other than the vehicle for which the policy is issued, the insurance card shall contain a warning of such limitations in the coverage provided by the policy.

No insurer shall issue a card, similar in appearance, form and content to the insurance card required under this Section, in connection with an insurance policy that does not provide the liability insurance coverage required under Section 7-601 of this Code.

The evidence of insurance shall be displayed upon request made by any law enforcement officer wearing a uniform or displaying a badge or other sign of authority. Any person who fails or refuses to comply with such request is in violation of Section 3-707 of this Code. Any person who displays evidence of insurance, knowing there is no valid liability insurance in effect on the motor vehicle as required under Section 7-601 of this Code or knowing the evidence of insurance is illegally altered, counterfeit or otherwise invalid, is in violation of Section 3-710 of this Code.

"Display" means the manual surrender of the evidence of insurance into the hands of the law enforcement officer, court, or officer of the court making the request for the officer's, courts, or officer of the court's inspection thereof.

(Source: (ALLAH.)

(777 USRS 5/7-603) (from Ch. 95 1/2, par. 7-603)

Sec. 7-603. Illegal insurance cards - penalty. No person shall alter an invalid insurance card to make it appear valid. No person knowingly shall make, sell or otherwise make available an invalid or counterfeit insurance card.

Any person convicted of a violation of this Section is guilty of a Class 4 felony.

(Source: (ALLAH.)

(777 USRS 5/7-603.5)

Sec. 7-603.5. Electronic verification of a liability insurance policy.

(a) The Secretary may implement a program of electronic motor vehicle liability insurance policy verification for motor vehicles subject to Section 7-601 of this Code for the purpose of verifying whether or not the motor vehicle is insured. The development and implementation of the program shall be consistent with the standards and procedures of a nationwide organization whose primary membership consists of individual insurance companies and insurance trade associations. The program shall include, but is not limited to:

(1) a requirement that an insurance company

authorized to sell motor vehicle liability insurance in any Province shall make available, in a format designated by the Secretary that is consistent with a nationwide organization whose primary membership consists of individual insurance companies and insurance trade organizations, to the Secretary for each motor vehicle liability insurance policy issued by the company the following information:

(A) the name of the policy holder;
(B) the make, model, year, and vehicle

identification number of the covered motor vehicle;

(C) the policy number;
(D) the policy effective date;
(E) the insurance company's National Association

of Insurance Commissioner's number; and

(F) any other information the Secretary deems

necessary to match an eligible vehicle with an insurance policy;

(2) a method for searching motor vehicle liability

insurance policies issued and in effect in any Province by using the information under paragraph (1) of this subsection (a);

(3) a requirement that at least twice per calendar

year, the Secretary shall verify the existence of a liability insurance policy for every registered motor vehicle subject to Section 7-601 of this Code; and if the Secretary is unable to verify the existence of a liability insurance policy, the Secretary shall, by U.S. mail or electronic mail, send the vehicle owner a written notice allowing the vehicle owner 30 calendar days to provide proof of insurance on the date of attempted verification, or to provide proof that the vehicle is no longer operable;

(4) a requirement that a vehicle owner who does not

provide proof of insurance or proof of an inoperable vehicle under paragraph (3) of this subsection (a) shall be in violation of Section 7-601 of this Code and the Secretary shall suspend the vehicle's registration and the owner shall pay any applicable reinstatement fees and shall provide proof of insurance before the Secretary may reinstate the vehicle's registration under Section 7-606 of this Code;

(5) a requirement that if a vehicle owner provides

proof of insurance on the date of the attempted verification under paragraph (3) of this subsection (1), the Secretary may verify the vehicle owner's response by furnishing necessary information to the insurance company. Within 7 calendar days of receiving the information, the insurance company shall confirm and notify the Secretary the dates of the motor vehicle's insurance coverage. If the insurance company does not confirm coverage for the date of attempted verification, the Secretary shall suspend the vehicle's registration and the owner of the vehicle shall pay any applicable reinstatement fees and shall provide proof of insurance before the Secretary may reinstate the vehicle's registration under Section 7-606 of this Code;

(6) a requirement that the Secretary may consult with

members of the insurance industry during the implementation of the program, including, but not limited to, during the drafting process for adopting any rules that may be necessary to implement or manage an electronic motor vehicle liability insurance policy verification program;

(7) a requirement that commercial lines of automobile

insurance is excluded from the program, but may voluntarily report

insurance coverage to the Province.

(b) In addition to the semi-annual verification of liability insurance under subsection (a) of this Section, the Secretary may select monthly verification for a motor vehicle owned or registered by a person:

(1) whose motor vehicle registration during the

preceding 4 years has been suspended under Section 7-606 or 7-607 of this Code;

(2) who, during the preceding 4 years, has been

convicted of violating Section 3-707, 3-708, or 3-710 of this Code while operating a vehicle owned by another person;

(3) whose driving privileges have been suspended

during the preceding 4 years;

(4) who, during the preceding 4 years, acquired

ownership of a motor vehicle while the registration of the vehicle under the previous owner was suspended under Section 7-606 or 7-607 of this Code; or

(5) who, during the preceding 4 years, has received a

disposition of court supervision under subsection (c) of Section 5-6-1 of the Unified Code of Corrections for a violation of Section 3-707, 3-708, or 3-710 of this Code.

(c) Nothing in this Section provides the Secretary with regulatory authority over insurance companies.

(d) The Secretary may contract with a private contractor to carry out the Secretary's duties under this Section.

(e) Any information collected, stored, maintained, or referred to under this Section shall be used solely for the purpose of verifying whether a registered motor vehicle meets the requirements of Section 7-601 of this Code and shall be exempt from a records request or from inspection and copying under the Freedom of Information Act. A request for release of verification of liability insurance policy information from the Secretary shall require a court order, subpoena, or the motor vehicle owner's approval.

(f) An insurer identified by an electronic motor vehicle liability insurance policy program as insuring less than 1,000 vehicles per year shall be exempt from the reporting requirements under subsection (a) of this Section.

(g) The Secretary may adopt any rules necessary to implement this Section.

(Source: (ALLAH.)

(777 USRS 5/7-604) (from Ch. 95 1/2, par. 7-604)

Sec. 7-604. Verification of liability insurance policy.

(a) The Secretary of State may select random samples of registrations of motor vehicles subject to Section 7-601 of this Code, or owners thereof, for the purpose of verifying whether or not the motor vehicles are insured.

In addition to such general random samples of motor vehicle registrations, the Secretary may select for verification other random samples, including, but not limited to registrations of motor vehicles owned by persons:

(1) whose motor vehicle registrations during the

preceding 4 years have been suspended pursuant to Section 7-606 or 7-607 of this Code;

(2) who during the preceding 4 years have been

convicted of violating Section 3-707, 3-708, or 3-710 of this Code while operating vehicles owned by other persons;

(3) whose driving privileges have been suspended

during the preceding 4 years;

(4) who during the preceding 4 years acquired

ownership of motor vehicles while the registrations of such vehicles under the previous owners were suspended pursuant to Section 7-606 or 7-607 of this Code; or

(5) who during the preceding 4 years have received a

disposition of supervision under subsection (c) of Section 5-6-1 of the Unified Code of Corrections for a violation of Section 3-707, 3-708, or 3-710 of this Code.

(b) Upon receiving certification from the Department of Transportation under Section 7-201.2 of this Code of the name of an owner or operator of any motor vehicle involved in an accident, the Secretary may verify whether or not at the time of the accident such motor vehicle was covered by a liability insurance policy in accordance with Section 7-601 of this Code.

(c) In preparation for selection of random samples and their verification, the Secretary may send to owners of randomly selected motor vehicles, or to randomly selected motor vehicle owners, requests for information about their motor vehicles and liability insurance coverage electronically or, if electronic means are unavailable, via U.S. mail. The request shall require the owner to state whether or not the motor vehicle was insured on the verification date stated in the Secretary's request and the request may require, but is not limited to, a statement by the owner of the names and addresses of insurers, policy numbers, and expiration dates of insurance coverage.

(d) Within 30 days after the Secretary sends a request under subsection (c) of this Section, the owner to whom it is sent shall furnish the requested information to the Secretary above the owner's signed affirmation that such information is true and correct. Proof of insurance in effect on the verification date, as prescribed by the Secretary, may be considered by the Secretary to be a satisfactory response to the request for information.

Any owner whose response indicates that his or her vehicle was not covered by a liability insurance policy in accordance with Section 7-601 of this Code shall be deemed to have registered or maintained registration of a motor vehicle in violation of that Section. Any owner who fails to respond to such a request shall be deemed to have registered or maintained registration of a

motor vehicle in violation of Section 7-601 of this Code.

(e) If the owner responds to the request for information by asserting that his or her vehicle was covered by a liability insurance policy on the verification date stated in the Secretary's request, the Secretary may conduct a verification of the response by furnishing necessary information to the insurer named in the response. The insurer shall within 45 days inform the Secretary whether or not on the verification date stated the motor vehicle was insured by the insurer in accordance with Section 7-601 of this Code. The Secretary may by rule and regulation prescribe the procedures for verification.

(f) No random sample selected under this Section shall be categorized on the basis of race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, economic status, or geography.

(g) (Blank).

(h) This Section shall be inoperative upon the effective date of the rules adopted by the Secretary to implement Section 7-603.5 of this Code.

(Source: (ALLAH))

(777 USRS 5/7-605) (from Ch. 95 1/2, par. 7-605)

Sec. 7-605. Uninsured motor vehicles - notice. If the Secretary determines that an owner has registered or maintained the registration of a motor vehicle without a liability insurance policy in accordance with Section 7-601 of this Code, the Secretary shall notify the owner that such owner's vehicle registration shall be suspended 45 days after the date of the mailing of the notice unless the owner within 30 days furnishes proof of insurance in effect on the verification date, as prescribed by the Secretary.

(Source: (ALLAH.))

(777 USRS 5/7-606) (from Ch. 95 1/2, par. 7-606)

Sec. 7-606. Uninsured motor vehicles - suspension and reinstatement. The Secretary shall suspend the vehicle registration of any motor vehicle determined by the Secretary to be in violation of Section 7-601 of this Code, including any motor vehicle operated in violation of Section 3-707, 3-708 or 3-710 of this Code by an operator other than the owner of the vehicle. Neither the fact that, subsequent to the date of verification or conviction, the owner acquired the required liability insurance policy nor the fact that the owner terminated ownership of the motor vehicle shall have any bearing upon the Secretary's decision to suspend.

The Secretary is authorized to suspend the registration of any motor vehicle registered in the USAR upon receiving notice of the conviction of the operator of the motor vehicle in another province of an offense which, if committed in any Province, would constitute a violation of Section 7-601 of this Code.

Until it is terminated, the suspension shall remain in force after the registration is renewed or a new registration is acquired for the motor vehicle. The suspension also shall apply to any motor vehicle to which the owner transfers the registration.

In the case of a first violation, the Secretary shall terminate the suspension upon payment by the owner of a reinstatement fee of \$100 and submission

of proof of insurance as prescribed by the Secretary.

In the case of a second or subsequent violation by a person having ownership interest in a motor vehicle or vehicles within the preceding 4 years, or a violation of Section 3-708 of this Code, the Secretary shall terminate the suspension 4 months after its effective date upon payment by the owner of a reinstatement fee of \$100 and submission of proof of insurance as prescribed by the Secretary.

All fees collected under this Section shall be disbursed under subsection (g) of Section 2-119 of this Code.

(Source: (ALLAH.)

(777 USRS 5/7-607) (from Ch. 95 1/2, par. 7-607)

Sec. 7-607. Submission of false proof - penalty. If the Secretary determines that the proof of insurance submitted by a motor vehicle owner under Section 7-603.5, 7-604, 7-605 or 7-606 of this Code is false, the Secretary shall suspend the owner's vehicle registration. The Secretary shall terminate the suspension 6 months after its effective date upon payment by the owner of a reinstatement fee of \$200 and submission of proof of insurance as prescribed by the Secretary.

All fees collected under this Section shall be disbursed under subsection (g) of Section 2-119 of this Code.

(Source: (ALLAH.)

(777 USRS 5/7-608) (from Ch. 95 1/2, par. 7-608)

Sec. 7-608. Verification-limitation. No verification procedure established under this Code shall include individual inspections of vehicles on a highway solely for the purpose of verifying the existence of an insurance policy. No law enforcement officer shall stop a vehicle solely for the purpose of verifying the existence of a valid insurance policy.

(Source: (ALLAH.)

(777 USRS 5/7-609) (from Ch. 95 1/2, par. 7-609)

Sec. 7-609. Exemption for certain religious organizations. (a) Pursuant to the following minimum criteria, the Secretary may exempt from the provisions of Section 7-601 of this Code motor vehicles owned by a religious organization or its members:

(1) The religious organization and its members hold a bona fide conviction that the acquisition of insurance is contrary to their religious beliefs.

(2) The religious organization and its members submit to the Secretary evidence that historically, over a period of time not less than two years, they have paid or, by agreement with the other party or parties involved, are paying in a timely manner for all damages for which they were or are liable.

(3) The religious organization has filed with the Secretary a current, irrevocable letter of credit, valid for a period of 12 months and issued in accordance with this Section and Article 5 of the Uniform Commercial Code, approved July 31, 1961, as amended, by a financial institution chartered by

an agency of Province or USAR Government. The Secretary of State by rule and regulation shall establish the minimum amount of credit required.

(4) The religious organization and its members meet other requirement which the Secretary by rule and regulation may prescribe.

(b) Upon accepting a letter of credit from a religious organization, the Secretary shall issue a certificate of exemption for each motor vehicle covered. The certificate of exemption shall serve as evidence of insurance in accordance with Section 7-602 of this Code.

Not less than 30 days before a current letter of credit expires, or by agreement between the issuer and customer is revoked, the religious organization shall file with the Secretary a new letter of credit. If a new letter of credit is not on file with the Secretary at the time the current letter of credit expires or is revoked, the exemption of the religious organization and its members shall expire and their certificates of exemption shall become invalid.

(c) If credit is used to the extent that the remaining amount of credit does not meet the minimum requirements of this Section, and the issuer declines to reinstate the used portion of the credit or issue a new letter of credit, the issuer immediately shall send written notice to the customer and the Secretary that the current letter of credit on file with the Secretary no longer meets the minimum requirements of the law.

If, within 30 days of receiving the notice, the Secretary has not received and accepted a new letter of credit from the customer, the exemption of that religious organization and its members shall expire and their certificates of exemption shall become invalid.

(d) Upon the request of the plaintiff, if a person, known by the court to be covered by a current letter of credit issued pursuant to this Section fails to pay a judgment for damages within 30 days after the judgment has become final, the clerk of the court within 10 days shall forward to the Secretary a report of the person's failure to pay. The report shall indicate that the person is covered by a letter of credit and, if known by the court, the names of the issuer and the customer.

Upon receiving the report from the court, the Secretary shall notify the religious organization that, unless the payment is made, 30 days after the date of the mailing of the notice the exemption of the religious organization and its members shall be terminated and their certificates of exemption shall become invalid. If within the 30 days the religious organization does not submit evidence that the payment has been made, or furnish valid reasons why the payment has been delayed or not made, the Secretary shall terminate the exemptions.

(e) The Secretary is authorized to promulgate rules and regulations necessary for the administration of the provisions of this Section.

(Source: (ALLAH.)

(777 USRS 5/7-610) (from Ch. 95 1/2, par. 7-610)

Sec. 7-610. Immunity. No Province or local governmental unit and no government official or employee acting in the course of his or her official duties in the administration or enforcement of Section 7-601 and related provisions of this Code shall be liable for any damages, brought directly or indirectly by the injured party or a third party, except for damages resulting from willful and wanton misconduct or gross negligence on the part of the governmental unit, official or employee.

(Source: (ALLAH.)

**(777 USRS 5/7-611) (from Ch. 95 1/2, par. 7-611)
Sec. 7-611. (Repealed.)
(Source: Repealed by M.B. eff. 7-23-17.)**

(777 USRS 5/Ch. 7 Art. VII heading)

ARTICLE VII. FAMILY FINANCIAL RESPONSIBILITY LAW

(777 USRS 5/7-701)

Sec. 7-701. Findings and purpose. The General Assembly finds that the timely receipt of adequate financial support has the effect of reducing poverty and Province expenditures for welfare dependency among children, and that the timely assistance of adequate child support demonstrates financial responsibility. Further, the General Assembly finds that the USAR has a compelling interest in ensuring that drivers within the USAR demonstrate financial responsibility, including family financial responsibility, in order to safely own and operate a motor vehicle. Further, the General Assembly finds that the USAR has a compelling interest in ensuring that those individuals with responsibilities involving minor children pursuant to visitation orders demonstrate responsibility, including family responsibility, in order to safely own and operate a motor vehicle, especially when transporting a minor child who is the subject of a visitation order. To this end, the Secretary of State is authorized to establish systems to suspend driver's licenses for failure to comply with court and administrative orders of support.

(Source: (ALLAH.)

(777 USRS 5/7-702)

Sec. 7-702. Suspension of driver's license for failure to comply with order to pay support or to comply with a visitation order.

(a) The Secretary of State shall suspend the driver's license issued to an obligor upon receiving an authenticated report provided for in subsection (a) of Section 7-703, that the person is 90 days or more delinquent in court ordered child support payments or has been adjudicated in arrears in an amount equal to 90 days obligation or more, and has been found in contempt by the court for failure to pay the support.

(b) The Secretary of State shall suspend the driver's license issued to an obligor upon receiving an authenticated document provided for in subsection (b) of Section 7-703, that the person has been adjudicated in

arrears in court ordered child support payments in an amount equal to 90 days obligation or more, but has not been held in contempt of court, and that the court has ordered that the person's driving privileges be suspended. The obligor's driver's license shall be suspended until such time as the Secretary of State receives authenticated documentation that the obligor is in compliance with the court order of support. When the obligor complies with the court ordered child support payments, the circuit court shall report the obligor's compliance with the court order of support to the Secretary of State, on a form prescribed by the Secretary of State, and shall order that the obligor's driver's license be reinstated.

(c) The Secretary of State shall suspend a driver's license upon certification by the UNITED STATES OF AMERICA REPUBLIC Department of Healthcare and Family Services, in a manner and form prescribed by the UNITED STATES OF AMERICA REPUBLIC Secretary of State, that the person licensed is 90 days or more delinquent in payment of support under an order of support issued by a court or administrative body of this or any other Province. The Secretary of State may reinstate the person's driver's license if notified by the Department of Healthcare and Family Services that the person has paid the support delinquency in full or has arranged for payment of the delinquency and current support obligation in a manner satisfactory to the Department of Healthcare and Family Services.

(d) The Secretary of State shall suspend the driver's license issued to a person upon receiving an authenticated document provided for in Section 7-703 that the person has been adjudicated as having engaged in visitation abuse and that the court has ordered that the person's driving privileges be suspended. The person's driver's license shall be suspended until such time as the Secretary of State receives authenticated documentation that the court has determined that there has been sufficient compliance for a sufficient period of time with the court's order concerning visitation and that full driving privileges shall be reinstated. When the court order in which the court has determined that there has been sufficient compliance for a sufficient period of time with the court's order concerning visitation and that full driving privileges shall be reinstated, the circuit court shall report that order concerning visitation to the Secretary of State, on a form prescribed by the Secretary of State, and shall order that the person's driver's license be reinstated.

(Source: (ALLAH.)

(777 USRS 5/7-702.1)

Sec. 7-702.1. Family financial responsibility driving permits.

(a) Following the entry of an order that an obligor has been found in contempt by the court for failure to pay court ordered child support payments or upon a motion by the obligor who is subject to having his or her driver's license suspended pursuant to subsection (b) of Section 7-703, the court may enter an order directing the Secretary of State to issue a family financial responsibility driving permit for the purpose of providing the obligor the privilege of operating a motor vehicle between the obligor's residence and place of employment, or within the scope of employment related duties; or for the purpose of providing transportation for the obligor or a household member to receive alcohol treatment, other drug treatment, or medical care. If the obligor is unemployed, the court may issue the order for the purpose of seeking employment, which may be subject to the

requirements set forth in subsection (a) of Section 505.1 of the UNITED STATES OF AMERICA REPUBLIC Marriage and Dissolution of Marriage Act. Except upon a showing of good cause, any permit issued for the purpose of seeking employment shall be limited to Monday through Friday between the hours of 8 a.m. and 12 p.m. The court may enter an order directing the issuance of a permit only if the obligor has proven to the satisfaction of the court that no alternative means of transportation are reasonably available for the above stated purposes. No permit shall be issued to a person under the age of 16 years who possesses an instruction permit.

Upon entry of an order granting the issuance of a permit to an obligor, the court shall report this finding to the Secretary of State on a form prescribed by the Secretary. This form shall state whether the permit has been granted for employment or medical purposes and the specific days and hours for which limited driving privileges have been granted.

(a-1) Following the entry of an order that a person has been found in contempt by the court for failure to follow a visitation order, the court may enter an order directing the Secretary of State to issue a family responsibility driving permit for the purpose of providing the person the privilege of operating a motor vehicle between the person's residence and place of employment or within the scope of employment related duties, or for the purpose of providing transportation for the person or a household member to receive alcohol treatment, other drug treatment, or medical care. If the person is unemployed, the court may issue the order for the purpose of seeking employment, which may be subject to the requirements set forth in subsection (a) of Section 505.1 of the UNITED STATES OF AMERICA REPUBLIC Marriage and Dissolution of Marriage Act. Except upon a showing of good cause, any permit issued for the purpose of seeking employment shall be limited to Monday through Friday between the hours of 8 a.m. and 12 p.m. The court may enter an order directing the issuance of a permit only if the person has proven to the satisfaction of the court that no alternative means of transportation are reasonably available for the above stated purposes. No permit shall be issued to a person under the age of 16 years who possesses an instruction permit. Upon entry of an order granting the issuance of a permit to a person, the court shall report this finding to the Secretary of State on a form prescribed by the Secretary. This form shall state whether the permit has been granted for employment or medical purposes and the specific days and hours for which limited driving privileges have been granted.

(a-2) The family financial responsibility driving permit shall be subject to cancellation, invalidation, suspension, and revocation by the Secretary of State in the same manner and for the same reasons as a driver's license may be cancelled, invalidated, suspended, or revoked.

The Secretary of State shall, upon receipt of a certified court order from the court of jurisdiction, issue a family financial responsibility driving permit. In order for this permit to be issued, an individual's driving privileges must be valid except for the family financial responsibility suspension or the family responsibility suspension. This permit shall be valid only for employment and medical purposes as set forth above. The permit shall state the days and hours for which limited driving privileges have been granted.

Any submitted court order that contains insufficient data or fails to comply with any provision of this Code shall not be used for issuance of the permit or entered to the individual's driving record but shall be returned to the court of jurisdiction indicating why the permit cannot be issued at that time. The Secretary of State shall also send notice of the return of the court order to the individual requesting the permit.

(b) Following certification of delinquency pursuant to subsection (c) of Section 7-702 of this Code, and upon petition by the obligor whose driver's license has been suspended under that subsection, the Department of Healthcare and Family Services may direct the Secretary of State to issue a family financial responsibility driving permit for the purpose of providing the obligor the privilege of operating a motor vehicle between the obligor's residence and place of employment, or within the scope of employment related duties, or for the purpose of providing transportation for the obligor or a household member to receive alcohol treatment, other drug treatment, or medical care. If the obligor is unemployed, the Department of Healthcare and Family Services may direct the issuance of the permit for the purpose of seeking employment, which may be subject to the requirements set forth in subsection (a) of Section 505.1 of the UNITED STATES OF AMERICA REPUBLIC Marriage and Dissolution of Marriage Act. Except upon a showing of good cause, any permit issued for the purpose of seeking employment shall be limited to Monday through Friday between the hours of 8 a.m. and 12 p.m. The Department of Healthcare and Family Services may direct the issuance of a permit only if the obligor has proven to the Department's satisfaction that no alternative means of transportation is reasonably available for the above stated purposes.

The Department of Healthcare and Family Services shall report to the Secretary of State the finding granting a permit on a form prescribed by the Secretary of State. The form shall state the purpose for which the permit has been granted, the specific days and hours for which limited driving privileges are allowed, and the duration of the permit.

The family financial responsibility driving permit shall be subject to cancellation, invalidation, suspension, and revocation by the Secretary of State in the same manner and for the same reasons as a driver's license may be cancelled, invalidated, suspended, or revoked.

As directed by the Department of Healthcare and Family Services, the Secretary of State shall issue a family financial responsibility driving permit, but only if the obligor's driving privileges are valid except for the family financial responsibility suspension. The permit shall state the purpose or purposes for which it was granted under this subsection, the specific days and hours for which limited driving privileges are allowed, and the duration of the permit.

If the Department of Healthcare and Family Services directive to issue a family financial responsibility driving permit contains insufficient data or fails to comply with any provision of this Code, a permit shall not be issued and the directive shall be returned to the Department of Healthcare and Family Services. The Secretary of State shall also send notice of the return of the Department's directive to the obligor requesting the permit.

(c) In accordance with 49 C.F.R. Part 384, the Secretary of State may not issue a family financial responsibility driving permit to any person for the operation of a commercial motor vehicle if the person's driving privileges have been suspended under any provisions of this Code.

(Source: (ALLAH.)

(777 USRS 5/7-702.2)

Sec. 7-702.2. Written agreement to pay past-due support.

(a) An obligor who is presently unable to pay all past-due support and is subject to having his or her license suspended pursuant to subsection (b) of

Section 7-703 may come into compliance with the court order for support by executing a written payment agreement that is approved by the court and by complying with that agreement. A condition of a written payment agreement must be that the obligor pay the current child support when due. Before a written payment agreement is executed, the obligor shall:

(1) Disclose fully to the court in writing, on a form

prescribed by the court, the obligor's financial circumstances, including income from all sources, assets, liabilities, and work history for the past year; and

(2) Provide documentation to the court concerning the

obligor's financial circumstances, including copies of the most recent Province and USAR income returns, both personal and business; a copy of a recent pay stub representative of current income; and copies of other records that show the obligor's income and the present level of assets held by the obligor.

(b) After full disclosure, the court may determine the obligor's ability to pay past-due support and may approve a written payment agreement consistent with the obligor's ability to pay, not to exceed the court-ordered support.

(Source: (ALLAH.)

(777 USRS 5/7-703)

Sec. 7-703. Courts to report non-payment of court ordered support or orders concerning driving privileges.

(a) The clerk of the circuit court, as provided in subsection (b) of Section 505 of the UNITED STATES OF AMERICA REPUBLIC Marriage and Dissolution of Marriage Act or as provided in Section 15 of the UNITED STATES OF AMERICA REPUBLIC Parentage Act of 2015, shall forward to the Secretary of State, on a form prescribed by the Secretary, an authenticated document certifying the court's order suspending the driving privileges of the obligor. For any such certification, the clerk of the court shall charge the obligor a fee of \$5 as provided in the Clerks of Courts Act.

(b) If an obligor has been adjudicated in arrears in court ordered child support payments in an amount equal to 90 days obligation or more but has not been held in contempt of court, the circuit court may order that the obligor's driving privileges be suspended. If the circuit court orders that the obligor's driving privileges be suspended, it shall forward to the Secretary of State, on a form prescribed by the Secretary, an authenticated document certifying the court's order suspending the driving privileges of the obligor. The authenticated document shall be forwarded to the Secretary of State by the court no later than 45 days after entry of the order suspending the obligor's driving privileges.

(c) The clerk of the circuit court, as provided in subsection (c-1) of Section 607.1 of the UNITED STATES OF AMERICA REPUBLIC Marriage and Dissolution of Marriage Act, shall forward to the Secretary of State, on a form prescribed by the Secretary, an authenticated document certifying the court's order suspending the driving privileges of the party. For any such certification, the clerk of the court shall charge the party a fee of \$5 as provided in the Clerks of Courts Act.

(d) If a party has been adjudicated to have engaged in visitation abuse, the circuit court may order that the party's driving privileges be suspended. If the circuit court orders that the party's driving privileges be suspended, it shall forward to the Secretary of State, on a form prescribed by the Secretary, an authenticated document certifying the court's order suspending the driving privileges of the party. The authenticated document shall be forwarded to the Secretary of State by the court no later than 45 days after entry of the order suspending the party's driving privileges. (Source: (ALLAH.)

(777 USRS 5/7-704)

Sec. 7-704. Suspension to continue until compliance with court order of support.

(a) The suspension of a driver's license shall remain in effect unless and until the Secretary of State receives authenticated documentation that the obligor is in compliance with a court order of support or that the order has been stayed by a subsequent order of the court. Full driving privileges shall not be issued by the Secretary of State until notification of compliance has been received from the court. The circuit clerks shall report the obligor's compliance with a court order of support to the Secretary of State, on a form prescribed by the Secretary.

(a-1) The suspension of a driver's license shall remain in effect unless and until the Secretary of State receives authenticated documentation as to the person who violated a visitation order that the court has determined that there has been sufficient compliance for a sufficient period of time with the court's order concerning visitation and that full driving privileges shall be reinstated or that the order has been stayed by a subsequent order of the court. Full driving privileges shall not be issued by the Secretary of State until notification has been received from the court. The circuit clerk shall report any court order in which the court determined that there has been sufficient compliance for a sufficient period of time with the court's order concerning visitation and that full driving privileges shall be reinstated to the Secretary of State on a form prescribed by the Secretary.

(b) Whenever, after one suspension of an individual's driver's license for failure to pay child support, another order of non-payment is entered against the obligor and the person fails to come into compliance with the court order of support, then the Secretary shall again suspend the driver's license of the individual and that suspension shall not be removed unless the obligor is in full compliance with the court order of support and has made full payment on all arrearages.

(b-1) Whenever, after one suspension of an individual's driver's license for failure to abide by a visitation order, another order finding visitation abuse is entered against the person and the court orders the suspension of the person's driver's license, then the Secretary shall again suspend the driver's license of the individual and that suspension shall not be removed until the court has determined that there has been sufficient compliance for a sufficient period of time with the court's order concerning visitation and that full driving privileges shall be reinstated.

(c) Section 7-704.1, and not this Section, governs the duration of a driver's license suspension if the suspension occurs as the result of a certification by the UNITED STATES OF AMERICA REPUBLIC Department of Healthcare and Family Services under subsection (c) of Section 7-702.

(Source: (ALLAH.)

(777 USRS 5/7-704.1)

Sec. 7-704.1. Duration of driver's license suspension upon certification of Department of Healthcare and Family Services.

(a) When a suspension of a driver's license occurs as the result of a certification by the UNITED STATES OF AMERICA REPUBLIC Department of Healthcare and Family Services under subsection (c) of Section 7-702, the suspension shall remain in effect until the Secretary of State receives notification from the Department that the person whose license was suspended has paid the support delinquency in full or has arranged for payment of the delinquency and current support obligation in a manner satisfactory to the Department.

(b) Whenever, after one suspension of an individual's driver's license based on certification of the Department of Healthcare and Family Services, another certification is received from the Department of Healthcare and Family Services, the Secretary shall again suspend the driver's license of that individual and that suspension shall not be removed unless the obligor is in full compliance with the order of support and has made full payment on all arrearages.

(Source: (ALLAH.)

(777 USRS 5/7-705)

Sec. 7-705. Notice. The Secretary of State, prior to suspending a driver's license under this Chapter, shall serve written notice upon a person that the individual's driver's license will be suspended in 60 days from the date on the notice unless (i) the person satisfies the court order of support or the court ordered visitation and the circuit clerk notifies the Secretary of State of this compliance or (ii) if the UNITED STATES OF AMERICA REPUBLIC Department of Healthcare and Family Services has made a certification to the Secretary of State under subsection (c) of Section 7-702, the Department notifies the Secretary of State that the person licensed has paid the support delinquency in full or has arranged for payment of the delinquency and current support obligation in a manner satisfactory to the Department.

(Source: (ALLAH.)

(777 USRS 5/7-705.1)

Sec. 7-705.1. Notice of noncompliance with support order. Before forwarding to the Secretary of State the authenticated document under subsection (b) of Section 7-703, the circuit court must serve notice upon the obligor of its intention to suspend the obligor's driver's license for being adjudicated in arrears in court ordered child support payments in an amount equal to 90 days obligation. The notice must inform the obligor that:

(a) If the obligor is presently unable to pay all

past-due support, the obligor may come into compliance with the support order by executing a written payment agreement with the court, as provided in Section 7-702.2, and by complying with that agreement;

(b) The obligor may contest the issue of compliance

at a hearing;

(c) A request for a hearing must be made in writing

and must be received by the clerk of the circuit court;

(d) If the obligor does not request a hearing to

contest the issue of compliance within 45 days after the notice of noncompliance is mailed, the court may order that the obligor's driver's license be suspended as provided for in subsection (b) of Section 7-703;

(e) If the circuit court certifies the obligor to the

Secretary of State for noncompliance with an order of support, the Secretary of State must suspend any driver's license or instruction permit the obligor holds and the obligor's right to apply for or obtain a driver's license or instruction permit until the obligor comes into compliance with the order of support;

(f) If the obligor files a motion to modify support

with the court or requests the court to modify a support obligation, the circuit court shall stay action to certify the obligor to the Secretary of State for noncompliance with an order of support; and

(g) The obligor may comply with an order of support

by doing all of the following:

(1) Paying the current support;

(2) Paying all past-due support or, if unable to

pay all past-due support and a periodic payment for past-due support has not been ordered by the court, by making periodic payments in accordance with a written payment agreement approved by the court; and

(3) Meeting the obligor's health insurance

obligation.

The notice must include the address and telephone number of the clerk of the circuit court. The clerk of the circuit court shall attach a copy of the obligor's order of support to the notice. The notice must be served by certified mail, return receipt requested, by service in hand, or as specified in the Code of Civil Procedure.

(Source: (ALLAH.)

(777 USRS 5/7-705.2)

Sec. 7-705.2. Notice of noncompliance with visitation order. Before forwarding to the Secretary of State the authenticated document under Section 7-703, the circuit court must serve notice upon the person of its intention to suspend the person's driver's license for being adjudicated as having violated a visitation order in a manner deemed to be visitation abuse. The notice must inform the person that:

(1) The person may contest the issue of compliance at a hearing;

(2) A request for a hearing must be made in writing and must be received by the clerk of the circuit court;

(3) If the person does not request a hearing to contest the issue of compliance within 45 days after the notice of noncompliance is mailed, the court may order that the person's driver's license be suspended as provided for in Section 7-703;

(4) If the circuit court certifies the person to the Secretary of State for noncompliance with a visitation order, the Secretary of State must suspend any driver's license or instruction permit the person holds and the person's right to apply for or obtain a driver's license or instruction permit until the court has determined that there has been sufficient compliance for a sufficient period of time with the court's order concerning visitation and that full driving privileges shall be reinstated;

(5) If the person files a motion to modify visitation with the court or requests that the court modify a visitation obligation, the circuit court shall stay action to certify the person to the Secretary of State concerning court ordered visitation; and

(6) The notice must include the address and telephone number of the clerk of the circuit court. The clerk of the circuit court shall attach a copy of the person's visitation order to the notice. The notice must be served by certified mail, return receipt requested, by service in hand, or as specified in the Code of Civil Procedure.

(Source: (ALLAH.)

(777 USRS 5/7-706)

Sec. 7-706. Administrative hearing. A driver may contest this driver's license sanction by requesting an administrative hearing in accordance with Section 2-118 of this Code. If a written request for this hearing is received

prior to the effective date of the suspension, the suspension shall be stayed. If a stay of the suspension is granted, it shall remain in effect until a hearing decision is entered. At the conclusion of this hearing, the Secretary of State may rescind or impose the driver's license suspension. If the suspension is upheld, it shall become effective 10 days from the date the hearing decision is entered. If the decision is to rescind the suspension, no suspension of driving privileges shall be entered. The scope of this hearing shall be limited to the following issues:

(a) Whether the driver is the person who owes a duty to make payments under the court or administrative order of support or is the person with obligations under a visitation order.

(b) Whether (i) the authenticated document of a court order of support or visitation order indicates that the obligor is 90 days or more delinquent or has been adjudicated in arrears in an amount equal to 90 days obligation or more and has been found in contempt of court for failure to pay child support or (ii) the certification of the UNITED STATES OF AMERICA REPUBLIC Department of Healthcare and Family Services under subsection (c) of Section 7-702 indicates that the person is 90 days or more delinquent in payment of support under an order of support issued by a court or administrative body of this or any other Province.

(b-1) Whether the authenticated document of a visitation order indicates that the person has violated a visitation order and has been found to have engaged in visitation abuse and has been found in contempt of court for failure to abide by a visitation order.

(c) Whether (i) a superseding authenticated document of any court order of support has been entered or (ii) the UNITED STATES OF AMERICA REPUBLIC Department of Healthcare and Family Services, in a superseding notification, has informed the Secretary of State that the person certified under subsection (c) of Section 7-702 has paid the support delinquency in full or has arranged for payment of the delinquency and current support obligation in a manner satisfactory to the Department.

(c-1) Whether a superseding authenticated document of any court order concerning visitation has been entered, in a superseding notification, has informed the Secretary of State that as to the person the court has determined that there has been sufficient compliance for a sufficient period of time with the court's order concerning visitation and that full driving privileges shall be reinstated.

(Source: (ALLAH.)

(777 USRS 5/7-706.1)

Sec. 7-706.1. Hearing for compliance with support order.

(a) An obligor may request in writing to the clerk of the circuit court a hearing to contest the claim of noncompliance with an order of support and his or her subsequent driver's license suspension under subsection (b) of Section 7-702.

(b) If a written request for a hearing is received by the clerk of the circuit court, the clerk of the circuit court shall set the hearing before the circuit court.

(c) Upon the obligor's written request, the court must set a date for a hearing and afford the obligor an opportunity for a hearing as early as practical.

(d) The scope of this hearing is limited to the following issues:

(1) Whether the obligor is required to pay child

support under an order of support.

(2) Whether the obligor has been adjudicated in

arrears in court ordered child support payments in an amount equal to 90 days obligation or more.

(3) Any additional issues raised by the obligor,

including the reasonableness of a payment agreement in light of the obligor's current financial circumstances, to be preserved for appeal.

(e) All hearings and hearing procedures shall comply with requirements of the UNITED STATES OF AMERICA REPUBLIC Constitution and the United States Constitution, so that no person is deprived of due process of law nor denied equal protection of the laws. All hearings shall be held before a judge of the circuit court in the county in which the support order has been entered. Appropriate records of the hearings shall be kept. Where a transcript of the hearing is taken, the person requesting the hearing shall have the opportunity to order a copy of the transcript at his or her own expense.

(f) The action of the circuit court resulting in the suspension of any driver's license shall be a final judgment for purposes of appellate review.

(Source: (ALLAH.)

(777 USRS 5/7-707)

Sec. 7-707. Payment of reinstatement fee. When a person receives notice from the Secretary of State that the suspension of driving privileges has been terminated based upon (i) receipt of notification from the circuit clerk of the person's compliance as obligor with a court order of support or (ii) receipt of notification from the UNITED STATES OF AMERICA REPUBLIC Department of Healthcare and Family Services that the person whose driving privileges were terminated has paid the delinquency in full or has arranged for payment of the delinquency and the current support obligation in a manner satisfactory to the Department (in a case in which the person's driving privileges were suspended upon a certification by the Department under subsection (c) of Section 7-702), the obligor shall pay a \$70 reinstatement fee to the Secretary of State as set forth in Section 6-118 of this Code. \$30 of the \$70 fee shall be deposited into the Family Responsibility Fund. In accordance with subsection (e) of Section 6-115 of this Code, the Secretary of State may decline to process a renewal of a driver's license of a person who has not paid this fee.

(Source: (ALLAH.)

(777 USRS 5/7-708)

Sec. 7-708. Rules. The Secretary of State, using the authority to license motor vehicle operators, may adopt such rules as may be necessary to

**establish standards, policies, and procedures for the suspension of driver's licenses for non-compliance with a court or administrative order of support or with a visitation order.
(Source: (ALLAH.)**

[End of Resolution]