

2021 -- H 5538

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - MOTOR VEHICLES REPARATIONS
ACT

Introduced By: Representatives Perez, Vella-Wilkinson, Williams, Cardillo, and Shanley

Date Introduced: February 12, 2021

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-47-9 of the General Laws in Chapter 31-47 entitled "Motor
2 Vehicle Reparations Act" is hereby amended to read as follows:

3 **31-47-9. Penalties.**

4 (a) Any owner of a motor vehicle registered in this state who shall knowingly operate the
5 motor vehicle or knowingly permit it to be operated in this state without having in full force and
6 effect the financial security required by the provisions of this chapter, and any other person who
7 shall operate in this state any motor vehicle registered in this state with the knowledge that the
8 owner of it does not have in full force and effect financial security, except a person who, at the time
9 of operation of the motor vehicle, had in effect an operator's policy of liability insurance, as defined
10 in this chapter, with respect to his or her operation of the vehicle, may be subject to a mandatory
11 suspension of license and registration as follows:

12 (1) For a first offense, a suspension of up to three (3) months and may be fined a maximum
13 of one hundred dollars (\$100) up to five hundred dollars (\$500) one hundred twenty-five dollars
14 (\$125);

15 (2) For a second offense, a suspension of six (6) months; and may be fined five hundred
16 dollars (\$500); and

17 (3) For a third and subsequent offense, a suspension of up to one year. Additionally, any
18 person violating this section a third or subsequent time shall be punished as a civil violation and

1 may be fined one thousand dollars (\$1,000).

2 (b) An order of suspension and impoundment of a license or registration, or both, shall
3 state that date on or before which the person is required to surrender the person's license or
4 certificate of registration and registration plates. The person is deemed to have surrendered the
5 license or certificate of registration and registration plates, in compliance with the order, if the
6 person does either of the following:

7 (1) On or before the date specified in the order, personally delivers the license or certificate
8 of registration and registration plates, or causes the delivery of those items, to the administrator of
9 the division of motor vehicles or court, whichever issued the order;

10 (2) Mails the license or certificate of registration and registration plates to the administrator
11 of the division of motor vehicles, in an envelope or container bearing a postmark showing a date
12 no later than the date specified in the order.

13 (c) The administrator of the division of motor vehicles shall not restore any operating
14 privileges or registration rights suspended under this section or return any license, certificate of
15 registration, or registration plates impounded under this section unless the rights are not subject to
16 suspension or revocation under any other law and unless the person, in addition to complying with
17 all other conditions required by law for reinstatement of operating privileges or registration rights,
18 complies with all of the following:

19 (1) Pays a reinstatement fee of thirty dollars (\$30.00). The reinstatement fee may be
20 increased, upon approval of the administrator of the division of motor vehicles, up to an amount
21 not exceeding fifty dollars (\$50.00).

22 (2) Files and maintains proof of financial security. To facilitate the administration of this
23 chapter the clerk of the courts shall notify the administrator of the division of motor vehicles of all
24 persons against whom judgments have been entered arising out of a motor vehicle collision.

25 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would amend the fine imposed for a first offense for failure to maintain financial
- 2 security, to a maximum of one hundred twenty-five dollars (\$125).
- 3 This act would take effect upon passage.

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