

## **TESTIMONY OF MICHAEL ONOFRIETTI**

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COMMITTEE ON JUDICIARY  
Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura, Vice Chair

Thursday, March 3, 2016  
2:00 p.m.

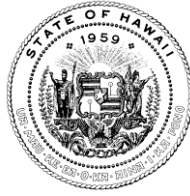
### **HB 1705**

Chair Rhoads, Vice Chair San Buenaventura, and members of the Committee on Judiciary, my name is Michael Onofrietti, Chairman of the Board of the Hawaii Insurers Council. Hawaii Insurers Council is a non-profit trade association of property and casualty insurance companies licensed to do business in Hawaii. Member companies underwrite approximately thirty-six percent of all property and casualty insurance premiums in the state.

Hawaii Insurers Council **supports** this bill in its current form. This bill would allow an e-card to show proof of insurance. We believe this is something that will assist policyholders in ease of use and law enforcement as well.

This bill is a consumer friendly proposal that will provide another easier option to produce proof of insurance. Today, technology allows people to use smartphones to do many things that were not possible prior including shopping, banking, holding store cards that provide discounts, and more. Finally, the bill provides for both options at the consumer's choice, either electronic or paper.

Thank you for the opportunity to testify.



DAVID Y. IGE  
GOVERNOR  
  
SHAN S. TSUTSUI  
LT. GOVERNOR

**STATE OF HAWAII**  
**OFFICE OF THE DIRECTOR**  
**DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**  
335 MERCHANT STREET, ROOM 310  
P.O. Box 541  
HONOLULU, HAWAII 96809  
Phone Number: 586-2850  
Fax Number: 586-2856  
[www.hawaii.gov/dcca](http://www.hawaii.gov/dcca)

CATHERINE P. AWAKUNI COLÓN  
DIRECTOR  
  
JO ANN M. UCHIDA TAKEUCHI  
DEPUTY DIRECTOR

TO THE HOUSE COMMITTEE ON JUDICIARY

TWENTY-EIGHTH LEGISLATURE  
Regular Session of 2016

Thursday, March 3, 2016  
2:00 p.m.

**TESTIMONY ON HOUSE BILL NO. 1705 – RELATING TO MOTOR VEHICLE  
INSURANCE.**

TO THE HONORABLE KARL RHOADS, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Gordon Ito, State Insurance Commissioner ("Commissioner"),  
testifying on behalf of the Department of Commerce and Consumer Affairs  
("Department"). The Department supports the intent of allowing the use of motor  
vehicle insurance identification ("MVI") cards in electronic formats and submits the  
following comments.

In 1998, the Legislature amended § 431:10C-107, Hawaii Revised Statutes, to  
require that MVI cards that are issued in Hawai'i be forgery resistant. This was done to  
combat the growing cottage industry of homemade MVI cards and reduce the number of  
uninsured motorists on the road. In implementing this statute's requirements, insurers  
and producer agencies submit proposed card stocks to the Commissioner for approval.  
Once approved, samples of the respective card stocks are sent to county enforcement  
and motor vehicle registration agencies so that they may be used as reference points.  
While we have no figures of the effectiveness of the use of these forgery resistant  
cards, a check with the Insurance Division ("Division") investigators shows that no

complaints regarding fake cards have been received by the Division for many years. This is a far cry from the period before the passage of this requirement where complaints were received weekly about fake MVI insurance cards being used at safety check stations, motor vehicle registration counters, and at traffic accidents.

Some of the benefits of the use of electronic MVI cards are their ease of use, immediate issuance, and portability. That being said, a problem that currently exists with MVI cards will exist with electronic MVI cards. Electronic MVI cards, if captured as a pdf image, may not reflect cancellations during the middle of policies' periods. Once issued, in either case, the driver may cancel the policy and keep the card to produce when required.

Also, with electronic MVI cards, there is no reference check available for government agencies to determine whether the proffered electronic cards are legitimate.

A possible solution in resolving these issues would be the establishment of an MVI electronic database which would show updated information of existing MVI coverages.

We thank this Committee for the opportunity to present testimony on this matter.



To: The Honorable Karl Rhoads, Chair  
The Honorable Joy San Buenaventura, Vice Chair  
House Committee on Judiciary

From: Mark Sektnan, Vice President

Re: HB 1705 Relating to Motor Vehicle Insurance  
**PCI Position: SUPPORT**

Date: Thursday, March 3, 2016  
2:00 p.m., Room 325

Aloha Chair Rhoads, Vice Chair San Buenaventura and Members of the Committee:

The Property Casualty Insurers Association of America (PCI) is pleased to support HB 1705 which would allow motorists to produce evidence of liability insurance in an electronic form.

In Hawaii, PCI member companies write approximately 42.7 percent of all property casualty insurance written in Hawaii. PCI member companies write 44 percent of all personal automobile insurance, 65.2 percent of all commercial automobile insurance and 75 percent of the workers' compensation insurance in Hawaii.

Today, people are using their smartphones to do more and more things electronically. They shop, bank and pay bills from their phone. They even use them to board airplanes. Yet in Hawaii, motorists are still required to carry a physical insurance identification card with them. If a law enforcement officer asks for the card and a motorist can't find it, or simply forgets to switch out an expired card with a new one, that motorist will be ticketed and will have to go to court even though that person has insurance.

Odds are, people always have their smartphones with them. Therefore, if HB 1705 is enacted, motorists will never again be without proof of insurance.

Under this bill, all stakeholders benefit. Insured motorists are spared the hassle of having to go to court just to prove they have insurance, courts have less ticket cases to hear, and insurance companies benefit because they don't have to print and mail insurance cards to those motorists who prefer to display proof on their smartphones.

This legislation is permissive, meaning it does not require anyone to use a particular format. If a motorist prefers carrying a paper identification card, they can still get one. Nor does this bill require insurers to offer electronic cards.

Furthermore, under HB 1705 state officials viewing someone's smartphone are prohibited from viewing any other information on the phone. This means a motorist does not give up his or her privacy simply by showing someone they have insurance.

More than 40 states allow motorists to display evidence of insurance electronically. PCI strongly urges you to consider allowing Hawaii motorists the same privilege.

For these reasons, PCI asks the committee to pass HB 1705.

**HOUSE COMMITTEE  
ON  
JUDICIARY**

March 3, 2016

House Bill 1705 Relating to Motor Vehicle Insurance

Chair Rhoads, Vice Chair San Buenaventura, and members of the House Committee on Judiciary, I am Rick Tsujimura, representing State Farm Mutual Automobile Insurance Company (State Farm).

State Farm offers the following comments about House Bill 1705 Relating to Motor Vehicle Insurance. State Farm supports this measure.

Since 2012, state legislators and regulators have rapidly updated laws to recognize the increasing prevalence of technology by allowing insurers to provide policyholders with electronic proof of insurance cards. In 2011, no states allowed for electronic proof of insurance. By the end of 2012, there were seven states, and as of the first quarter of 2015, 39 states allowed for electronic proof of insurance.

More and more of our customers use their mobile devices to keep track of and maintain important information, and State Farm believes that electronic proof of insurance cards provide a real service to our policyholders, who like the convenience of using them. We believe that this law will also save law enforcement and court personnel time and money because they will no longer need to process tickets written to drivers who had coverage but lost their ID card or neglected to keep it in the car.

Thank you for the opportunity to present this testimony.

**Testimony of  
Gary M. Slovin / Mihoko E. Ito  
on behalf of  
USAA**

**LATE**

DATE: March 2, 2016

TO: Representative Karl Rhoads  
Chair, Committee on Judiciary  
*Submitted Via [JUDtestimony@capitol.hawaii.gov](mailto:JUDtestimony@capitol.hawaii.gov)*

RE: **H.B. 1705 – Relating to Motor Vehicle Insurance**  
**Hearing Date: Thursday, March 3, 2016 at 2:00 p.m.**  
**Conference Room: 325**

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Dear Chair Rhoads and members of the Committee on Judiciary:

We submit this testimony on behalf of USAA, a diversified financial services company. USAA is the leading provider of competitively priced financial planning, insurance, investments, and banking products to members of the U.S. military and their families. USAA has over 82,000 members in Hawaii, the vast majority of which are military-based members.

USAA **supports** H.B. 1705, which allows proof of motor vehicle insurance to be displayed in electronic format on a mobile device. The bill would also allow for the continued use of paper cards, but offer the option of electronic cards to be used as proof of insurance in situations where paper cards are currently used.

USAA is very technology oriented as a company, and currently 60 percent of its insurance transactions are currently conducted via the internet. USAA has also been a leader in using technology to make its military members' lives easier. Because USAA's membership base is generally very mobile, it is important to USAA to be able use the benefits of technology to continually improve its customer service.

We support this measure because it will allow those who opt to use it to pull up insurance information on mobile devices, and use an electronic card as proof of insurance in lieu of a paper card. A majority of states across the country have already changed their laws

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Gary M. Slovin  
Mihoko E. Ito  
C. Mike Kido  
Tiffany N. Yajima

999 Bishop Street, Suite 1400  
Honolulu, HI 96813  
(808) 539-0840

to allow for the use of electronic insurance cards, and this bill would allow Hawaii to do the same.

For the above reasons, we respectfully ask that the Committee pass this bill. Thank you very much for the opportunity to testify in support of his measure.