

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 25—Motor Vehicle Financial Responsibility**

PROPOSED AMENDMENT

12 CSR 10-25.120 Application for Certificate of Self-Insurance from Religious Denominations. This proposal amends the Purpose, and Sections (1) and (4)-(7).

PURPOSE: This amendment makes several technical changes and clarifies the requirements to obtain a Certificate of Self-Insurance.

PURPOSE: This rule establishes [the prerequisites necessary to] how certain religious denominations may apply for a self-insurance certificate pursuant to the provisions of section 303.220, RSMo [(Senate Bill 424, 83rd General Assembly, Second Regular Session)].

(1) *[The application]* **Applicants** for self-insurance authorization *[shall include]* **will complete an application in a form prescribed by the director of revenue which will include the following:**

(A) *[The request for self-insurance on the letterhead of the religious denomination signed by the head of the denomination;]* **A notarized affidavit, as prescribed by the director of revenue, on which the affiant swears or affirms to the following:**

- 1. That the religious denomination and all its members are discouraged from purchasing insurance, of any form, as being contrary to the religious denomination's tenets; and**
- 2. That there are at least twenty-six (26) members in the religious denomination who own motor vehicles.**

(B) **A list, which is attached to the affidavit required by subsection (A) and incorporated by reference, of all members in the [church organization] religious denomination who own motor vehicles. There must be at least twenty-six (26) members in the [church] religious denomination who own motor vehicles. The list must include the following information:**

- 1. The full name of the [church] member as shown on the motor vehicle application for registration;**
- 2. The [church] member's [most] current address; and**
- 3. A description of each motor vehicle owned by the [church] member which is registered in Missouri. The description of each motor vehicle must include the vehicle year, make, model, vehicle identification number (VIN), and current registration plate number;**

(C) *[A notarized affidavit from the church organization specifying that it prohibits its members from purchasing insurance, of any form, as being contrary to its religious tenets;*

(D)]A written explanation of how the [church organization] religious denomination intends to settle damages or personal injuries caused in a motor vehicle accident by a member[of the church], and documentation of all vehicle claims made against the religious denomination in the past twelve months, and those claims' resolutions, or an attestation that no such claims have been made in the past twelve months.

[(E)](D) [Examples (statements) of how the church organization has settled or paid for motor vehicle accident claims in the past] **A statement indicating any limits of liability of coverage by members of the religious denomination, but in no case may the self-insurance provided by the religious denomination be less than the minimum financial responsibility requirements established in chapter 303; and**

[(F)](E) [A] **If applicable, a copy of a membership charter showing affiliation with a larger [church organization] religious denomination is required when the [church] applicant has fewer than twenty-six (26) members owning motor vehicles in Missouri.**

(4) Renewal of self-insurance authorization may be granted if the religious denomination maintains membership of at least twenty-six (26) church members owning motor vehicles. *[A]* **Any addition or removal of [list of] members [and] or vehicles as described in, and required by, subsection (1)(B) shall be provided [annually] to the director prior to the member or vehicle being self-insured.**

(A) The affidavit prescribed by the director in subsection (A) of section (1) must be completed by all religious denominations every three years.

(B) A list of members and vehicles as described in subsection (B) of section (1) shall be provided to the director annually.

(5) The director *[shall]* **will** issue a Certificate of Self-Insurance to a religious denomination qualifying for self-insurance authorization.

(6) The director *[shall]* **will** issue *[a sufficient number of identification cards]* **a Certificate of Self-Insurance for the organization to print and distribute** for *[the self-insurance religious denomination]* vehicles **identified by the religious denomination [as provided in section 303.220, RSMo].**

(7) **The director may request documentary proof from an applicant for self-insurance authorization or a religious denomination issued a Certificate of Self-Insurance to demonstrate that the religious denomination has unencumbered assets equal to at least the minimum financial responsibility requirements established in chapter 303. The religious denomination will have thirty (30) days from the date the request is made to provide the proof required by this Section. Failure to timely respond or to provide adequate proof may be considered reasonable grounds to cancel a Certificate of Self-Insurance in accordance with Section (8).**

[(7)](8) The director, upon reasonable grounds and after giving ten (10) days' notice, shall cancel a Certificate of Self-Insurance. Reasonable grounds may include, but not be limited to, failure of the self-insured to settle **a claim or satisfy** a court judgment, *[or]* **receipt of** notice of bankruptcy proceedings by the self-insured, **failure to provide documentary proof as required by Section (7), or evidence establishing the falsity of any information on which the department relies in issuing a Certificate of Self-Insurance.** The director shall notify the *[self-insured]* **religious denomination** in writing of *[his/her]* **their** decision and provide the *[self-insured]* **religious denomination** an opportunity *[to have an]* **for a contested** administrative hearing. The administrative hearing shall be conducted in accordance with section 303.290, RSMo, **and chapter 536.**

*AUTHORITY: section 303.290, RSMo, [1986. *] Original rule find Sept. 8, 1989, effective Jan. 26, 1990. Amended: Filed Nov. 26, 1991, effective April 9, 1992. FILED: XXXXXX*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more the five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost the private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, General Counsel's Office, P.O. Box 475, Jefferson City, MO 65105-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*