

CHAPTER 485 - MOTOR VEHICLES: INSURANCE AND FINANCIAL  
RESPONSIBILITY

**GENERAL PROVISIONS**

<a href="#"><u>SECTION 485.010</u></a>	Short title.
<a href="#"><u>SECTION 485.020</u></a>	Definitions.
<a href="#"><u>SECTION 485.028</u></a>	“Certificate of financial responsibility” defined.
<a href="#"><u>SECTION 485.0335</u></a>	“Dormant vehicle” defined.
<a href="#"><u>SECTION 485.034</u></a>	“Evidence of insurance” defined.
<a href="#"><u>SECTION 485.035</u></a>	“Judgment” defined.
<a href="#"><u>SECTION 485.037</u></a>	“Insurance” defined.
<a href="#"><u>SECTION 485.040</u></a>	“License” defined.
<a href="#"><u>SECTION 485.050</u></a>	“Motor vehicle” defined.
<a href="#"><u>SECTION 485.055</u></a>	“Motor vehicle liability policy” defined.
<a href="#"><u>SECTION 485.060</u></a>	“Nonresident” defined.
<a href="#"><u>SECTION 485.070</u></a>	“Nonresident’s operating privilege” defined.
<a href="#"><u>SECTION 485.080</u></a>	“Operator” defined.
<a href="#"><u>SECTION 485.090</u></a>	“Owner” defined.
<a href="#"><u>SECTION 485.105</u></a>	“Proof of financial responsibility” defined.
<a href="#"><u>SECTION 485.108</u></a>	“Registered owner” defined.
<a href="#"><u>SECTION 485.110</u></a>	“Registration” defined.

**ADMINISTRATION**

<a href="#"><u>SECTION 485.130</u></a>	General duties of Department.
<a href="#"><u>SECTION 485.140</u></a>	Judicial review.

**INSURANCE REQUIRED**

<a href="#"><u>SECTION 485.187</u></a>	Unlawful acts; fines and penalties; exceptions.
--	---

---

**GENERAL PROVISIONS**

**SECTION 485.010 Short title.** This chapter may be cited as the Motor Vehicle Insurance and Financial Responsibility Act.

**SECTION 485.020 Definitions.** As used in this chapter, unless the context otherwise requires, the words and terms defined in [SECTION 485.028](#) to [485.120](#), inclusive, have the meanings ascribed to them in those sections.

**SECTION 485.028 “Certificate of financial responsibility” defined.** “Certificate of financial responsibility” means the certificate issued by an insurance carrier pursuant to [SECTION 485.308](#) certifying that there is a motor vehicle liability policy in effect for a person who is required to furnish proof of financial responsibility.

**SECTION 485.0335 “Dormant vehicle” defined.** “Dormant vehicle” means a motor vehicle:

1. For which a policy of liability insurance is required pursuant to this chapter; and
2. That will not be operated for an extended period because of mechanical or seasonal circumstances.

**SECTION 485.034 “Evidence of insurance” defined.** “Evidence of insurance” means:

1. The form provided by an insurer pursuant to [SECTION 690B.023](#) as evidence of a contract of insurance for a motor vehicle liability policy; or
2. The certificate of self-insurance issued to a self-insurer by the Department pursuant to [SECTION 485.380](#).

**SECTION 485.035 “Judgment” defined.** “Judgment” means any judgment which shall have become final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal rendered by a court of competent jurisdiction of any state or of the United States, upon a cause of action arising out of the ownership, maintenance or use of any motor vehicle for damages, including damages for care and loss of services because of injury to or destruction of property, including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damages.

**SECTION 485.037 “Insurance” defined.** “Insurance” means:

1. A motor vehicle liability policy; or
2. The security provided by a self-insurer pursuant to [SECTION 485.380](#).

**SECTION 485.040 “License” defined.** “License” means any license, temporary instruction permit or temporary license issued under the laws of this State pertaining to the licensing of persons to operate motor vehicles.

**SECTION 485.050 “Motor vehicle” defined.** “Motor vehicle” means every self-propelled vehicle which is designed for use upon a highway, including:

1. Trailers and semitrailers designed for use with such vehicles, except traction engines, road rollers, farm tractors, tractor cranes, power shovels and well drillers; and

2. Every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails.

Ê The term does not include electric personal assistive mobility devices as defined in [SECTION 482.029](#).

**SECTION 485.055 “Motor vehicle liability policy” defined.**

1. “Motor vehicle liability policy” means an owner’s policy of liability insurance or an operator’s policy of liability insurance issued by an insurer authorized to transact business in this State, to or for the benefit of the person named therein as insured.

2. With respect to a policy which grants excess or additional coverage over that required by [SECTION 485.3091](#), the term “motor vehicle liability policy” applies only to that part of the coverage which is required by [SECTION 485.3091](#).

**SECTION 485.060 “Nonresident” defined.** “Nonresident” means every person who is not a resident of this State.

**SECTION 485.070 “Nonresident’s operating privilege” defined.** “Nonresident’s operating privilege” means the privilege conferred upon a nonresident by the laws of this State pertaining to the operation by the nonresident of a motor vehicle, or the use of a motor vehicle owned by the nonresident, in this State.

**SECTION 485.080 “Operator” defined.** “Operator” means every person who is in actual physical control of a motor vehicle whether or not licensed as an operator pursuant to the laws of this State.

**SECTION 485.090 “Owner” defined.** “Owner” means a person who holds the legal title of a motor vehicle, or in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of this chapter.

**SECTION 485.105 “Proof of financial responsibility” defined.** “Proof of financial responsibility” means proof of ability to respond for the future in damages for liability, on account of accidents occurring subsequent to the effective date of that proof, arising out of the ownership, maintenance or use of a motor vehicle, in the amounts specified in [SECTION 485.185](#).

**SECTION 485.108 “Registered owner” defined.** “Registered owner” means a person whose name appears in the records of the Department as the person to whom the vehicle is registered.

**SECTION 485.110 “Registration” defined.** “Registration” means the registration certificate and plate issued under the laws of this State pertaining to the registration of motor vehicles.

## ADMINISTRATION

### **SECTION 485.130 General duties of Department.**

1. The Department shall:
  - (a) Administer and enforce the provisions of this chapter.
  - (b) Provide for hearings upon request of persons aggrieved by orders or acts of the Department under the provisions of [SECTION 485.185](#) to [485.300](#), inclusive.
2. The Department may adopt regulations necessary for the administration of this chapter.

**SECTION 485.140 Judicial review.** Any person aggrieved by a final decision in a contested case before the Department under this chapter is entitled to judicial review of the decision in the manner provided by [chapter 233B](#) of this SECTION.

## INSURANCE REQUIRED

### **SECTION 485.187 Unlawful acts; fines and penalties; exceptions.**

1. Except as otherwise provided in subsection 5, the owner of a motor vehicle shall not:
  - (a) Operate the motor vehicle, if it is registered or required to be registered in this State, without having insurance as required by [SECTION 485.185](#).
  - (b) Operate or knowingly permit the operation of the motor vehicle without having evidence of insurance of the operator or the vehicle in the vehicle.
  - (c) Fail or refuse to surrender, upon demand, to a peace officer or to an authorized representative of the Department the evidence of insurance.
  - (d) Knowingly permit the operation of the motor vehicle in violation of subsection 3 of [SECTION 485.186](#).
2. A person shall not operate the motor vehicle of another person unless the person who will operate the motor vehicle:
  - (a) First ensures that the required evidence of insurance is present in the motor vehicle; or
  - (b) Has his or her own evidence of insurance which covers that person as the operator of the motor vehicle.
3. Except as otherwise provided in subsection 4, any person who violates subsection 1 or 2 is guilty of a **Category E Offense**. Except as otherwise provided in this subsection, in addition to any other penalty, a person sentenced pursuant to this subsection shall be punished by a fine of not less than \$600 nor more than \$1,000 for each violation. The fine must be reduced to \$100 for the first violation if the person obtains a motor vehicle liability policy by the time of sentencing, unless:
  - (a) The person has registered the vehicle as part of a fleet of vehicles pursuant to subsection 5 of [SECTION 482.215](#); or

(b) The person has been issued a certificate of self-insurance pursuant to [SECTION 485.380](#).

4. A court:

(a) Shall not find a person guilty or fine a person for a violation of paragraph (a), (b) or (c) of subsection 1 or for a violation of subsection 2 if the person presents evidence to the court that the insurance required by [SECTION 485.185](#) was in effect at the time demand was made for it.

(b) Except as otherwise provided in paragraph (a), may impose a fine of not more than \$1,000 for a violation of paragraph (a), (b) or (c) of subsection 1, and suspend the balance of the fine on the condition that the person presents proof to the court each month for 12 months that the insurance required by [SECTION 485.185](#) is currently in effect.

5. The provisions of paragraphs (b) and (c) of subsection 1 do not apply if the motor vehicle in question displays a valid permit issued by the Department pursuant to subsection 1 or 2 of [SECTION 482.3955](#), or [SECTION 482.396](#) or [482.3965](#) authorizing the movement or operation of that vehicle within the State for a limited time.