



PUBLIC PROTECTION CABINET

Department of Insurance

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ADVISORY OPINION

2021-0002

The following Advisory Opinion is to advise the reader of the current position of the Kentucky Department of Insurance on the specified issue. The Advisory Opinion is not legally binding on either the Department or the reader.

TO: ALL INSURANCE COMPANIES AUTHORIZED TO WRITE MOTOR
VEHICLE INSURANCE IN KENTUCKY

FROM: SHARON P. CLARK, COMMISSIONER
KENTUCKY DEPARTMENT OF INSURANCE

RE: PROOF OF MOTOR VEHICLE COVERAGE

DATE: JUNE 24, 2021

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The Department of Insurance works collaboratively with the Transportation Cabinet to address the issue of uninsured motorists. Owners of personal vehicles that are shown to be without insurance will receive notices that registrations for their personal vehicles will be canceled if they do not obtain required insurance or show proof of existing insurance.

It has been brought to the Department's attention that there are instances where Kentuckians with motor vehicle insurance are receiving notices advising them to produce proof of insurance to their county clerk to avoid cancellation of their motor vehicle registration. In these instances, the motor vehicles are insured through a commercial policy and reported as such to the Transportation Cabinet's automated vehicle identification system (AVIS), but the motor vehicle is registered as a personal vehicle. This is resulting in confusion as the VIN number of the vehicle is not showing as an insured vehicle when the personal lines AVIS system is reviewed.

If an insurer or an insurance agent is contacted by an insured who has received a notice and whose motor vehicle is insured through a commercial policy, the Department of Insurance and

the Transportation Cabinet would advise that a request be made to the county clerk to have the vehicle's status changed from a personal to a commercial policy.

Further, in accordance with 806 KAR 39:070 Section 3, a county clerk may require proof of coverage be sent directly to the clerk by the insurance agent or the insurer. The Department of Insurance expects insurers and insurance agents to promptly respond to requests from county clerks for proof of coverage meeting these requirements.

Questions regarding this advisory opinion may be directed to our Property and Casualty Division by phone [502-564-6046](tel:502-564-6046) or by email at DOI.PropertyCasualty@ky.gov

A handwritten signature in black ink that reads "Sharon P. Clark". The signature is written in a cursive, flowing style.

Sharon P. Clark, Commissioner
Kentucky Department of Insurance

