

Community Services  
PO Box 2703, Whitehorse, Yukon Y1A 2C6

**TITLE:** **Approved Forms of Electronic and Paper Financial Responsibilities Card ("Pink Card")**

**DATE:** **May 22, 2020**

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#### Purpose

This bulletin is issued by the Superintendent of Insurance (Superintendent) pursuant to the *Insurance Act* (Act).

The purpose of this bulletin is:

- 1) To approve an electronic form of Financial Responsibility Card (FRC) in addition to the paper form of FRC (commonly known as the "pink card"), issued pursuant to section 132(8) of the Act; and
- 2) To provide information and guidance respecting the approved form of electronic and paper FRCs as well as temporary FRCs.

Section 132(8) of the Act reads as follows:

*"132(8) An insurer that issues or delivers an owner's policy in the Yukon, any renewal thereof, or any evidence of the continuation of the policy shall issue to the insured a card evidencing the insurance, and the card shall be in a form approved by the superintendent. S.Y. 2002, c.119, s.132"*

Section 86(1) of the *Motor Vehicles Act* requires drivers to produce to a peace officer for inspection the subsisting financial responsibility card issued in respect of that motor vehicle.

#### Approved Form of Electronic or Paper FRC

Except as provided below under the heading "Approved Form of Temporary FRC", the FRC

1. May be in electronic form or paper form;
2. Must contain at least the following information in black text;

- a) Insurer's name as set out in its licence conspicuously displayed and insurer's address
  - b) Policy number
  - c) Insured's name
  - d) Insured vehicle year, make and serial number (Vehicle Identification Number [VIN])
  - e) Effective and expiry dates
  - f) Name of agent
  - g) The words "Motor Vehicle Liability Insurance Card Canada Inter-Province Applicable Within Canada and the United States of America";
3. Must be pink in colour;
  4. If a paper version, must contain the provincial and territorial shields in the background. These shields are optional for an electronic FRC (see samples in Appendix 1); and
  5. Is not valid unless the referenced automobile insurance policy is in force

Electronic FRCs must be deleted and paper FRCs must be destroyed when the policy is no longer in force.

Please see Appendix 1 for samples of forms that meet the Superintendent's requirements as prescribed in this bulletin.

### **Approved Form of Temporary FRC**

A temporary FRC:

1. May be in electronic form or paper form;
2. Must contain the same information that is required in paragraph 2 above under the heading "Approved Form of Electronic or Paper FRC";
3. Does not have to be pink in colour;
4. Is a valid FRC for up to a maximum of 30 days from the effective date noted on the FRC; and
5. Is valid only when the insurance policy or binder it references is in force, and one of the following circumstances exists;
  - a) An applicant has applied for a new policy and has a binder;
  - b) An insured is waiting for the delivery of a new or renewal policy;
  - c) An insured has submitted a policy change request which results in a new FRC; or
  - d) The FRC is accidentally destroyed, stolen, or otherwise cannot be located.

### **Special Condition Applicable to Electronic FRCs**

Insurers are not obligated to provide an electronic FRC option to insureds.

Insureds are not obligated to accept or agree to electronic FRCs.

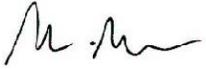
Because the use of electronic FRCs comes with increased security and privacy concerns, the Superintendent requires insurers that provide an electronic FRC option:

1. To be compliant with federal and territorial anti-spam, privacy and electronic transaction legislation;
2. Be consistent with privacy legislation, to ensure that electronic FRCs should not include any additional features that monitor or collect motorist or user data when accessing or using electronic FRCs;
3. To advise insureds who choose to accept an electronic FRC of the following:
  - That the law obligates insured to provide a FRC in certain circumstances. It is the insured's responsibility to ensure that they are able to produce it.
  - That factors such as lack of or diminished cellular service, power interruptions, or law enforcement procedures may prevent effective use of this electronic form.
  - That the insured's device could be damaged during the course of inspection and the insured may be responsible for all damage
  - That if insureds are travelling outside of Yukon, electronic proof of insurance may not be approved in other jurisdictions. Because one or more of the above-noted factors may come into play, insured may wish to carry a paper copy as backup;
4. To provide an insured with the option, in addition to the electronic FRC, to also receive a paper FRC by mail;
5. With the insured's consent, to provide the insured with secure access to a pink coloured FRC PDF (or equivalent format) to enable an insured to print a copy for use a paper FRC. In this case, an insurer must advise an insured in writing that the insured is responsible to ensure the form is printed in colour on white paper, and that the required written information is clearly legible (see sample A in Appendix 1). The Superintendent does not consider simply attaching FRC to an email and secure method of transmission: in order to be secure, a FRC attachment to an email must be encrypted;
6. To provide capability with the electronic FRC, so that when it is displayed on an electronic device, it requires the entry of the device's password to by-pass the displayed FRC;
7. To provide capability with the electronic FRC such that it can be electronically shared with others, such as those using the vehicle with consent, and to law enforcement. Insurers are required to include a disclaimer to insureds that by electronically sharing the FRC with others, including law enforcement, they are providing those parties with their personal information, including their email address; and
8. To provide clear instructions and guidance on how to access and use the electronic FRC as well as any technical requirements and limitations on the use of the electronic FRC.

### **Future Changes to Continue Alignment with Other Jurisdictions**

The Superintendent is committed to ensuring that the approved form if the FRC in Yukon aligns with other jurisdictions in Canada. In order to remain aligned, the Superintendent will provide updates and issue further bulletins to communicate any necessary changes.

Any questions regarding the contents of this bulletin may be directed to Professional Licensing and Regulatory Affairs at 867-667-5551 or e-mail to [insurance.plra@gov.yk.ca](mailto:insurance.plra@gov.yk.ca).

A handwritten signature in black ink, appearing to read 'N. Meagher', with a stylized flourish at the end.

Nancy Meagher  
Superintendent of Insurance

## Appendix 1 Form Samples

A. Printed form of FRC (background provincial/territorial shields are required on a paper FRC):

**NAME AND ADDRESS OF INSURANCE COMPANY / NOM ET ADRESSE DE LA COMPAGNIE D'ASSURANCE**  
**NAME AND ADDRESS OF INSURED / NOM ET ADRESSE DE L'ASSURÉ**

**INSURED VEHICLE - YEAR, MAKE, SERIAL NO. / VÉHICULE ASSURÉ - ANNÉE, MARQUE, SÉRIE**

**EFFECTIVE DATE / DATE D'ENTRÉE EN VIGUEUR (YY/MM/DD)**      **DATE OF EXPIRY / DATE D'EXPIRATION (YY/MM/DD)**

**POLICY NUMBER / POLICE NUMÉRO**      **AGENT or BROKER / AGENT ou COURTIER**

**MOTOR VEHICLE LIABILITY INSURANCE CARD**  
**CERTIFICAT D'ASSURANCE - AUTOMOBILE RESPONSABILITÉ**  
**CANADA INTER-PROVINCE**  
**APPLICABLE WITHIN CANADA AND THE UNITED STATES OF AMERICA**  
**EN VIGUEUR AU CANADA ET AUX ÉTATS-UNIS D'AMÉRIQUE**

**This certificate is subject to the terms and conditions of the insurer's standard automobile policy.**

This certifies that the party named herein is insured against liability for bodily injury and property damage by reason of the operation of the motor vehicle described herein, in an amount not less than the statutory minimum requirements in any area of Canada.

**WARNING** - Any person who issues or produces a card to show that there is in force a policy of insurance as indicated herein that is in fact not in force is liable to a heavy fine and/or imprisonment and his licence may be suspended.

This card should be carried in the insured vehicle for production as proof of insurance when demanded by police.

**Le présent certificat est assujéti aux dispositions et conditions de la police d'assurance automobile de l'Assureur.**

Ce certificat atteste que la personne susnommée est assurée contre la responsabilité pour blessures et dommages aux biens découlant de l'usage du véhicule ci-décrié, conformément aux limites minimales exigées par les lois d'assurance en vigueur partout au Canada.

**AVERTISSEMENT** - Quiconque émet ou présente un tel certificat comme preuve d'une police d'assurance-responsabilité qui effectivement n'est pas en vigueur, est coupable d'une infraction passible d'une forte amende et/ou d'emprisonnement et suspension de son permis.

Ce certificat doit être laissé dans le véhicule assuré afin d'être présenté comme preuve d'assurance lorsque la police l'exige.

B. Electronic form of FRC (barcodes and provincial/territorial shields are optional on electronic form):

