

OF THE OCCURRENCE OUT OF WHICH THE CAUSE OF ACTION AROSE, THE BURDEN OF PROOF SHALL BE DEEMED SATISFIED WHEN THE PERSON ASSERTING THE UNINSURED STATUS OF THE MOTOR VEHICLE INTRODUCES:

(1) A CERTIFIED COPY OF THE OFFICIAL RECORDS OF THE GOVERNMENTAL UNIT, IF ANY, THAT ~~REGULATES VEHICLES IN THE STATE IN WHICH THE MOTOR VEHICLE WAS REGISTERED AT THE TIME OF THE OCCURRENCE OUT OF WHICH THE CAUSE OF ACTION AROSE~~ MAINTAINS RECORDS OF INSURANCE COVERAGE FOR MOTOR VEHICLES REGISTERED IN THAT STATE INDICATING THE ABSENCE OF A RECORD THAT THE MOTOR VEHICLE WAS COVERED BY INSURANCE ON THE DATE OF THE OCCURRENCE OUT OF WHICH THE CAUSE OF ACTION AROSE; OR

(2) A DENIAL OF COVERAGE BASED ON THE ABSENCE OF AN IN-FORCE POLICY OF INSURANCE COVERING THE VEHICLE ON THE DATE OF THE OCCURRENCE OUT OF WHICH THE CAUSE OF ACTION AROSE BY THE INSURER THAT HAS BEEN IDENTIFIED AS THE INSURER OF THE VEHICLE ~~BY~~:

(I) BY THE GOVERNMENTAL UNIT, IF ANY, THAT MAINTAINS RECORDS OF WHETHER MOTOR VEHICLES IN THE STATE ARE INSURED;

(II) IN WRITING, IF ANY, BY THE DRIVER OR OWNER OF THE MOTOR VEHICLE; OR AND

(~~II~~) (III) IN A REPORT, IF ANY, PREPARED BY AN OFFICER OF A FEDERAL, STATE, COUNTY, OR MUNICIPAL LAW ENFORCEMENT AGENCY WHO INVESTIGATED THE OCCURRENCE OUT OF WHICH THE CAUSE OF ACTION AROSE.

(D) IF A PERSON SATISFIES THE BURDEN OF PROOF UNDER SUBSECTION ~~(C)~~ ~~OR (D)~~ (B) OR (C) OF THIS SECTION, THE FINDER OF FACT SHALL FIND THE MOTOR VEHICLE AT ISSUE TO BE UNINSURED, UNLESS AN ADVERSE PARTY ESTABLISHES BY A PREPONDERANCE OF THE EVIDENCE THAT THE MOTOR VEHICLE OR THE DRIVER OF THE MOTOR VEHICLE WAS COVERED BY A VALID, ENFORCEABLE MOTOR VEHICLE LIABILITY INSURANCE POLICY, BOND, OR SECURITY THAT PROVIDES COVERAGE FOR THE OCCURRENCE OUT OF WHICH THE CAUSE OF ACTION AROSE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any action filed before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

Enacted January 25, 2006.