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Bulletin

No. A-02/08
Property & Casualty
- Auto

Compulsory Automobile Insurance Act (CAIA) "Insurance Card"

To the attention of all insurance companies licensed to transact automobile insurance in Ontario

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With this Bulletin, the Financial Services Commission of Ontario (FSCO) is highlighting the approved "insurance card" forms in Ontario.

The Compulsory Automobile Insurance Act (CAIA) requires an operator of a motor vehicle to carry an "insurance card" to prove that he/she is insured under a contract of automobile insurance.

Section 1 of the CAIA sets out the authority of the Superintendent of Financial Services to approve an "insurance card".

Under this authority, the following are approved as acceptable "insurance cards":

- A motor vehicle liability insurance card (as previously identified in Bulletin No. A-2/00, dated February 8, 2000).
- In the case of a motor vehicle insured under a motor vehicle liability policy issued in another province or territory of Canada, a motor vehicle liability insurance card issued by the insurer.
- In the case of a motor vehicle insured under a motor vehicle liability policy issued in a jurisdiction of the United States of America, a document issued by the insurer or by the government of the jurisdiction indicating that the motor vehicle is insured in accordance with the laws of that jurisdiction.

A number of these "insurance cards" were previously set out under Ontario Regulation 402/96 under the CAIA.

Out-of-province insurers that are not licensed to undertake automobile insurance in Ontario are encouraged to file a Protected Defendant Undertaking (PDU) with FSCO. The Undertaking confirms that policyholders of the insurer will be insured according to Ontario's minimum insurance requirements when traveling in Ontario.

The Undertaking also provides the owner/occupants of an insured automobile certain protections, in the event of an incident in Ontario, from liability for income loss and loss of earning capacity, health care expenses and non-pecuniary damages. These protections include immunity for liability for such damages if they arise from injuries that are not permanent serious disfigurements or permanent serious impairments of important physical, mental or psychological functions, as well as monetary deductibles for such damages.

For more information on the Protected Defendant Undertaking, visit www.fSCO.gov.on.ca, select [Auto Insurance](#) and click on [Protected Defendant Undertaking](#).

Out-of-province insurers can also file a Direct Compensation - Property Damage Undertaking with FSCO for direct compensation property damage claims under section 263 of the Insurance Act. For more information visit www.fSCO.gov.on.ca, select [Auto Insurance](#) and click on [Direct Compensation Property Damage Undertaking](#).

Out-of-province insurers should also note that the Protected Defendant Undertaking in Ontario is in addition to the Power of Attorney and Undertaking (PAU) that they may have filed with the Canadian Council of Insurance Regulators (CCIR) who accept it on behalf of Canadian jurisdictions. For more information visit www.ccir-ccra.org and click on [Power of Attorney and Undertakings \(PAU\)](#).

Out-of-province insurers should be aware that unless they have filed a Protected Defendant Undertaking (PDU) with FSCO or a Power of Attorney and Undertaking (PAU) with CCIR their policyholders may be subject to prosecution for traveling in Ontario without the minimum automobile insurance required by Ontario law.

Bob Christie
Chief Executive Officer and
Superintendent of Financial Services

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