**Revised Date**: 09/04/2025

## **Purpose**

This policy describes requirements for proof of future financial responsibility and Power of Attorney/SR22.

# Proof of Future Financial Responsibility

### **Authority:**

R.S. 32:898

R.S. 32:903

R.S. 32:904

To view Louisiana Statutes: http://www.legis.state.la.us/

#### **Definition:**

• Proof of future financial responsibility shall be demonstrated as a certificate of insurance (SR-22) filed by an insurance company authorized to do business in the state of Louisiana, as cash or unencumbered negotiable securities posted with the State Treasurer in the amount of \$30,000.00, or as a surety bond posted with this agency in the amount of \$30,000.00.

## Requirements:

- SR-22 is required to be filed with this Department for the following:
  - Accident judgment: (1) Required upon acceptance of an installment agreement must be maintained while payments are being made and for three years following payment in full. (2) Required three years from the date of a full release.
  - Conviction of DWI (excluding convictions under Article 894) required for three years from date of conviction.
  - o Affidavit of arrest for Refusal required for three years from date of arrest.
- If an individual resides in another state and vehicle(s) are registered out of state or the individual owns no vehicles, the insurance company does not have to be licensed to do business in Louisiana as long as the insurance company has filed a Power of Attorney with this agency.

# Power of Attorney/SR22

- When a resident of another state is required to file an SR22 in the State of Louisiana and
  - o their vehicle(s) are registered in a state other than Louisiana OR
  - they own no vehicles that person can file an SR22 from a company authorized to do business in the state in which they reside (but not licensed to do business in Louisiana), IF the following requirements are met:

- the insurance company not licensed to do business in Louisiana has executed a Power of Attorney authorizing the Commissioner to accept service on its behalf of notice of process in any action arising out of a motor vehicle accident in Louisiana (The insurance company has given the Office of Motor Vehicles the authority to accept demands for property and/or injury claims arising from an accident involving their insured, that occurred in Louisiana, for payment); AND
- the insurance company must agree in writing to comply with the laws of this state with regard to the requirements of Louisiana liability insurance policies.
- Once the insurance company has complied with the above, the Office of Motor Vehicles must maintain
  this Power of Attorney on file. The insurance company can then file SR22's in Louisiana for any out-ofstate residents.
- If OMV becomes aware that the insurance company defaults in any of the agreements, OMV will no longer accept SR22's from that insurance company until the company complies with the conditions of the agreement.