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REPUBLIC OF LATVIA
CABINET OF MINISTERS

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Regulations No. 801

Regulations Regarding the Volume, Forms and Procedure for the Input, Exchange and Use of Data required for the Operation of Information System of Compulsory Third Party Liability Insurance for Owners of Inland Motor Vehicles

Amendments:

Regulations of the Cabinet of Ministers
of 17 June, 2009 no. 567 (L.V., June 27, no. 98)

Regulations of the Cabinet of Ministers
of 3 November, 2009. no. 1276 (L.V., November 10, no. 178)

Regulations of the Cabinet of Ministers
of 18 June 2013, No.315 (L.V., 20 June 2013, no.118)

Regulations of the Cabinet of Ministers
of 30 June 2015, No.350 (L.V., 2 July 2015, no.127)

(Protocol No. 66, 7)

Issued in accordance with

The Law on the compulsory third party liability insurance for inland motor vehicle owners
Section 17, Paragraph four, Section 58, Paragraph three
and Section 59, Paragraph four

I. General Provisions

1. These regulations determine:

1.1. the volume and forms of data required for operation of the information system (hereinafter referred to in the text as - the information system) of the compulsory civil liability insurance (hereinafter in the text referred to as - insurance) for owners of road transport;

1.2. the procedure in accordance with which the insurance companies (hereinafter referred to in the text as - insurers) ensure the input of data into the information system;

1.3. the procedure in accordance with which the insurers, the Motor Insurers' Bureau, State Joint Stock Company "Road Traffic Safety Department" (hereinafter referred to in the text as - Road Traffic Safety Department), the Interior Ministry Information Centre, Office of Citizenship and Migration Affairs, the State Police, State Border Guard, State Agency for Technical Surveillance, State Social Insurance Agency, National Health Service, Social Integration State Agency, Health and Sport Center of the Ministry of the Interior, State Medical Commission for the Assessment of Health Condition and Working Ability and the State Limited Liability company "National rehabilitation center Vaivari" (hereinafter referred to in the text as the - National rehabilitation center Vaivari) utilise the data from the information systems and exchange it.

(with the amendments, which are made by the Regulations of the Cabinet of Ministers of 17

June 2009, No. 567, the Regulations of the Cabinet of Ministers of 3 November 2009, No. 1276, the Regulations of the Cabinet of Ministers of 18 June 2013, No.315 and by the Regulations of the Cabinet of Ministers of 30 June 2015, No.350)

II. The amount and type of required data for an operation of the information system

2. The following data is used within the information system:

2.1. The Motor Insurers` Bureau data regarding:

- 2.1.1. the insurance policy forms issued to the insurers, damaged, lost or stolen insurance policies or those no longer under the control of the insurers for other reasons;
- 2.1.2. the concluded insurance agreements, policy series and number, type of insurance agreement, road transport owner or legal user (name of natural person, surname, personal identification number or name of legal person, registration number), vehicle code, country of origin, registration number, vehicle identification number, the document type and number of that document (if any), which confirms the motor vehicle owner's ownership rights, based on which the insurance contract is concluded, insurance agreement conclusion date, the date and time of the commencement of the validity thereof, operational expiry date, insurance premium surcharges or class of discount and the location where the insurance agreement was concluded);
- 2.1.3. the delayed insurance agreements and insurance policy duplicate copies (series and number of the insurance policy or insurance policy duplicate copy issued, reason for the suspension of an insurance agreement or the issue of insurance policy duplicate copy, date of the delay of an insurance agreement or the issue of insurance policy duplicate copy, location of the suspension of an insurance agreement or the issue of insurance policy duplicate copy);
- 2.1.4. in regard to road traffic accidents whose details were presented to the insurers or at the office of the Motor Insurers' Bureau, based on the Coordinated accident statement:
 - 2.1.4.1. road traffic accident date and time;
 - 2.1.4.2. road traffic accident location;
 - 2.1.4.3. data regarding the owners of the vehicles and vehicle holders involved in the road traffic accident and (name of natural person, surname, personal identification number, residential address or name of legal person, registration number, address etc.);
 - 2.1.4.4. data regarding vehicles involved in the road traffic accident – vehicle make, registration number, country of registration;
 - 2.1.4.5. data regarding the insurance companies which have insured the civil liability of the owner of the vehicle involved in the road traffic accident – name, insurance agreement number, the date and time of the commencement of the validity thereof, operational expiry date and country in which the insurance agreement was issued;
 - 2.1.4.6. data regarding the driver of the vehicle involved in the road traffic accident (name, surname, personal identification number, residential address, vehicle driver's license number, category, date of issue and term of validity);
 - 2.1.4.7. circumstances of the road traffic accident;
- 2.1.5. the insurance premium received, concluding the insurance agreement and the reimbursed insurance premium, suspending the insurance agreement, if the owner of the vehicle is a person referred to in Paragraphs two or three of the Section 14 of Law on the Compulsory Civil Liability Insurance for Owners of Road Transport;
- 2.1.6. the insurance events, which are reported at the insurers or at the Motor Insurers` Bureau:
 - 2.1.6.1. the person, who has submitted the application concerning the insurance event (name, surname of the physical person, personal identity number, the address of the place of residence or the name of the legal person, registration number, address);
 - 2.1.6.2. the date of the application submission concerning the insurance event;
- 2.1.7. decisions made by the insurers or by the Motor Insurers` Bureau concerning the insurance indemnity:
 - 2.1.7.1. the person who claims to receive the insurance indemnity (name, surname of the physical person, personal identity number, the address of the place of residence or the name of the legal person, registration number, address);
 - 2.1.7.2. the date on which the decision was made concerning the insurance indemnity;

2.1.7.3. the sum of the insurance indemnity paid and the date on which the insurance indemnity was paid;

2.2. Data stored in The Road Traffic Safety Department's vehicle and driver national register regarding:

2.2.1.vehicles (vehicle country registration number, identification number, registration certificate number, colour, make, model, type, full mass, engine capacity, motor volume, vehicle status, date of issue of registration certificate, first registration date of the vehicle or vehicle year of release, date of most recent road worthiness test carried out, vehicle mileage and technical defects ascertained during this test and the date of the next roadworthiness test);

2.2.2.owners of vehicles and legal users thereof (name of natural person, surname, personal identification number, residential address at the time of registration at the Road Traffic Safety Department or the name of the legal person, registration number, legal address etc. at the time of registration at the Road Traffic Safety Department);

2.2.3.drivers of vehicles (name, surname, personal identification number, residential address at the time of registration at the Road Traffic Safety Department, date of issue of the vehicle driver's license, term of validity, the vehicle categories therein which the owner of the driver's license is permitted to drive, and the date when the driver was issued with the rights to drive vehicles belonging to the category in question);

2.3. Data from the State Agency for Technical Surveillance's information system regarding tractor equipment and the drivers thereof in regard to:

2.3.1.vehicles (vehicle country registration number, identification number, registration certificate number, vehicle make, year of release, type, registration date, date of issue of registration certificate, vehicle status, date of most recent road worthiness test carried out, date of the next road worthiness test);

2.3.2.the owners of vehicles and legal users thereof (name of natural person, surname, personal identification number, residential address at the time of registration at the State Agency for Technical Surveillance or name of legal person, registration number, legal address etc. at the time of registration at the State Agency for Technical Surveillance);

2.3.3.drivers of vehicles (name, surname, personal identification number, residential address at the time of registration at the State Agency for Technical Surveillance, date of issue of the vehicle driver's license, term of validity, the vehicle categories therein which the owner of the driver's license is permitted to drive, and the date when the driver was issued with the rights to drive vehicles belonging to the category in question);

2.4. Data from the Office of Citizenship and Migration Affairs population register regarding natural persons (name (names), surname, personal identification number, residential address), which are as follows:

2.4.1.owners of vehicles;

2.4.2.legal users of transport vehicles;

2.4.3.drivers of vehicles;

2.5.the Information Centre of the Interior Affairs Department:

2.5.1. Penalty Register data:

2.5.1.1.regarding persons who driving a vehicle, have committed administrative violations, for which the violation points are registered (motor vehicle's state registration number, name (names), surname, personal identification number of the motor vehicle's driver, the relevant section of the Latvia's Administrative Transgressions' Code or other regulatory enactment, chapter, section in which the transgression has been determined regarding the perpetration of which the person in question has been summoned to face charges of administrative responsibility and the date, location, time of the perpetration of the administrative transgression);

2.5.1.2.regarding persons have been convicted during the last five years regarding the driving of a vehicle under the influence of alcohol, narcotic, psychotropic, toxic or other intoxicating substances once more within a year, irrespective of the annulment of the conviction (name (names), surname, personal identification number, the date of the announcement of the verdict of the court and the date on which this verdict came into force, Criminal Law chapter, section, paragraph, in accordance with which the person has been charged);

2.5.2.register data regarding vehicles being searched for (the date and time of the theft of the vehicle, the date from the vehicle has been searched for, the date on which the vehicle have been found, the date on which the search for the vehicle was concluded);

2.6. The State Police Register data regarding road traffic accidents registered with the State Police:

2.6.1.type of road traffic accident;

2.6.2.road traffic accident date and time;

2.6.3.road traffic accident location – location type (for example, highway, city, residential location), residential location code, road stage, crossing, territory, road number, kilometer details, road, house number, object;

2.6.4.road traffic accident conditions – weather conditions, lighting, road or road elements, road surface, driveway condition, road gradient;

2.6.5.information regarding the persons involved in the road traffic accident and the persons who were victims of the accident – person's status (driver of the vehicle, pedestrian, passenger), gender, age, personal identification number (in the event that no personal identification number is available – date of birth) and the severity of injuries. In the event that the person involved in the accident or the injured person is the driver of the vehicle in question – or the person possesses the vehicle driver's licence, or the person was intoxicated (type and degree of intoxication);

2.6.6.information regarding vehicles involved in the road traffic accident – vehicle country registration number and vehicle type (if the registration number is not available – the vehicle type, make and model);

2.6.7.information regarding the consequences of the road traffic accident – whether or not there have been fatalities, injured victims etc.;

2.6.8. information regarding the infringement of the Road traffic regulations by the persons, involved in the road traffic accident;

2.6.9. information regarding the penalties imposed on the persons, involved in the road traffic accident, concerning the infringement of the Road traffic regulations;

2.6.10. information on the institution, which has registered the road traffic accident, and on the institution in which the case material is kept regarding the road traffic accident;

2.7.data from the State Social Insurance Agency database:

2.7.1.regarding the person who has been the victim of an accident and who is claiming to receive insurance indemnity regarding the material losses which have been incurred by the person – the amount of insurance salary deposits for the last six months before the road traffic accident, the time during which the person who was the victim of the accident was incapacitated and unable to work (first and last date thereof), the invalidity benefit paid out to the person who was the victim of the accident, the size of the invalidity pension and loss of breadwinner pension which are required for a decision to be taken by the insurer or the Motor Insurers' Bureau regarding the pay out of insurance indemnity or refusal to pay out the insurance indemnity;

2.7.2.regarding the incomes of those persons (duration, size and manner in which income is acquired), regarding which the insurer or the Motor Insurers' Bureau is entitled to make a regressive claim in accordance with the Law on the Compulsory Civil Liability Insurance for Owners of Road Transport;

2.8. Data from the database of the National Health Service regarding the medical treatment institution at which the person who was the victim of the road traffic accident was treated and who is claiming to receive the insurance indemnity regarding the material losses which her or she has incurred during the period of treatment of the person who was the victim of the road traffic accident, the resources and scope thereof utilised for the treatment of person who was the victim of the road traffic accident which are required for a decision to be taken by the insurer or the Motor Insurers' Bureau regarding the pay out of insurance indemnity or refusal to pay out the insurance indemnity;

(with the amendments, which are made by the Regulations of the Cabinet of Ministers of 18 June 2013, No.315)

2.9. Data from the database of the National rehabilitation center Vaivari regarding the

prices for the supply of its prosthetic and technical aids services (with the exception of endoprothetic services) which have been received by the person who was the victim of the road traffic accident and who is claiming to receive the insurance indemnity regarding the material losses which he or she has incurred which are required for a decision to be taken by the insurer or the Motor Insurers' Bureau regarding the pay out of insurance indemnity or refusal to pay out the insurance indemnity.

2.10. Data from the Social Integration State Agency which is necessary for the insurer or the Motor Insurers' Bureau to make the decision regarding the payment of the insurance indemnity or regarding the refusal to pay the insurance indemnity:

2.10.1. for the social and professional rehabilitation services, which are received by the suffered person, who claims to receive the insurance indemnity for the material and non-material losses caused to the person, as well as for the period, when the rehabilitation services were provided and for the cash, spent on the rehabilitation;

2.10.2. for those services regarding the adjustment of the credit institution's or leasing company's motor vehicle, owned or used by a disabled person, according to a person's functional injuries caused to the suffered person claiming to receive the insurance indemnity for the material and non-material losses, caused to the person, as well as for the period when these services were provided and for the cash spent;

2.11. Data from the information system of the State Medical Commission for the Assessment of Health Condition and Working Ability "Disability informative system" regarding the fact whether the motor vehicle's owner corresponds to the person's status, mentioned in the Section 14, Paragraph two of the Law on the compulsory third party liability insurance for inland motor vehicle owners.

(with the amendments, which are made by the Regulations of the Cabinet of Ministers of 17 June 2009, No. 567 and by the Regulations of the Cabinet of Ministers of 3 November 2009, No. 1276)

III. The Procedure for the Exchange and Use of Data within the Information System

3. The institutions referred to in the Clause 2 of these Regulations shall ensure the exchange of data within the information system in online mode.

4. The Insurers receive the data from the information system, utilising the data processing systems of the Motor Insurers' Bureau. Data of vehicles and of vehicle drivers from the State Register of Road Traffic Safety Department are available for the insurers through the use of data processing systems of the Motor Insurers' Bureau or Road Traffic Safety Department.

5. Insurers:

5.1. entering into or cancelling the insurance agreements in relation to vehicles registered in the Republic of Latvia shall submit the data regarding them to the database of the Motor Insurers' Bureau, Road Traffic Safety Department's State Register of Vehicles and Vehicle Drivers or data from the State Agency for Technical Surveillance's information system regarding tractor equipment and the drivers thereof without delay following the entry into or conclusion of such an agreement, solely utilising an online connection to the relevant data processing systems;

5.2. entering into or cancelling the insurance agreements in the Republic of Latvia in relation to vehicles not registered in the Republic of Latvia, shall submit the data regarding them to the database of the Motor Insurers' Bureau without delay following the entry into or conclusion of such an agreement, solely utilising an online connection to the data processing system of the Motor Insurers' Bureau;

5.3. entering into or cancelling the insurance agreements outside the Republic of Latvia in relation to vehicles not registered in the Republic of Latvia shall submit the data regarding them to the database of the Motor Insurers' Bureau within 45 days time following the entry

into or conclusion of such an agreement, solely utilising an online connection to the relevant data processing systems.

5.4. having received the application regarding the insurance event, shall pass over to the database of the Motor Insurers' Bureau the data mentioned in the sub-clauses 2.1.4. and 2.1.6. of these Regulations;

5.5. while making the decision regarding the insurance indemnity, shall pass over to the database of the Motor Insurers' Bureau the data mentioned in the sub-clause 2.1.7. of these Regulations.

(with the amendments, which are made by the Regulations of the Cabinet of Ministers of 17 June 2009, No. 567)

6. The Insurers shall receive the data from the information systems referred to in the Sub-clause 2.1 (with the exception of the Sub-clause 2.1.5.), 2.2, 2.3, 2.4 and in the Sub-clause 2.5.1 and 2.11 of these regulations in order to enter into insurance agreements, to verify the identity of persons and in order to assess other risk factors that are required for the determination of the amount of the insurance premium.

(with the amendments, which are made by the Regulations of the Cabinet of Ministers of 17 June 2009, No. 567)

7. When entering into or cancelling insurance agreements, the insurers shall submit the following data:

7.1. to the database of the Motor Insurers' Bureau:

7.1.1. regarding the insurance agreements entered into – insurance policy series and number, insurance agreement type, vehicle owner or legal user (name of natural person, surname, personal identification number or name of legal person, registration number), vehicle code, country of origin, registration number, identification number, registration certificate number, insurance agreement conclusion date, the date and time of the commencement of the validity thereof, operational expiry date, insurance premium surcharges or class of discount, location where the insurance agreement was concluded, the insurance Premium received, if the owner of the vehicle is a person referred to in Paragraphs two or three of Section 14 of the Law on the compulsory third party liability insurance for inland motor vehicle owners;

7.1.2. following the cancellation of an insurance agreement or the issue of a duplicate copy of an insurance policy – the series and number of the insurance policy or the issue of a duplicate copy of an insurance policy, the reason for cancellation of an insurance agreement or the issue of a duplicate copy of an insurance policy, the date of cancellation of an insurance agreement or the issue of a duplicate copy of an insurance policy, the location where the insurance agreement was cancelled or duplicate copy of the insurance policy was issued, the insurance premium repaid, if the owner of the vehicle is a person referred to in Paragraphs two or three of Section 14 of the Law on the compulsory third party liability insurance for inland motor vehicle owners;

7.2. To the Road Traffic Safety Department's State Register of Vehicles and Vehicle Drivers:

7.2.1. regarding the insurance agreements entered into – insurer, insurance policy series and number, insurance agreement type, vehicle registration number, identification number, insurance agreement date and time of the commencement of the validity thereof, operational expiry date, conclusion date and location;

7.2.2. following the cancellation of the insurance agreement – policy series and number, date of the cancellation of the insurance agreement, reason and place of cancellation;

7.3. To the State Agency for Technical Surveillance's information system regarding tractor equipment and the drivers thereof:

7.3.1. regarding the insurance agreements entered into – insurer, insurance policy series and number, insurance agreement type, vehicle registration number, identification number, insurance agreement date and time of the commencement of the validity thereof, operational expiry date, conclusion date and location;

7.3.2. following the cancellation of the insurance agreement – policy series and number, date of the cancellation of the insurance agreement, reason and place of cancellation.

(with the amendments, which are made by the Regulations of the Cabinet of Ministers of 17 June 2009, No. 567)

8. The Motor Insurers' Bureau and insurers receive the data referred to in the Clause 2 of these regulations for the administration of insurance cases with the exception of the data referred to in the Sub-clauses 2.1.5 and 2.5.1 of these regulations.

9. The Motor Insurers' Bureau utilises the data referred to in the Sub-clauses 2.1.5 and 2.11. of these regulations in order to fulfil the requirements prescribed in the Section 14, Paragraph four of the Law on the compulsory third party liability insurance for inland motor vehicle owners.

(with the amendments, which are made by the Regulations of the Cabinet of Ministers of 17 June 2009, No. 567)

10. The institutions, which verify the validity of insurance agreements in conformity with a competence prescribed in regulatory enactments, shall receive the data referred to in the Sub-clauses 2.1.2 and 2.1.3 from the database of the Motor Insurers' Bureau.

11. The State Police and Road Traffic Safety Department shall receive the data referred to in the Sub-clause 2.1.4 from the database of the Motor Insurers' Bureau.

12. The National Health Service, State Social Insurance agency, Health and Sport Center of the Ministry of the Interior, Social Integration State Agency and National rehabilitation center "Vaivari", implementing the functions prescribed in the regulatory enactments, shall receive the data referred to in the Sub-clauses 2.6.1., 2.6.2., 2.6.3., 2.6.4., 2.6.5., 2.6.6., 2.6.7., 2.6.8., 2.6.9. and 2.6.10 of these regulations.

(with the amendments, which are made by the Regulations of the Cabinet of Ministers of 17 June 2009, No. 567, the Regulations of the Cabinet of Ministers of 3 November 2009, No. 1276, the Regulations of the Cabinet of Ministers of 18 June 2013, No.315 and by the Regulations of the Cabinet of Ministers of 30 June 2015, No.350)

13. The data formats, the data transmission networks to be utilised, data security provisions, technical implementation terms and financial issues, as well as the persons responsible shall be determined in the co-operation agreements which are entered into by the institutions referred to in Clause 2 of these regulations.

14. The duty to provide the information specified in these regulations shall be included by the institutions referred to in the Sub-clause 1.3 of these regulations in their mutual agreements.

IV. Closing Provisions

15. The Cabinet Regulations No.31, dated February 2, 1999, "Regulations regarding Co-operation in the Area of the Exchange of Compulsory Third Party Liability Insurance for Owners of Inland Motor Vehicles" (Published in Latvijas Vestnesis, 1999, no.34) is repealed.

16. The sub-clauses 2.5 and 2.7 of these regulations shall come into force on June 1, 2008.

17. The sub-clause 2.6. of these regulations shall come into force on January 1, 2009.

18. Till the 1st of July, 2009, these Regulations shall refer also to the procedure according to which the Social service administration shall use and exchange the data from the informational system.

(according to the wording/revision of the Regulations of the Cabinet of Ministers of 17 June 2009, No. 567)

19. Till the 1st of July, 2009, the Social service administration, implementing the functions, stipulated by the normative enactments, shall receive the data, mentioned in the sub-clauses 2.6.1., 2.6.2., 2.6.3., 2.6.4., 2.6.5., 2.6.6., 2.6.7., 2.6.8., 2.6.9. and 2.6.10. of these Regulations.

(according to the wording/revision of the Regulations of the Cabinet of Ministers of 17 June 2009, No. 567)

Prime Minister

A. Kalvitis

Minister of Finance

O.Spurdzins