HOUSE BILL NO. 1112

AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LAW ENFORCEMENT OFFICERS TO ISSUE CITATIONS FOR VIOLATIONS OF THE LAW THAT REQUIRES MOTOR VEHICLE OPERATORS TO CARRY PROOF OF MOTOR VEHICLE LIABILITY INSURANCE IN THEIR VEHICLES AT ROADBLOCKS, MOTOR VEHICLE TRAFFIC ACCIDENT SCENES AND UPON PROBABLE CAUSE TO BELIEVE THE MOTORIST TO BE IN VIOLATION OF ANY OTHER LAW; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 63-15-4, Mississippi Code of 1972, is amended as follows:

63-15-4. (1) The following vehicles are exempted from the requirements of this section:

(a) Vehicles exempted by Section 63-15-5;

(b) Vehicles for which a bond or a certificate of deposit of money or securities in at least the minimum amounts required for proof of financial responsibility is on file with the department;

(c) Vehicles that are self-insured under Section 63-15-53; and

(d) Implements of husbandry.

(2) (a) Every motor vehicle operated in this state shall have an insurance card maintained in the vehicle as proof of liability insurance that is in compliance with the liability limits required by Section 63-15-3(j). The insured parties shall be responsible for maintaining the insurance card in each vehicle.

(b) An insurance company issuing a policy of motor vehicle liability insurance as required by this section shall furnish to the insured an insurance card for each vehicle at the time the insurance policy becomes effective.
(3) Upon stopping a motor vehicle at a roadblock where all passing motorists are checked as a method to enforce traffic laws and promote public safety, upon investigating the scene of a motor vehicle accident in which the motor vehicle operator is involved, or upon stopping a motor vehicle with probable cause to believe the motorist to be in violation of any other law, a law enforcement officer, who is authorized to issue traffic citations, shall verify that the insurance card required by this section is in the motor vehicle. However, no driver shall be stopped or detained solely for the purpose of verifying that an insurance card is in the motor vehicle.

(4) Failure of the owner or the operator of a motor vehicle to have the insurance card in the motor vehicle is a misdemeanor and, upon conviction, is punishable by a fine of One Thousand Dollars ($1,000.00) and suspension of driving privilege for a period of one (1) year or until the owner of the motor vehicle shows proof of liability insurance that is in compliance with the liability limits required by Section 63-15-3(j). Fraudulent use of an insurance card shall be punishable in accordance with Section 97-7-10. The funds from such fines shall be deposited in the State General Fund in the State Treasury.

(5) If, at the hearing date or the date of payment of the fine, the motor vehicle owner shows proof of motor vehicle liability insurance in the amounts required by Section 63-15-3(j), the fine shall be reduced to One Hundred Dollars ($100.00). If the owner shows proof that such insurance was in effect at the time of citation, the fine of One Hundred Dollars ($100.00) and court costs shall be waived.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.