To: Insurance

MISSISSIPPI LEGISLATURE REGULAR SESSION 2003
By: Representative Simpson

HOUSE BILL NO. 1231

AN ACT TO CREATE A NEW CODE SECTION TO BE CODIFIED AS SECTION 63-15-8, MISSISSIPPI CODE OF 1972, TO REQUIRE PROOF OF MOTOR VEHICLE LIABILITY INSURANCE OR OTHER FORM OF FINANCIAL RESPONSIBILITY AS REQUIRED BY THIS CHAPTER BEFORE RECEIVING SAFETY INSPECTION STICKERS AND MOTOR VEHICLE LICENSE TAGS; TO AMEND SECTION 63-13-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE RECORDING OF CERTAIN INFORMATION ON SAFETY INSPECTION STICKERS; TO AMEND SECTION 27-51-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THE RECORDING OF CERTAIN INFORMATION ON TAG RECEIPTS; AND FOR RELATED PURPOSES.

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

SECTION 1. The following shall be codified as Section 63-15-8, Mississippi Code of 1972:

63-15-8. (1) Every owner of a motor vehicle in this state shall furnish proof of motor vehicle liability insurance or other form of financial responsibility as required by this chapter before such owner may receive a safety inspection sticker or a license tag for a motor vehicle or renew a safety inspection sticker or a license tag. Proof of motor vehicle liability insurance or other form of financial responsibility as required by this chapter shall be made by signing a certificate on a form prescribed by the Commissioner of Insurance stating that the motor vehicle owner is insured or otherwise financially responsible for at least the minimum requirements as provided by this chapter and in any form as provided by this chapter. Such certificate shall contain a space for the motor vehicle owner to fill in the insurance policy number and expiration date. Such certificate shall state in bold print that anyone who shall affirmatively sign such certificate who is not insured or otherwise financially responsible for at least the minimum requirements as provided by this chapter shall be subject to a fine of Five Hundred Dollars...
($500.00) and imprisonment for a period not exceeding one (1) year or both such fine and imprisonment. Such certificate shall be furnished to each motor vehicle owner by the tax collector of the county where the motor vehicle is registered. The tax collector shall mail such certificate and a copy of the certificate with a motor vehicle tag renewal notice to the motor vehicle owner who shall mail the original certificate back to the tax collector before a tag may be renewed. The tax collectors shall also make such certificates available at the tax collectors' offices during regular business hours. The tax collector shall write the insurance policy number and expiration date on the tag receipt, shall forward a copy of the certificate to the Department of Public Safety and shall keep the original certificate in the tax collector's records. The motor vehicle owner must present his copy of the certificate in order to obtain a safety inspection sticker as provided in Section 63-13-7.

(2) Any person who presents or causes to be presented to the Department of Public Safety or to any court of this state false evidence of motor vehicle liability insurance or other form of financial responsibility as required by this chapter, upon conviction, shall be guilty of perjury and shall be fined Five Hundred Dollars ($500.00) and shall be subject to imprisonment for a period not exceeding one (1) year or both such fine and imprisonment. This fine and imprisonment shall be waived if the offender chooses to purchase, and provides proof of such purchase by the court date, motor vehicle liability insurance for a minimum of six (6) months' coverage in at least the minimum amounts required under paragraph (j) of Section 63-15-3. Any person convicted of filing false proof of motor vehicle liability insurance or other form of financial responsibility as required by this chapter shall surrender to the department his driver's license, license plates and registration of the motor vehicle for which false proof was presented and the procedure for the
suspension of licenses provided in Section 63-15-11 relating to accidents shall be followed. Such driver's license, license plates and registration shall be reinstated upon payment of any fines and reinstatement fees, serving of a sentence if applicable, upon presentation of proof of financial responsibility for a period of one (1) year or upon presentation of proof of purchase of minimum motor vehicle liability insurance in accordance with the provisions of this subsection. The district attorney of the jurisdiction where any false evidence is filed shall prosecute any violations of this section. Any person convicted under this section shall be assessed with all costs of prosecution and all court costs.

(3) All insurance carriers are required to notify the appropriate tax collector and sheriff and the Department of Public Safety when there is a lapse of the liability coverage that was purchased in accordance with this section. These notifications shall be made on a daily basis. Upon such notification, the sheriff, or his designee of an appropriate law enforcement agency, may confiscate the motor vehicle license tag, which tag may be returned to the owner in the manner provided in this section.

SECTION 2. Section 63-13-7, Mississippi Code of 1972, is amended as follows:

63-13-7. (1) Except as provided in subsection (4) of this section, the Commissioner of Public Safety shall, not more than once each year, require that every motor vehicle, trailer, semitrailer and pole trailer registered in this state be inspected and that an official certificate of inspection and approval be obtained for each such vehicle. Each such vehicle must display at all times a certificate of inspection and approval duly issued for such vehicle upon the lower left-hand corner of the windshield thereof or upon such vehicle in such position as to be visible from the outside. In order to receive such certificate of inspection, the motor vehicle owner must present to the inspector...
a copy of the certificate of proof of motor vehicle liability insurance as required in House Bill No.____, 2003 Regular Session.

The inspector shall record the motor vehicle liability insurance policy number and expiration date on the inspection certificate.

(2) Except as provided in subsection (4) of this section, every motor vehicle registered in any other state and operated over the highways of this state shall be inspected and shall display an inspection certificate which shall be different either in color or design from the inspection certificates issued for use on state registered vehicles.

However, the Commissioner of Public Safety may authorize the acceptance in this state of a certificate of inspection and approval issued under the authority of a qualified agency or department of another state, provided that every municipality, county and state office in such other state accepts under a mutually acceptable reciprocal agreement, Mississippi's certificate of inspection and approval. The commissioner shall except from the provisions of this chapter all passenger buses and other vehicles certified by the Interstate Commerce Commission and subject to its rules and regulations and its periodical inspections.

(3) The Commissioner of Public Safety shall require all school buses in the State of Mississippi to be inspected during the months of July or August each year and may provide such special certificate of inspection and approval as he may deem necessary.

(4) A motor vehicle manufactured or having a model year earlier than 1961 shall not be required to be inspected or to display a certificate of inspection under the provisions of this chapter.

SECTION 3. Section 27-51-17, Mississippi Code of 1972, is amended as follows:
The tax collector of each county shall be supplied with a sufficient number of tax receipts to be used by him in the collection of both the privilege tax and the ad valorem tax on all taxable motor vehicles in his county. The tax receipt for these purposes shall be a combination receipt and shall carry a number which shall be the same number as that of the road and bridge privilege tax receipt and tag number for each such motor vehicle. Under no circumstances shall one (1) tax receipt be used for receipting the ad valorem taxes on more than one (1) motor vehicle.

There shall also be ample provisions made on these tax receipt forms for receipting ad valorem taxes collected for any municipality or municipal separate school district in the county, in case the county tax collector is legally directed as hereinafter provided to collect such taxes at the same time such tax collections are made for the county. This combination tax receipt form shall be prescribed by the Tax Commission in cooperation with the administrator of the road and bridge privilege tax law, and the administrator of the road and bridge privilege tax law shall supply them.

The county tax collector of each county shall also secure an ample supply of ad valorem tax receipts to be used by him in collecting the ad valorem taxes on all motor vehicles in his county for which the road and bridge privilege tax license will be issued by the administrator of the road and bridge privilege tax law. Ample provisions shall also be made on these forms for receipting any municipal and municipal separate school district ad valorem taxes collected, in case the county tax collector is legally directed to collect such taxes. All such ad valorem tax receipt forms for each county, for the collection of ad valorem taxes only, shall be numbered in consecutive order beginning with the number "one"; they shall be made up in triplicate, the exact form of which shall be prescribed by the state tax commission, and
they shall be supplied by the county board of supervisors. A separate receipt shall be issued for each motor vehicle on which ad valorem taxes are paid. Ample provisions shall also be made on these forms for the tax collector to indicate motor vehicle liability insurance policy numbers and expiration dates in accordance with House Bill No. , 2003 Regular Session.

SECTION 4. This act shall take effect and be in force from and after July 1, 2003.