

By: Senator(s) Burton, Kirby

To: Insurance

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2218

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE LAW ENFORCEMENT OFFICERS TO VERIFY PROOF OF LIABILITY
3 INSURANCE UPON STOPPING MOTOR VEHICLES PURSUANT TO LEGAL
4 ROADBLOCKS; TO CREATE A NEW CODE SECTION TO BE CODIFIED AS SECTION
5 63-15-8, MISSISSIPPI CODE OF 1972, TO REQUIRE PROOF OF MOTOR
6 VEHICLE LIABILITY INSURANCE OR OTHER FORM OF FINANCIAL
7 RESPONSIBILITY BEFORE RECEIVING MOTOR VEHICLE LICENSE TAGS; AND
8 FOR RELATED PURPOSES.

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

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

12 63-15-4. (1) The following vehicles are exempted from the
13 requirements of this section:

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

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

19 (c) Vehicles that are self-insured under Section
20 63-15-53; and

21 (d) Implements of husbandry.

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

27 (b) An insurance company issuing a policy of motor
28 vehicle liability insurance as required by this section shall
29 furnish to the insured an insurance card for each vehicle at the
30 time the insurance policy becomes effective.



31 (3) Upon stopping a motor vehicle for any other statutory
32 violation or pursuant to a legal roadblock, a law enforcement
33 officer, who is authorized to issue traffic citations, shall
34 verify that the insurance card required by this section is in the
35 motor vehicle. * * * No driver shall be stopped or detained
36 solely for the purpose of verifying that an insurance card is in
37 the motor vehicle, unless the driver is stopped or detained
38 pursuant to a legal roadblock.

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

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

56 (6) In lieu of maintaining an insurance card in the vehicle
57 as required in this section, a driver, for a period not to exceed
58 forty-five (45) days from the purchase of the policy, may maintain
59 in the vehicle the receipt furnished by the insurer as proof of
60 liability insurance that is in compliance with the limits required
61 by Section 63-15-3(j).

62 **SECTION 2.** The following shall be codified as Section
63 63-15-8, Mississippi Code of 1972:



64 63-15-8. Every owner of a motor vehicle in this state shall
65 furnish proof of motor vehicle liability insurance or other form
66 of financial responsibility as required by this chapter before the
67 owner may receive a license tag for a motor vehicle or renew a
68 license tag. However, proof of motor vehicle liability insurance
69 or other form of financial responsibility shall not be required if
70 the owner renews a license tag by mail. Proof of motor vehicle
71 liability insurance or other form of financial responsibility as
72 required by this chapter shall be made by signing a certificate on
73 a form prescribed by the Commissioner of Insurance stating that
74 the motor vehicle owner is insured or otherwise financially
75 responsible for at least the minimum requirements as provided in
76 Section 63-15-3(j). Such certificate shall state in bold print
77 that anyone who shall affirmatively sign such certificate who is
78 not insured or otherwise financially responsible for at least the
79 minimum requirements as provided in Section 63-15-3(j) shall be
80 subject to a fine of Five Hundred Dollars (\$500.00) and
81 imprisonment for a period not exceeding one (1) year or both such
82 fine and imprisonment. Such certificate shall be furnished to
83 each motor vehicle owner by the tax collector of the county where
84 the motor vehicle is registered. The tax collector shall also
85 make such certificates available at the tax collector's office
86 during regular business hours. The tax collector shall forward a
87 copy of the certificate to the Department of Public Safety and
88 shall keep the original in the tax collector's records.

89 **SECTION 3.** This act shall take effect and be in force from
90 and after July 1, 2003.

