To: Insurance

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2003

By: Senator(s) Burton, Kirby

SENATE BILL NO. 2218
(As Passed the Senate)

AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO REQUIRE LAW ENFORCEMENT OFFICERS TO VERIFY PROOF OF LIABILITY INSURANCE UPON STOPPING MOTOR VEHICLES PURSUANT TO LEGAL ROADBLOCKS; 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 for any other statutory violation or pursuant to a legal roadblock, a law enforcement officer shall verify the following:

(a) The number and type of people in the vehicle;

(b) The number of vehicles in the vehicle;

(c) The name and address of the owner or operator of the vehicle;

(d) The name and address of the insurance company issuing the policy of liability insurance;

(e) The policy number of the insurance policy;

(f) The policy limits of the liability insurance.

SEC. 2. The provisions of this act shall take effect upon its passage.
officer, who is authorized to issue traffic citations, shall verify that the insurance card required by this section is in the motor vehicle. * * * No driver shall be stopped or detained solely for the purpose of verifying that an insurance card is in the motor vehicle, unless the driver is stopped or detained pursuant to a legal roadblock.

(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.

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

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