

By: Representatives Chism, Nicholson

To: Insurance;
Transportation

HOUSE BILL NO. 513

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

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

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

11 63-15-4. (1) The following vehicles are exempted from the
12 requirements of this section:

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

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

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

20 (d) Implements of husbandry.

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

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

30 (3) Upon stopping a motor vehicle at a roadblock where all
31 passing motorists are checked as a method to enforce traffic laws
32 and promote public safety, upon investigating the scene of a motor
33 vehicle accident in which the motor vehicle operator is involved,
34 or upon stopping a motor vehicle with probable cause to believe
35 the motorist to be in violation of any other law, a law
36 enforcement officer, who is authorized to issue traffic citations,
37 shall verify that the insurance card required by this section is
38 in the motor vehicle. However, no driver shall be stopped or
39 detained solely for the purpose of verifying that an insurance
40 card is in the motor vehicle.

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

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

58 **SECTION 2.** This act shall take effect and be in force from
59 and after July 1, 2004.