

By: Representatives Howell, Davis

To: Insurance

HOUSE BILL NO. 1192

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT A PORTION OF THE FINES IMPOSED UPON A MOTOR VEHICLE
3 OPERATOR FOR FAILING TO PRESENT A CARD PROVIDING PROOF OF MOTOR
4 VEHICLE LIABILITY INSURANCE IN EFFECT SHALL BE DEPOSITED INTO THE
5 GENERAL FUND OF THE COUNTY OR MUNICIPALITY WHERE THE CONVICTION
6 OCCURRED; AND FOR RELATED PURPOSES.

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

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

10 63-15-4. (1) The following vehicles are exempted from the
11 requirements of this section:

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

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

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

19 (d) Implements of husbandry.

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

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

29 (3) Upon stopping a motor vehicle for any other statutory
30 violation, a law enforcement officer, who is authorized to issue
31 traffic citations, shall verify that the insurance card required
32 by this section is in the motor vehicle. However, no driver shall
33 be stopped or detained solely for the purpose of verifying that an
34 insurance card is in the motor vehicle.

35 (4) Failure of the owner or the operator of a motor vehicle
36 to have the insurance card in the motor vehicle is a misdemeanor
37 and, upon conviction, is punishable by a fine of One Thousand
38 Dollars (\$1,000.00) and suspension of driving privilege for a
39 period of one (1) year or until the owner of the motor vehicle
40 shows proof of liability insurance that is in compliance with the
41 liability limits required by Section 63-15-3(j). Fraudulent use
42 of an insurance card shall be punishable in accordance with
43 Section 97-7-10. Ten Dollars (\$10.00) of the fines imposed under
44 this subsection and under subsection (5) of this section shall be
45 deposited into the general fund of the county or municipality
46 where the conviction occurred. The remainder of such fines shall
47 be deposited in the State General Fund in the State Treasury.

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

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