

By: Representative Wells-Smith

To: Municipalities; County
Affairs

HOUSE BILL NO. 1378

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT A PORTION OF THE FINES LEVIED IN MUNICIPAL COURT OR
3 COUNTY COURT ON PERSONS WHO DO NOT HAVE PROOF OF MOTOR VEHICLE
4 LIABILITY INSURANCE SHALL BE DEPOSITED IN THE GENERAL FUND OF THE
5 MUNICIPALITY OR THE COUNTY; AND FOR RELATED PURPOSES.

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

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

9 63-15-4. (1) The following vehicles are exempted from the
10 requirements of this section:

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

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

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

18 (d) Implements of husbandry.

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

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

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

34 (4) Failure of the owner or the operator of a motor vehicle
35 to have the insurance card in the motor vehicle is a misdemeanor
36 and, upon conviction, is punishable by a fine of One Thousand
37 Dollars (\$1,000.00) and suspension of driving privilege for a
38 period of one (1) year or until the owner of the motor vehicle
39 shows proof of liability insurance that is in compliance with the
40 liability limits required by Section 63-15-3(j). Fraudulent use
41 of an insurance card shall be punishable in accordance with
42 Section 97-7-10. Except as otherwise provided herein, the funds
43 from such fines shall be deposited in the State General Fund in
44 the State Treasury. If such fines are levied in a municipal
45 court, fifty percent (50%) of the funds from such fines shall be
46 deposited in the general fund of the municipality. If such fines
47 are levied in a county court, fifty percent (50%) of the funds
48 from such fines shall be deposited in the general fund of the
49 county.

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

57 **SECTION 2.** This act shall take effect and be in force from
58 and after July 1, 2005.