

By: Senator(s) Michel

To: Judiciary, Division B

SENATE BILL NO. 2984

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE DISPOSITION OF FINES COLLECTED FOR DRIVING WITHOUT THE  
3 REQUIRED AUTOMOBILE LIABILITY INSURANCE; AND FOR RELATED PURPOSES.

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

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

7 63-15-4. (1) The following vehicles are exempted from the  
8 requirements of this section:

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

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

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

16 (d) Implements of husbandry.

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

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

26 (3) Upon stopping a motor vehicle for any other statutory  
27 violation, a law enforcement officer, who is authorized to issue

28 traffic citations, shall verify that the insurance card required  
29 by this section is in the motor vehicle. However, no driver shall  
30 be stopped or detained solely for the purpose of verifying that an  
31 insurance card is in the motor vehicle.

32 (4) Failure of the owner or the operator of a motor vehicle  
33 to have the insurance card in the motor vehicle is a misdemeanor  
34 and, upon conviction, is punishable by a fine of One Thousand  
35 Dollars (\$1,000.00) and suspension of driving privilege for a  
36 period of one (1) year or until the owner of the motor vehicle  
37 shows proof of liability insurance that is in compliance with the  
38 liability limits required by Section 63-15-3(j). Fraudulent use  
39 of an insurance card shall be punishable in accordance with  
40 Section 97-7-10. The funds from such fines shall be deposited as  
41 follows: twenty-five percent (25%) in the general fund of the  
42 municipality or county having jurisdiction over the offense, and  
43 seventy-five percent (75%) in the State General Fund in the State  
44 Treasury.

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

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