

By: Representative Fillingane

To: Insurance

HOUSE BILL NO. 682

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE PROOF OF INSURANCE TO BE PROVIDED TO PARTIES NOT AT FAULT
3 IN MOTOR VEHICLE ACCIDENTS; 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) (a) Upon stopping a motor vehicle at a roadblock where
27 all passing motorists are checked as a method to enforce traffic

28 laws or 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 unless the stop is part of
34 such roadblock.

35 (b) A copy of the insurance card shall be provided to a
36 party who is not at fault in an automobile accident. Failure to
37 provide such proof shall be governed by subsections (4) and (5) of
38 this section. If proof is provided at a hearing as provided in
39 subsection (5) of this section, the court shall provide such proof
40 to the party not at fault.

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 Five Hundred
44 Dollars (\$500.00) and suspension of driving privilege for a period
45 of one (1) year or until the owner of the motor vehicle shows
46 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. However, if such
51 fines are levied in a municipal court, twenty-five percent (25%)
52 of the funds from such fines shall be deposited in the general
53 fund of the municipality. If such fines are levied in any of the
54 courts of the county, twenty-five percent (25%) of the funds from
55 such fines shall be deposited in the general fund of the county.

56 (5) If, at the hearing date or the date of payment of the
57 fine, the motor vehicle owner shows proof of motor vehicle
58 liability insurance in the amounts required by Section 63-15-3(j),
59 the fine shall be reduced to One Hundred Dollars (\$100.00). If
60 the owner shows proof that such insurance was in effect at the

61 time of citation, the case shall be dismissed as to the defendant
62 with prejudice and all court costs shall be waived against the
63 defendant.

64 **SECTION 2.** This act shall take effect and be in force from
65 and after July 1, 2006.