

By: Representatives Lott, Staples

To: Insurance;
Transportation

HOUSE BILL NO. 948

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE INSURANCE COMPANIES THAT PROVIDE MOTOR VEHICLE LIABILITY
3 INSURANCE ON VEHICLES REGISTERED IN THE STATE TO PROVIDE THE STATE
4 TAX COMMISSION WITH DESCRIPTIONS OF THE COVERED VEHICLES AND TO
5 NOTIFY THE STATE TAX COMMISSION WHEN A MOTOR VEHICLE LIABILITY
6 INSURANCE POLICY LAPSES; TO REQUIRE THE STATE TAX COMMISSION TO
7 COMPARE MOTOR VEHICLE IDENTIFICATION NUMBERS TO DETERMINE THOSE
8 VEHICLES WITH LIABILITY COVERAGE AND THOSE WITHOUT LIABILITY
9 COVERAGE; AND FOR RELATED PURPOSES.

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

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

13 63-15-4. (1) The following vehicles are exempted from the
14 requirements of this section:

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

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

20 (c) Vehicles that are self-insured under Section
21 63-15-53; and

22 (d) Implements of husbandry.

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

28 (b) An insurance company issuing a policy of motor
29 vehicle liability insurance as required by this section shall

30 furnish to the insured an insurance card for each vehicle at the
31 time the insurance policy becomes effective.

32 (3) Upon stopping a motor vehicle at a roadblock where all
33 passing motorists are checked as a method to enforce traffic laws
34 or upon stopping a motor vehicle for any other statutory
35 violation, a law enforcement officer, who is authorized to issue
36 traffic citations, shall verify that the insurance card required
37 by this section is in the motor vehicle. However, no driver shall
38 be stopped or detained solely for the purpose of verifying that an
39 insurance card is in the motor vehicle unless the stop is part of
40 such roadblock.

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 (6) (a) All insurance companies providing motor vehicle
65 liability insurance coverage on any vehicles registered in the
66 State of Mississippi shall provide the State Tax Commission Motor
67 Vehicle Division with the description of the motor vehicles being
68 covered. The description of the motor vehicle shall include, but
69 shall not be limited to, the vehicle identification number (VIN).
70 If any liability insurance policy is allowed to lapse on any
71 vehicle, the insurance company shall notify the State Tax
72 Commission Motor Vehicle Division that the vehicle is no longer
73 covered by liability insurance.

74 (b) The State Tax Commission shall compare electronically all
75 motor vehicle identification numbers of vehicles covered with
76 liability insurance with current registrations of vehicles. If
77 any motor vehicle has a current registration and no insurance
78 company has provided the State Tax Commission Motor Vehicle
79 Division with information that the motor vehicle is covered with
80 liability insurance, it shall be prima facia evidence that the
81 owner of the vehicle is in violation of this section. The State
82 Tax Commission shall block electronically the renewal of the
83 registration of the vehicle without liability coverage until the
84 owner of the vehicle proves the vehicle is covered by liability
85 insurance.

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