

By: Representative Hudson

To: Insurance

HOUSE BILL NO. 1394

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT A CARD PROVING THE EXISTENCE OF MOTOR VEHICLE
3 INSURANCE SHALL NOT BE ISSUED UNLESS AT LEAST THREE MONTHS OF
4 PREMIUMS HAVE BEEN PAID; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

17 (d) Implements of husbandry.

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

23 (b) An insurance company issuing a policy of motor
24 vehicle liability insurance as required by this section shall
25 furnish to the insured an insurance card for each vehicle at the
26 time the insurance policy becomes effective. The card shall not
27 be issued unless at least three (3) months of premiums have been
28 paid.

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

38 (4) Failure of the owner or the operator of a motor vehicle
39 to have the insurance card in the motor vehicle is a misdemeanor
40 and, upon conviction, is punishable by a fine of Five Hundred
41 Dollars (\$500.00) and suspension of driving privilege for a period
42 of one (1) year or until the owner of the motor vehicle shows
43 proof of liability insurance that is in compliance with the
44 liability limits required by Section 63-15-3(j). Fraudulent use
45 of an insurance card shall be punishable in accordance with
46 Section 97-7-10. The funds from such fines shall be deposited in
47 the State General Fund in the State Treasury. However, if such
48 fines are levied in a municipal court, twenty-five percent (25%)
49 of the funds from such fines shall be deposited in the general
50 fund of the municipality. If such fines are levied in any of the
51 courts of the county, twenty-five percent (25%) of the funds from
52 such fines shall be deposited in the general fund of the county.

53 (5) If, at the hearing date or the date of payment of the
54 fine, the motor vehicle owner shows proof of motor vehicle
55 liability insurance in the amounts required by Section 63-15-3(j),
56 the fine shall be reduced to One Hundred Dollars (\$100.00). If
57 the owner shows proof that such insurance was in effect at the
58 time of citation, the case shall be dismissed as to the defendant
59 with prejudice and all court costs shall be waived against the
60 defendant.

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