

By: Senator(s) Mettetal

To: Judiciary, Division B

SENATE BILL NO. 2304

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE PROVISION FROM THE MOTOR VEHICLE SAFETY-RESPONSIBILITY
3 LAW WHICH PROHIBITS LAW ENFORCEMENT OFFICERS FROM STOPPING OR
4 DETAINING A DRIVER SOLELY FOR THE PURPOSE OF VERIFYING THAT AN
5 INSURANCE CARD IS IN THE MOTOR VEHICLE; 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.

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

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

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