

By: Senator(s) Clarke

To: Insurance

SENATE BILL NO. 2593
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT AN INSURANCE COMPANY ISSUING A POLICY OF MOTOR
3 VEHICLE LIABILITY INSURANCE SHALL FURNISH TO THE INSURED AN
4 INSURANCE CARD IN EITHER PAPER OR ELECTRONIC FORMAT; AND FOR
5 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) Motor vehicles exempted by Section 63-15-5;

12 (b) Motor 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) Motor 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 motor 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 motor
24 vehicle.

25 (b) An insurance company issuing a policy of motor
26 vehicle liability insurance as required by this section shall
27 furnish to the insured an insurance card for each motor vehicle at
28 the time the insurance policy becomes effective. The insurance
29 card may be furnished in either paper or electronic format as
30 chosen by the insured. Acceptable electronic formats include
31 display of electronic images on a cellular phone or any other type
32 of electronic device. Beginning on July 1, 2013, insurers shall
33 furnish commercial auto coverage customers with an insurance card
34 clearly marked with the identifier, "Commercial Auto Insurance" or
35 "Fleet" or similar language, to reflect that the vehicle is
36 insured under a commercial auto policy.

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



44 insurance card is in the motor vehicle unless the stop is part of
45 such roadblock. If the law enforcement officer uses the
46 verification system created in Section 63-16-3 and receives a
47 response from the system verifying that the owner of the motor
48 vehicle has liability insurance in the amounts required under
49 Section 63-15-3(j), then the officer shall not issue a citation
50 under this section notwithstanding any failure to display an
51 insurance card by the owner or operator.

52 (4) Failure of the owner or the operator of a motor vehicle
53 to have the insurance card in the motor vehicle is a misdemeanor
54 and, upon conviction, is punishable by a fine of Five Hundred
55 Dollars (\$500.00) and suspension of driving privilege for a period
56 of one (1) year or until the owner of the motor vehicle shows
57 proof of liability insurance that is in compliance with the
58 liability limits required by Section 63-15-3(j). Fraudulent use
59 of an insurance card shall be punishable in accordance with
60 Section 97-7-10. The funds from such fines shall be deposited in
61 the State General Fund in the State Treasury. However, if such
62 fines are levied in a municipal court, fifty percent (50%) of the
63 funds from such fines shall be deposited in the general fund of
64 the municipality. If such fines are levied in any of the courts
65 of the county, fifty percent (50%) of the funds from such fines
66 shall be deposited in the general fund of the county. A person
67 convicted of a criminal offense under this subsection (4) shall



68 not be convicted of a civil violation under Section 63-16-13(1) of
69 this act arising from the same incident.

70 (5) If, at the hearing date or the date of payment of the
71 fine, the motor vehicle owner shows proof of motor vehicle
72 liability insurance in the amounts required by Section 63-15-3(j),
73 the fine shall be reduced to One Hundred Dollars (\$100.00). If
74 the owner shows proof that such insurance was in effect at the
75 time of citation, the case shall be dismissed as to the defendant
76 with prejudice and all court costs shall be waived against the
77 defendant.

78 **SECTION 2.** This act shall take effect and be in force from
79 and after July 1, 2013.

