

By: Representative Horan

To: Insurance

HOUSE BILL NO. 738

1 AN ACT TO AMEND SECTION 63-15-3, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE MINIMUM MOTOR VEHICLE LIABILITY INSURANCE REQUIRED
3 FOR BODILY INJURY OR DEATH AND DESTRUCTION OF PROPERTY OF OTHERS;
4 AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 63-15-3, Mississippi Code of 1972, is
7 amended as follows:

8 63-15-3. The following words and phrases, when used in this
9 chapter, shall, for the purposes of this chapter, have the
10 meanings respectively ascribed to them in this section, except in
11 those instances where the context clearly indicates a different
12 meaning:

13 (a) "Highway" means the entire width between property
14 lines of any road, street, way, thoroughfare or bridge in the
15 State of Mississippi not privately owned or controlled, when any
16 part thereof is open to the public for vehicular traffic and over
17 which the state has legislative jurisdiction under its police
18 power.



19 (b) "Judgment" means any judgment which shall have
20 become final by expiration, without appeal, of the time within
21 which an appeal might have been perfected, or by final affirmation
22 on appeal, rendered by a court of competent jurisdiction of any
23 state or of the United States, upon a cause of action arising out
24 of the ownership, maintenance or use of any motor vehicle, for
25 damages, including damages for care and loss of services, because
26 of bodily injury to or death of any person, or for damages because
27 of injury to or destruction of property, including the loss of use
28 thereof, or upon a cause of action on an agreement of settlement
29 for such damages.

30 (c) "Motor vehicle" means every self-propelled vehicle
31 (other than traction engines, road rollers and graders, tractor
32 cranes, power shovels, well drillers, implements of husbandry and
33 electric personal assistive mobility device as defined in Section
34 63-3-103) which is designed for use upon a highway, including
35 trailers and semitrailers designed for use with such vehicles, and
36 every vehicle which is propelled by electric power obtained from
37 overhead wires but not operated upon rails.

38 For purposes of this definition, "implements of husbandry"
39 shall not include trucks, pickup trucks, trailers and semitrailers
40 designed for use with such trucks and pickup trucks.

41 (d) "License" means any driver's, operator's,
42 commercial operator's, or chauffeur's license, temporary
43 instruction permit or temporary license, or restricted license,



44 issued under the laws of the State of Mississippi pertaining to
45 the licensing of persons to operate motor vehicles.

46 (e) "Nonresident" means every person who is not a
47 resident of the State of Mississippi.

48 (f) "Nonresident's operating privilege" means the
49 privilege conferred upon a nonresident by the laws of Mississippi
50 pertaining to the operation by him of a motor vehicle, or the use
51 of a motor vehicle owned by him, in the State of Mississippi.

52 (g) "Operator" means every person who is in actual
53 physical control of a motor vehicle.

54 (h) "Owner" means a person who holds the legal title of
55 a motor vehicle; in the event a motor vehicle is the subject of an
56 agreement for the conditional sale or lease thereof with the right
57 of purchase upon performance of the conditions stated in the
58 agreement and with an immediate right of possession vested in the
59 conditional vendee or lessee or in the event a mortgagor of a
60 vehicle is entitled to possession, then such conditional vendee or
61 lessee or mortgagor shall be deemed the owner for the purpose of
62 this chapter.

63 (i) "Person" means every natural person, firm,
64 copartnership, association or corporation.

65 (j) "Proof of financial responsibility" means proof of
66 ability to respond in damages for liability, on account of
67 accidents occurring subsequent to the effective date of said
68 proof, arising out of the ownership, maintenance or use of a motor



69 vehicle, in the amount of * * * Fifty Thousand Dollars
70 (\$50,000.00) because of bodily injury to or death of one (1)
71 person in any one (1) accident, and subject to said limit for one
72 (1) person, in the amount of * * * One Hundred Thousand Dollars
73 (\$100,000.00) because of bodily injury to or death of two (2) or
74 more persons in any one (1) accident, and in the amount of * * *
75 Fifty Thousand Dollars (\$50,000.00) because of injury to or
76 destruction of property of others in any one (1) accident.
77 Liability insurance required under this paragraph (j) may contain
78 exclusions and limitations on coverage as long as the exclusions
79 and limitations language or form has been filed with and approved
80 by the Commissioner of Insurance.

81 (k) "Registration" means a certificate or certificates
82 and registration plates issued under the laws of this state
83 pertaining to the registration of motor vehicles.

84 (l) "Department" means the Department of Public Safety
85 of the State of Mississippi, acting directly or through its
86 authorized officers and agents, except in such sections of this
87 chapter in which some other state department is specifically
88 named.

89 (m) "State" means any state, territory or possession of
90 the United States, the District of Columbia, or any province of
91 the Dominion of Canada.

92 **SECTION 2.** This act shall take effect and be in force from
93 and after July 1, 2018.

