

By: Representative Calhoun

To: Insurance

HOUSE BILL NO. 852

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE AN INSURANCE STICKER BE MAINTAINED ON MOTOR VEHICLES ON  
3 THE LOWER, DRIVER'S SIDE OF THE FRONT WINDSHIELD OF THE MOTOR  
4 VEHICLE TO INDICATE PROOF OF FINANCIAL RESPONSIBILITY; TO REQUIRE  
5 INSURANCE COMPANIES TO ISSUE THE STICKER; TO PROVIDE THE SAME  
6 PROVISIONS AND PENALTIES FOR FAILURE TO MAINTAIN AS PROVIDED FOR  
7 INSURANCE CARDS; AND FOR RELATED PURPOSES.

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

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

11 63-15-4. (1) The following vehicles are exempted from the  
12 requirements of this section:

13 (a) Motor vehicles exempted by Section 63-15-5;

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

18 (c) Motor vehicles that are self-insured under Section  
19 63-15-53; and

20 (d) Implements of husbandry.



21           (2)   (a)   Every motor vehicle operated in this state shall  
22 have a motor vehicle liability insurance policy that covers the  
23 vehicle and is in compliance with the liability limits required by  
24 Section 63-15-3(j). The insured parties shall be responsible for  
25 maintaining the insurance on each motor vehicle. In addition,  
26 every motor vehicle operated in this state shall have an insurance  
27 sticker maintained on the lower, driver's side of the front  
28 windshield of the motor vehicle as proof of such insurance.

29           (b)   An insurance company issuing a policy of motor  
30 vehicle liability insurance as required by this section shall  
31 furnish to the insured an insurance card and insurance sticker for  
32 each motor vehicle at the time the insurance policy becomes  
33 effective. The insurance card may be furnished in either paper or  
34 electronic format as chosen by the insured. Acceptable electronic  
35 formats include display of electronic images on a cellular phone  
36 or any other type of electronic device. Beginning on July 1,  
37 2013, insurers shall furnish commercial auto coverage customers  
38 with an insurance card and insurance sticker clearly marked with  
39 the identifier, "Commercial Auto Insurance" or "Fleet" or similar  
40 language, to reflect that the vehicle is insured under a  
41 commercial auto policy.

42           (3)   Upon stopping a motor vehicle at a roadblock where all  
43 passing motorists are checked as a method to enforce traffic laws  
44 or upon stopping a motor vehicle for any other statutory  
45 violation, a law enforcement officer, who is authorized to issue



46 traffic citations, shall verify that the insurance card and  
47 insurance sticker required by this section is, respectively, in  
48 and on the motor vehicle or is displayed by electronic image on a  
49 cellular phone or other type of electronic device. However, no  
50 driver shall be stopped or detained solely for the purpose of  
51 verifying that the motor vehicle is covered by liability insurance  
52 in the amounts required under Section 63-15-3(j) unless the stop  
53 is part of such roadblock. If the law enforcement officer uses  
54 the verification system created in Section 63-16-3 and receives a  
55 response from the system verifying that the owner of the motor  
56 vehicle has liability insurance in the amounts required under  
57 Section 63-15-3(j), then the officer shall not issue a citation  
58 under this section notwithstanding any failure to display an  
59 insurance card or insurance sticker by the owner or operator.

60 (4) Failure of the owner or the operator of a motor vehicle  
61 to have the insurance card, or the insurance sticker on, in the  
62 motor vehicle, or to display the insurance card by electronic  
63 image on a cellular phone or other type of electronic device, is a  
64 misdemeanor and, upon conviction, is punishable by a fine of Five  
65 Hundred Dollars (\$500.00) and suspension of driving privilege for  
66 a period of one (1) year or until the owner of the motor vehicle  
67 shows proof of liability insurance that is in compliance with the  
68 liability limits required by Section 63-15-3(j). Fraudulent use  
69 of an insurance card or insurance sticker shall be punishable in  
70 accordance with Section 97-7-10. The funds from such fines shall



71 be deposited in the State General Fund in the State Treasury.  
72 However, if such fines are levied in a municipal court, fifty  
73 percent (50%) of the funds from such fines shall be deposited in  
74 the general fund of the municipality. If such fines are levied in  
75 any of the courts of the county, fifty percent (50%) of the funds  
76 from such fines shall be deposited in the general fund of the  
77 county. A person convicted of a criminal offense under this  
78 subsection (4) shall not be convicted of a civil violation under  
79 Section 63-16-13(1) arising from the same incident.

80 (5) If, at the hearing date or the date of payment of the  
81 fine, the motor vehicle owner shows proof of motor vehicle  
82 liability insurance in the amounts required by Section 63-15-3(j),  
83 the fine shall be reduced to One Hundred Dollars (\$100.00). If  
84 the owner shows proof that such insurance was in effect at the  
85 time of citation, the case shall be dismissed as to the defendant  
86 with prejudice and all court costs shall be waived against the  
87 defendant.

88 (6) No law enforcement officer may access any function,  
89 feature or other electronic image on a person's cellular phone or  
90 other type of electronic device when enforcing the provisions of  
91 this section except for the electronic image of an insurance card  
92 shown to the officer.

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

