

By: Representative Hobgood-Wilkes

To: Insurance

HOUSE BILL NO. 1278

1 AN ACT TO AMEND SECTION 63-15-43, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT ANY MOTOR VEHICLE LIABILITY POLICY SHALL PROVIDE
3 COVERAGE FOR SIXTY DAYS FOR A PERSON WHO IS A MEMBER OF AN
4 INSURED'S FAMILY OR HOUSEHOLD AFTER THAT PERSON BECOMES A LICENSED
5 DRIVER; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 63-15-43, Mississippi Code of 1972, is
8 amended as follows:

9 63-15-43. (1) A "motor vehicle liability policy" as said
10 term is used in this chapter shall mean an owner's or an
11 operator's motor vehicle liability policy, that has been certified
12 as provided in Section 63-15-39 or Section 63-15-41, as proof of
13 financial responsibility, and issued, except as otherwise provided
14 in Section 63-15-41, by an insurance company duly authorized to
15 write motor vehicle liability insurance in this state, to or for
16 the benefit of the person named therein as insured.

17 (2) Such owner's motor vehicle liability policy:

18 (a) May be any motor vehicle liability policy form that
19 has been filed with and approved by the Commissioner of Insurance



20 and may contain exclusions and limitations on coverage as long as
21 the exclusions and limitations language has been filed with and
22 approved by the Commissioner of Insurance.

23 (b) Shall have limits of liability no less than:
24 Twenty-five Thousand Dollars (\$25,000.00) because of bodily injury
25 to or death of one (1) person in any one (1) accident and, subject
26 to said limit for one (1) person, Fifty Thousand Dollars
27 (\$50,000.00) because of bodily injury to or death of two (2) or
28 more persons in any one (1) accident, and Twenty-five Thousand
29 Dollars (\$25,000.00) because of injury to or destruction of
30 property of others in any one (1) accident.

31 (3) Every motor vehicle liability policy certified under the
32 provisions of this chapter shall be subject to the following
33 provisions which need not be contained therein:

34 (a) The liability of the insurance company with respect
35 to the insurance required by this chapter shall become absolute
36 whenever injury or damage covered by said motor vehicle liability
37 policy occurs; said policy may not be cancelled or annulled as to
38 such liability by any agreement between the insurance company and
39 the insured after the occurrence of the injury or damage; no
40 statement made by the insured or on his behalf and no violation of
41 said policy shall defeat or void said policy;

42 (b) The satisfaction by the insured of a judgment for
43 such injury or damage shall not be a condition precedent to the



44 right or duty of the insurance company to make payment on account
45 of such injury or damage;

46 (c) The insurance company shall have the right to
47 settle any claim covered by the policy, and if such settlement is
48 made in good faith, the amount thereof shall be deductible from
49 the limits of liability specified in paragraph (b) of subsection
50 (2) of this section; or

51 (d) The policy, the written application therefor, if
52 any, and any rider or endorsement which does not conflict with the
53 provisions of the chapter shall constitute the entire contract
54 between the parties.

55 (4) Any policy which grants the coverage required for a
56 motor vehicle liability policy may also grant any lawful coverage
57 in excess of or in addition to the coverage specified for a motor
58 vehicle liability policy, and such excess or additional coverage
59 shall not be subject to the provisions of this chapter. With
60 respect to a policy which grants such excess or additional
61 coverage, the term "motor vehicle liability policy" shall apply
62 only to that part of the coverage which is required by this
63 section.

64 (5) Any motor vehicle liability policy may provide that the
65 insured shall reimburse the insurance company for any payment the
66 insurance company would not have been obligated to make under the
67 terms of the policy except for the provisions of this chapter.



(6) Any motor vehicle liability policy may provide for the prorating of the insurance thereunder with other valid and collectible insurance.

(7) Any motor vehicle liability policy shall provide coverage for sixty (60) days for a person who is a member of an insured's family or household after that person becomes a licensed driver. Such coverage shall begin on the day the person becomes licensed and extend until the insured adds the person to his or her motor vehicle liability policy, until the person gets his or her own motor vehicle liability policy, or until the sixtieth day, whichever comes first.

(7) The requirements for a motor vehicle liability policy may be fulfilled by the policies of one or more insurance companies which policies together meet such requirements.

(8) Any binder issued pending the issuance of a motor vehicle liability policy shall be deemed to fulfill the requirements for such a policy.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

