

By: Senator(s) Rhodes, Hill, Fillingane,  
Robinson, McLendon

To: Judiciary, Division B

SENATE BILL NO. 2609

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE MOTOR VEHICLES WHERE IT IS DETERMINED THAT THE OWNER OR  
3 OPERATOR OF THE VEHICLE DOES NOT HAVE THE MANDATORY LIABILITY  
4 INSURANCE REQUIRED BY SECTION 63-15-3 TO BE IMPOUNDED; 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 a motor vehicle liability insurance policy that covers the  
21 vehicle and is in compliance with the liability limits required by  
22 Section 63-15-3(j). The insured parties shall be responsible for  
23 maintaining the insurance on each motor 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 motor vehicle at  
27 the time the insurance policy becomes effective. The insurance  
28 card may be furnished in either paper or electronic format as  
29 chosen by the insured. Acceptable electronic formats include  
30 display of electronic images on a cellular phone or any other type  
31 of electronic device. Beginning on July 1, 2013, insurers shall  
32 furnish commercial auto coverage customers with an insurance card  
33 clearly marked with the identifier, "Commercial Auto Insurance" or  
34 "Fleet" or similar language, to reflect that the vehicle is  
35 insured under a commercial auto policy.

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



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

53 (4) Failure of the owner or the operator of a motor vehicle  
54 to have the insurance card in the motor vehicle, or to display the  
55 insurance card by electronic image on a cellular phone or other  
56 type of electronic device, is a misdemeanor and, upon conviction,  
57 is punishable by a fine of \* \* \* Two Hundred Fifty Dollars  
58 (\$250.00) and suspension of driving privilege for a period of one  
59 (1) year or until the owner of the motor vehicle shows proof of  
60 liability insurance that is in compliance with the liability  
61 limits required by Section 63-15-3(j) and has paid the fines and  
62 assessments imposed and the driver's license reinstatement fees  
63 imposed by the Department of Public Safety. A judge shall  
64 determine whether the defendant is indigent, and if a  
65 determination of indigence is made, shall authorize the  
66 reinstatement of that person's driver's license upon proof of  
67 mandatory liability insurance subject to compliance with a payment  
68 plan for any fines, assessments and/or fees. Fraudulent use of an



69 insurance card shall be punishable in accordance with Section  
70 97-7-10. If such fines are levied in a municipal court, the funds  
71 from such fines shall be deposited in the general fund of the  
72 municipality. If such fines are levied in any of the courts of  
73 the county, the funds from such fines shall be deposited in the  
74 general fund of the county. A person convicted of a criminal  
75 offense under this subsection (4) shall not be convicted of a  
76 criminal offense under Section 63-16-13(1) arising from the same  
77 incident.

78 (5) If, at the hearing date or the date of payment of the  
79 fine the owner shows proof that such insurance was in effect at  
80 the time of citation, the case shall be dismissed as to the  
81 defendant with prejudice and all court costs shall be waived  
82 against the defendant.

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

88 (7) In addition to any other penalties imposed by law, a  
89 motor vehicle operated on the roadways of this state where the  
90 owner or the operator of a motor vehicle fails to have the  
91 mandatory liability insurance required by Section 63-15-3(j) and  
92 the motor vehicle is involved in an accident shall be impounded  
93 until proof of insurance is provided. The cost associated with



94 any impoundment or immobilization shall be paid by the owner or  
95 operator of the motor vehicle.

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

