

By: Stevens, Capps, Barbour, Chism, Coleman To: Insurance  
(65th), Dedeaux, Formby, Montgomery (74th),  
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HOUSE BILL NO. 620  
(As Passed the House)

1 AN ACT TO STRENGTHEN THE ENFORCEMENT OF THE MISSISSIPPI MOTOR  
2 VEHICLE SAFETY RESPONSIBILITY LAW; TO AMEND SECTION 63-15-1,  
3 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THIS CHAPTER SHALL BE  
4 KNOWN AS THE "MISSISSIPPI MOTOR VEHICLE COMPULSORY  
5 SAFETY-RESPONSIBILITY LAW"; TO AMEND SECTION 63-3-411, MISSISSIPPI  
6 CODE OF 1972, TO REQUIRE THAT INVESTIGATING LAW ENFORCEMENT  
7 OFFICERS SHALL FURNISH ALL DRIVERS INVOLVED IN CERTAIN ACCIDENTS  
8 WITH ACCIDENT REPORT FORMS; TO REQUIRE THE INVESTIGATING OFFICERS  
9 TO SUBMIT THEIR WRITTEN REPORTS TO THE DEPARTMENT OF PUBLIC SAFETY  
10 WITHIN TEN WORKING DAYS AFTER THE DATE OF THE ACCIDENT; TO PROVIDE  
11 FOR AN ADMINISTRATIVE PENALTY ON THE APPROPRIATE LAW ENFORCEMENT  
12 AGENCY THAT DOES NOT COMPLY; TO AMEND SECTION 63-15-9, MISSISSIPPI  
13 CODE OF 1972, TO REVISE THE MOTOR VEHICLE ACCIDENT REPORT FORM TO  
14 NOTIFY CERTAIN DRIVERS THAT FAILURE TO FILE THE REPORT OR FAILURE  
15 TO HAVE MOTOR VEHICLE LIABILITY INSURANCE OR OTHERWISE SHOW  
16 FINANCIAL RESPONSIBILITY UP TO THE LIABILITY LIMITS SET BY LAW MAY  
17 SUBJECT THEM TO AN ADMINISTRATIVE PENALTY IN ADDITION TO LICENSE  
18 SUSPENSION; TO AMEND SECTION 63-15-11, MISSISSIPPI CODE OF 1972,  
19 TO INCREASE THE AMOUNT OF DAMAGES BEFORE REQUIRING FINANCIAL  
20 RESPONSIBILITY; TO PROVIDE FOR CERTAIN ADMINISTRATIVE PENALTIES  
21 FOR FAILURE TO SHOW FINANCIAL RESPONSIBILITY; TO PROVIDE FOR A  
22 WAIVER OF PENALTIES UPON PROOF OF PURCHASE OF MOTOR VEHICLE  
23 LIABILITY INSURANCE; TO AMEND SECTION 63-15-69, MISSISSIPPI CODE  
24 OF 1972, TO PROVIDE FOR CERTAIN ADMINISTRATIVE PENALTIES ON  
25 PERSONS FAILING TO FILE REPORTS OF ACCIDENTS; TO AMEND SECTIONS  
26 45-1-5, 63-1-52 AND 83-11-101, MISSISSIPPI CODE OF 1972, IN  
27 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

29 SECTION 1. Section 63-15-1, Mississippi Code of 1972, is  
30 amended as follows:[BD1]

31 63-15-1. This chapter shall be known and may be cited as the  
32 "Mississippi Motor Vehicle Compulsory Safety-Responsibility Law."

33 SECTION 2. Section 63-3-411, Mississippi Code of 1972, is

34 amended as follows:

35           63-3-411. (1) The driver of a vehicle involved in an  
36 accident resulting in injury to or death of any person or total  
37 property damage to an apparent extent of Five Hundred Dollars  
38 (\$500.00) or more shall immediately, by the quickest means of  
39 communication, give notice of the collision to the local police  
40 department if the collision occurs within an incorporated  
41 municipality, or if the collision occurs outside of an  
42 incorporated municipality to the nearest sheriff's office or  
43 highway patrol station.

44           (2) All drivers of vehicles involved in an accident  
45 resulting in injury to or death of any person or total property  
46 damage to an apparent extent of One Thousand Dollars (\$1,000.00)  
47 or more shall forward within fifteen (15) working days after such  
48 accident, a written report of such accident to the department.  
49 The investigating officer shall furnish all drivers an accident  
50 report form as provided in Section 63-15-9 and shall provide to  
51 such drivers instructions as to when such report must be completed  
52 and submitted to the department.

53           (3) The department may require any driver of a vehicle  
54 involved in an accident, of which report must be made as provided  
55 in this section, to file supplemental reports whenever the  
56 original report is insufficient in the opinion of the department.  
57 Additionally, the department may require witnesses of accidents to  
58 render reports to the department.

59           (4) It shall be the duty of the highway patrol or the  
60 sheriff's office to investigate all accidents required to be  
61 reported by this section when the accident occurs outside the  
62 corporate limits of a municipality, and it shall be the duty of  
63 the police department of each municipality to investigate all  
64 accidents required to be reported by this section when the

65 accidents occur within the corporate limits of the municipality.

66       Every law enforcement officer who investigates an accident as  
67 required by this subsection, whether the investigation is made at  
68 the scene of the accident or by subsequent investigation and  
69 interviews, shall forward within ten (10) working days after the  
70 date of the accident a written report of the accident to the  
71 department if the accident occurred outside the corporate limits  
72 of a municipality, or to the police department of the municipality  
73 if the accident occurred within the corporate limits of such  
74 municipality. Police departments shall forward such reports to  
75 the department within ten (10) working days of the date of the  
76 accident. If the appropriate law enforcement agency fails to  
77 submit the reports as required by this subsection or to furnish  
78 the accident report forms to the drivers as required in subsection  
79 (2) of this section, then the department shall assess the agency  
80 with an administrative penalty of Two Hundred Dollars (\$200.00).  
81 Any agency so penalized may make a written request to the  
82 department for a hearing. Such hearing shall be held in  
83 accordance with rules and regulations that are adopted by the  
84 department and that are in compliance with due process of law.  
85 The funds from such penalties collected by the Department of  
86 Public Safety shall be deposited in the State General Fund in the  
87 State Treasury and shall be subject to the annual legislative  
88 appropriation process.

89       (5) The Department of Public Safety shall develop procedures  
90 to ensure that the reports required by this section are made a  
91 part of the files of the department.

92       (6) Whenever an engineer of a railroad locomotive, or other

93 person in charge of a train, is required to show proof of his  
94 identity under the provisions of this article, in connection with  
95 operation of such locomotive, to any law enforcement officer, such  
96 person shall not be required to display his operator's or  
97 chauffeur's license but shall display his railroad employee  
98 number.

99       (7) In addition to the information required on the  
100 "statewide uniform traffic accident report" forms provided by  
101 Section 63-3-415, the department shall require the parties  
102 involved in an accident and the witnesses of such accident to  
103 furnish their phone numbers in order to assist the investigation  
104 by law enforcement officers.

105       SECTION 3. Section 63-15-9, Mississippi Code of 1972, is  
106 amended as follows:

107       63-15-9. The operator of every motor vehicle which is in any  
108 manner involved in an accident within this state, in which any  
109 person is killed or injured or in which damage to the property of  
110 any one (1) person, other than himself, in excess of One Thousand  
111 Dollars (\$1,000.00) is sustained, shall within fifteen (15)  
112 working days after such accident report the matter in writing to  
113 the department, in accordance with the laws of this state. Such  
114 report, the form of which shall be prescribed by the department,  
115 shall contain information to enable the department to determine  
116 whether the requirements for the deposit of security under Section  
117 63-15-11 are inapplicable by reason of the existence of insurance  
118 or other exceptions specified in this chapter. The reports  
119 required herein shall be furnished to each of the drivers involved  
120 in an accident as provided in Section 63-3-411. Such report shall

121 contain, but not be limited to, the following notification and  
122 request for information:

123 "It is compulsory that you complete and mail the SR-1 (short  
124 form) motor vehicle accident report to the Department of Public  
125 Safety, Safety Responsibility Branch, within fifteen (15) working  
126 days of the date of this accident.

127 Failure to file the report within fifteen (15) working days  
128 of receipt of this form shall subject you to an administrative  
129 penalty of Two Hundred Dollars (\$200.00) and the immediate  
130 suspension of your driving privilege or registration, or both.  
131 Upon payment of the administrative penalty and completion of the  
132 report, your driving privilege or registration, or both, may be  
133 reinstated, unless otherwise provided by law.

134 If you did not have motor vehicle liability insurance or  
135 cannot otherwise show financial responsibility on the date of this  
136 accident up to the liability limits set by law, you may be subject  
137 to the suspension of your driving privilege or registration, or  
138 both, and a Two Hundred Dollar (\$200.00) administrative penalty.  
139 Such penalty may be waived and driving privilege or registration,  
140 or both, reinstated if, within thirty (30) working days, you show  
141 certified proof of purchase of motor vehicle liability insurance  
142 in accordance with the requirements of the department.

143 On the day of the accident was the vehicle involved covered  
144 by motor vehicle liability insurance? Yes \_\_\_\_\_ No \_\_\_\_\_

145 Name of insurance company: \_\_\_\_\_

146 Insurance policy number: \_\_\_\_\_

147 Name of insurance agency: \_\_\_\_\_

148 Was anyone seriously injured? Yes \_\_\_\_\_ No \_\_\_\_\_

149 Approximate cost to repair your vehicle: \_\_\_\_\_

150 Name of driver: \_\_\_\_\_

151 Driver's license number: \_\_\_\_\_

152 \*Address of driver: \_\_\_\_\_

153 Name of person completing report: \_\_\_\_\_

154 Date: \_\_\_\_\_

155 \_\_\_\_\_

156 Signature of investigating officer

157 certifying that all drivers received

158 the SR-1 motor vehicle accident

159 report

160 \*All drivers shall report a change of address to the

161 Department of Public Safety within five (5) working days of such

162 change."

163 Any written report of an accident in accordance with Article  
164 9 of Chapter 3 of this title shall be sufficient, provided it also  
165 contains the information required herein. The department may rely  
166 upon the accuracy of the information unless and until it has  
167 reason to believe that the information is erroneous. If such  
168 operator be physically incapable of making such report, an  
169 occupant in the motor vehicle at the time of the accident or the  
170 owner of the motor vehicle shall make such report. The operator,  
171 occupant or the owner shall furnish such additional relevant  
172 information as the department shall require.

173 SECTION 4. Section 63-15-11, Mississippi Code of 1972, is  
174 amended as follows:

175 63-15-11. (1) If twenty (20) working days after the receipt  
176 of a report of a motor vehicle accident in this state which has

177 resulted in bodily injury or death, or damage to the property of  
178 any one (1) person in excess of One Thousand Dollars (\$1,000.00),  
179 the department does not have on file evidence satisfactory to it  
180 that the person who would otherwise be required to file security  
181 under subsection (2) of this section has been finally adjudicated  
182 not to be liable, or has executed a duly acknowledged written  
183 agreement providing for the payment of an agreed amount in  
184 installments with respect to all claims for injuries or damages  
185 resulting from the accident, the department shall determine the  
186 amount of security which shall be sufficient in its judgment to  
187 satisfy any judgment or judgments for damages resulting from such  
188 accident as may be recovered against each operator or owner.

189 (2) The department, after all provisions of Sections  
190 63-3-411 and 63-15-9 have been complied with by the proper  
191 authorities, shall levy an administrative penalty of Two Hundred  
192 Dollars (\$200.00) upon each owner and suspend the license of each  
193 operator and all registrations of each owner of a motor vehicle in  
194 any manner involved in such accident, and if such operator is a  
195 nonresident the privilege of operating a motor vehicle within this  
196 state, and if such owner is a nonresident the privilege of the use  
197 within this state of any motor vehicle owned by him, unless such  
198 operator or owner or both shall deposit security in the sum so  
199 determined by the department and shall also furnish proof of  
200 financial responsibility. Notice of such suspension and  
201 administrative penalty shall be sent by the department to such  
202 operator and owner not less than ten (10) working days before the  
203 effective date of such suspension and administrative penalty and  
204 shall state the amount required as security. If such operator,

205 within thirty (30) working days of such notification, shows  
206 certified proof of purchase of motor vehicle liability insurance  
207 in the manner and the amounts required by law, his driving  
208 privilege may be reinstated. If such owner, within thirty (30)  
209 working days of such notification, shows certified proof of  
210 purchase of motor vehicle liability insurance in the manner and  
211 the amounts required by law, the administrative penalty may be  
212 waived and his registration may be reinstated. Where erroneous  
213 information is given the department with respect to the matters  
214 set forth in subdivisions (1), (2) and (3) of subsection (4) of  
215 this section, it shall take appropriate action as hereinbefore  
216 provided after receipt by it of correct information with respect  
217 to such matters.

218 (3) Any person so notified of suspension and administrative  
219 penalty, in accordance with notification requirements in Section  
220 63-1-52, may, within ten (10) working days after receipt of such  
221 notification, make a written request to the department for a  
222 hearing, and such request shall operate as a stay of any  
223 suspension and administrative penalty pending the outcome of such  
224 hearing. For the purposes of this section, the scope of such  
225 hearing shall cover the issues of whether there is a reasonable  
226 probability of a judgment being rendered against such person in a  
227 lawsuit arising out of the accident and whether such person is  
228 exempt from the requirement of depositing security under  
229 subsection (4) of this section. At such hearing the department  
230 may also consider the amount of security required to be deposited,  
231 if any. The hearing shall be in accordance with rules and  
232 regulations which shall be adopted by the department and furnished



233 to the operator or owner with the notice of suspension and  
234 administrative penalty. For the purposes of this section, a  
235 "hearing" may consist of a determination of such issues by the  
236 department based solely on written reports submitted by the  
237 operator or owner and by investigatory officers, provided that the  
238 owner or operator, in his request to the department for a hearing,  
239 has expressly consented to such type hearing and that the  
240 department has consented thereto.

241 Any person whose suspension and administrative penalty has  
242 been sustained shall have the right to appeal as provided in  
243 Section 63-15-7. However, such suspension shall not be stayed by  
244 the department or any court while such appeal is pending.

245 (4) Subsections (1) and (2) of this section shall not apply:  
246 (1) to such operator or owner if such owner had in effect at the  
247 time of such accident a liability policy with respect to the motor  
248 vehicle involved in such accident; (2) to such operator, if not  
249 the owner of such motor vehicle, if there was in effect at the  
250 time of such accident a liability policy with respect to his  
251 operation of motor vehicles not owned by him; (3) to such operator  
252 or owner if the liability of such operator or owner for damages  
253 resulting from such accident is, in the judgment of the  
254 department, covered by any other form of liability insurance  
255 policy or bond of a surety company authorized to do business in  
256 this state; (4) to any person qualifying as a self-insurer under  
257 Section 63-15-53, or to any person operating a motor vehicle for  
258 such self-insurer; (5) to the operator or the owner of a motor  
259 vehicle legally parked at the time of the accident; (6) to the  
260 owner of a motor vehicle if at the time of the accident the

261 vehicle was stolen; or (7) to any person for whom the department  
262 has found in the hearing provided for in subsection (3) of this  
263 section, that there is not a reasonable probability of a judgment  
264 being rendered against such person in a lawsuit arising out of the  
265 accident.

266 No such policy shall be effective under this section unless  
267 issued by an insurance company or surety company authorized to  
268 write motor vehicle liability insurance in this state, except that  
269 if such motor vehicle was not registered in this state, or was a  
270 motor vehicle which was registered elsewhere than in this state at  
271 the effective date of the policy or the most recent renewal  
272 thereof, such policy shall not be effective under this section  
273 unless the insurance company or surety company if not authorized  
274 to do business in this state shall execute a power of attorney  
275 authorizing the department to accept service on its behalf of  
276 notice or process in any action upon such policy arising out of  
277 such accident. However, every such policy shall be subject to the  
278 limits provided in Section 63-15-3.

279 SECTION 5. Section 63-15-69, Mississippi Code of 1972, is  
280 amended as follows:

281 63-15-69. (1) Where any person fails to report an accident  
282 as required in Section 63-15-9, in addition to any other penalties  
283 prescribed by law, the department shall administer an  
284 administrative penalty of Two Hundred Dollars (\$200.00) upon and  
285 suspend the license of the person failing to make such report, or  
286 the nonresident's operating privilege of such person, until such  
287 report has been filed and the administrative penalty and any  
288 reinstatement fees paid. The funds from any administrative

289 penalties collected by the Department of Public Safety under this  
290 subsection shall be deposited in the State General Fund in the  
291 State Treasury.

292 (2) Any person who gives information required in a report or  
293 otherwise as provided for in Section 63-15-9, knowing or having  
294 reason to believe that such information is false, or who shall  
295 forge, or without authority, sign any evidence of proof of  
296 financial responsibility, or who files or offers for filing any  
297 such evidence of proof, knowing or having reason to believe that  
298 it is forged or signed without authority, shall be fined not more  
299 than One Thousand Dollars (\$1,000.00) or imprisoned for not more  
300 than one (1) year, or both, except where the statement may be made  
301 under oath, in which case the person making the false statement  
302 under oath shall, upon conviction, be subject to the penalties for  
303 perjury.

304 (3) Any person whose license or nonresident's operating  
305 privilege has been suspended or revoked under this chapter, and  
306 who, during such suspension or revocation drives any motor vehicle  
307 upon any highway or knowingly permits any motor vehicle owned by  
308 such person to be operated by another upon any highway, except as  
309 permitted under this chapter, shall be fined not more than Five  
310 Hundred Dollars (\$500.00) or imprisoned not exceeding six (6)  
311 months, or both.

312 (4) Any person wilfully failing to return his license as  
313 required in Section 63-15-67, shall be fined not more than Five  
314 Hundred Dollars (\$500.00) or imprisoned not to exceed thirty (30)  
315 days, or both.

316 (5) Any person who shall violate any provision of this

317 chapter for which no penalty is otherwise provided shall be fined  
318 not more than Five Hundred Dollars (\$500.00) or imprisoned not  
319 more than six (6) months, or both.

320 SECTION 6. Section 45-1-5, Mississippi Code of 1972, is  
321 amended as follows:

322 45-1-5. The Commissioner of Public Safety is authorized and  
323 empowered to employ such administrative, professional, technical,  
324 stenographic, clerical and other employees as may be necessary to  
325 perform the duties of the Mississippi Highway Safety Patrol to  
326 comply with the provisions of the Mississippi Motor Vehicle  
327 Compulsory Safety-Responsibility Law, being Chapter 15 of Title 63  
328 of the Mississippi Code of 1972, and to perform the duties under  
329 all other laws required to be administered under the supervision  
330 of the commissioner. The commissioner shall fix the salaries of  
331 all such employees where such salaries are not otherwise fixed by  
332 law.

333 SECTION 7. Section 63-1-52, Mississippi Code of 1972, is  
334 amended as follows:

335 63-1-52. (1) Whenever the Commissioner of Public Safety  
336 suspends, cancels or revokes the driver's license or driving  
337 privileges of any person, notice of the suspension, cancellation  
338 or revocation shall be given to such person by the commissioner,  
339 or his duly authorized agent, in the manner provided in subsection  
340 (2) of this section and at the time provided in subsection (3) of  
341 this section or in the manner and at the time provided in  
342 subsection (4) of this section.

343 (2) Notice shall be given in the following manner:

344 (a) In writing, (i) by United States Certificate of

345 Mail; or (ii) by personal service at the person's address as it  
346 appears on the driving record maintained by the Department of  
347 Public Safety or at the person's last known address; or (iii) by  
348 personal notice being given by any law enforcement officer of this  
349 state or any duly authorized agent of the Commissioner of Public  
350 Safety on forms prescribed and furnished by the Commissioner of  
351 Public Safety; whenever a person's driver's license or driving  
352 privileges are suspended, revoked or cancelled in accordance with  
353 the Mississippi Driver License Compact Law, the Mississippi  
354 Implied Consent Law, the Mississippi Motor Vehicle Compulsory  
355 Safety Responsibility Law or paragraphs (2)(c), (2)(d), (2)(e) or  
356 (2)(f) of Section 63-1-53.

357 (b) In writing, by United States first class mail,  
358 whenever a person's driver's license or driving privileges are  
359 suspended, revoked or cancelled in accordance with the Mississippi  
360 Commercial Driver's License Law, the Youth Court Law, Chapter 23  
361 of Title 43, Mississippi Code of 1972, Section 63-1-45, Section  
362 63-1-51, paragraph (2)(g), (2)(h) or (2)(i) of Section 63-1-53 or  
363 Section 63-9-25.

364 (3) Notice shall be given at the following time:

365 (a) Before suspension, revocation or cancellation,  
366 whenever a person's driver's license or driving privileges are  
367 suspended, revoked or cancelled in accordance with the Mississippi  
368 Driver License Compact Law, the Mississippi Motor Vehicle  
369 Compulsory Safety Responsibility Law or paragraph (2)(c), (2)(d),  
370 (2)(e) or (2)(f) of Section 63-1-53.

371 (b) Unless otherwise specifically provided for by law,  
372 at the time of suspension, revocation or cancellation, whenever a

373 person's driver's license or driving privileges are suspended,  
374 revoked or cancelled in accordance with the Mississippi Commercial  
375 Driver's License Law, the Mississippi Implied Consent Law, the  
376 Youth Court Law, Chapter 23 of Title 43, Mississippi Code of 1972,  
377 Section 63-1-45, Section 63-1-51, paragraph (2)(g), (2)(h) or  
378 (2)(i) of Section 63-1-53 or Section 63-9-25.

379 (4) Whenever the Commissioner of Public Safety suspends,  
380 revokes or cancels the driver's license or driving privileges of  
381 any person in accordance with some provision of law other than a  
382 provision of law referred to in subsections (2) and (3) of this  
383 section, and the manner and time for giving notice is not provided  
384 for in such law, then notice of such suspension, revocation or  
385 cancellation shall be given in the manner and at the time provided  
386 for under paragraphs (2)(b) and (3)(b) of this section.

387 SECTION 8. Section 83-11-101, Mississippi Code of 1972, is  
388 amended as follows:[BD2]

389 83-11-101. (1) No automobile liability insurance policy or  
390 contract shall be issued or delivered after January 1, 1967,  
391 unless it contains an endorsement or provisions undertaking to pay  
392 the insured all sums which he shall be legally entitled to recover  
393 as damages for bodily injury or death from the owner or operator  
394 of an uninsured motor vehicle, within limits which shall be no  
395 less than those set forth in the Mississippi Motor Vehicle  
396 Compulsory Safety Responsibility Law, as amended, under provisions  
397 approved by the Commissioner of Insurance; however, at the option  
398 of the insured, the uninsured motorist limits may be increased to  
399 limits not to exceed those provided in the policy of bodily injury  
400 liability insurance of the insured or such lesser limits as the

401 insured elects to carry over the minimum requirement set forth by  
402 this section. The coverage herein required shall not be  
403 applicable where any insured named in the policy shall reject the  
404 coverage in writing and provided further, that unless the named  
405 insured requests such coverage in writing, such coverage need not  
406 be provided in any renewal policy where the named insured had  
407 rejected the coverage in connection with a policy previously  
408 issued to him by the same insurer.

409 (2) No automobile liability insurance policy or contract  
410 shall be issued or delivered after January 1, 1980, unless it  
411 contains an endorsement or provisions undertaking to pay the  
412 insured all sums which he shall be legally entitled to recover as  
413 damages for property damage from the owner or operator of an  
414 uninsured motor vehicle, within limits which shall be no less than  
415 those set forth in the Mississippi Motor Vehicle Compulsory Safety  
416 Responsibility Law, as amended, under provisions approved by the  
417 Commissioner of Insurance; however, at the option of the insured,  
418 the uninsured motorist limits may be increased to limits not to  
419 exceed those provided in the policy of property damage liability  
420 insurance of the insured or such lesser limits as the insured  
421 elects to carry over the minimum requirement set forth by this  
422 section. The coverage herein required shall not be applicable  
423 where any insured named in the policy shall reject the coverage in  
424 writing and provided further, that unless the named insured  
425 requests such coverage in writing, such coverage need not be  
426 provided in any renewal policy where the named insured had  
427 rejected the coverage in connection with a policy previously  
428 issued to him by the same insurer.

429           The property damage provision may provide an exclusion for  
430 the first Two Hundred Dollars (\$200.00) of such property damage;  
431 however, the uninsured motorist provision need not insure any  
432 liability for property damage, for which loss the policyholder has  
433 been compensated by insurance or otherwise.

434           (3) The insured may reject the property damage liability  
435 insurance coverage required by subsection (2) and retain the  
436 bodily injury liability insurance coverage required by subsection  
437 (1), but if the insured rejects the bodily injury liability  
438 coverage he may not retain the property damage liability coverage.

439           No insured may have property damage liability insurance coverage  
440 under this section unless he also has bodily injury liability  
441 insurance coverage under this section.

442           SECTION 9. This act shall take effect and be in force from  
443 and after January 1, 2001.