

By: Representatives Chism, Formby, Moore
(60th), Nicholson, Robertson, Robinson
(84th), Wells-Smith

To: Transportation

HOUSE BILL NO. 1506

1 AN ACT TO AMEND SECTIONS 63-2-7 AND 63-15-4, MISSISSIPPI CODE
2 OF 1972, TO AUTHORIZE LAW ENFORCEMENT OFFICERS TO ISSUE CITATIONS
3 FOR VIOLATIONS OF THE SEAT BELT LAW OR VIOLATIONS OF THE LAW THAT
4 REQUIRES MOTOR VEHICLE OPERATORS TO CARRY PROOF OF MOTOR VEHICLE
5 LIABILITY INSURANCE IN THEIR VEHICLES AT ROADBLOCKS, MOTOR VEHICLE
6 TRAFFIC ACCIDENT SCENES AND UPON PROBABLE CAUSE TO BELIEVE THE
7 MOTORIST TO BE IN VIOLATION OF ANY OTHER LAW; AND FOR RELATED
8 PURPOSES.

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

10 **SECTION 1.** Section 63-2-7, Mississippi Code of 1972, is
11 amended as follows:

12 63-2-7. (1) A violation of this chapter shall be a
13 misdemeanor, punishable by a fine of Twenty-five Dollars (\$25.00)
14 upon conviction; however, only the operator of a vehicle may be
15 fined for a violation of this chapter by the operator or for a
16 violation of this chapter by a passenger. Upon stopping a motor
17 vehicle at a roadblock where all passing motorists are checked as
18 a method to enforce traffic laws and promote public safety, upon
19 investigating the scene of a motor vehicle accident in which the
20 motor vehicle operator is involved, or upon stopping a motor
21 vehicle with probable cause to believe the motorist to be in
22 violation of some other offense not in this chapter, a law
23 enforcement officer, who is authorized to issue traffic citations,
24 shall determine whether the operator or any passenger is in
25 violation of this chapter. However, no vehicle operator shall be
26 stopped or detained solely for the purpose of determining whether
27 the operator or any passenger is in violation of this chapter.
28 The maximum fine that may be imposed against the operator of a
29 vehicle for a violation of this chapter by the operator or for a



30 violation of this chapter by one or more passengers shall be
31 Twenty-five Dollars (\$25.00) in the aggregate.

32 (2) A violation of this chapter shall not be entered on the
33 driving record of any individual so convicted, nor shall any state
34 assessment provided for by Section 99-19-73, or any other state
35 law, be imposed or collected.

36 **SECTION 2.** Section 63-15-4, Mississippi Code of 1972, is
37 amended as follows:

38 63-15-4. (1) The following vehicles are exempted from the
39 requirements of this section:

40 (a) Vehicles exempted by Section 63-15-5;

41 (b) Vehicles for which a bond or a certificate of
42 deposit of money or securities in at least the minimum amounts
43 required for proof of financial responsibility is on file with the
44 department;

45 (c) Vehicles that are self-insured under Section
46 63-15-53; and

47 (d) Implements of husbandry.

48 (2) (a) Every motor vehicle operated in this state shall
49 have an insurance card maintained in the vehicle as proof of
50 liability insurance that is in compliance with the liability
51 limits required by Section 63-15-3(j). The insured parties shall
52 be responsible for maintaining the insurance card in each vehicle.

53 (b) An insurance company issuing a policy of motor
54 vehicle liability insurance as required by this section shall
55 furnish to the insured an insurance card for each vehicle at the
56 time the insurance policy becomes effective.

57 (3) Upon stopping a motor vehicle at a roadblock where all
58 passing motorists are checked as a method to enforce traffic laws
59 and promote public safety, upon investigating the scene of a motor
60 vehicle accident in which the motor vehicle operator is involved,
61 or upon stopping a motor vehicle with probable cause to believe
62 the motorist to be in violation of any other law, a law



63 enforcement officer, who is authorized to issue traffic citations,
64 shall verify that the insurance card required by this section is
65 in the motor vehicle. However, no driver shall be stopped or
66 detained solely for the purpose of verifying that an insurance
67 card is in the motor vehicle.

68 (4) Failure of the owner or the operator of a motor vehicle
69 to have the insurance card in the motor vehicle is a misdemeanor
70 and, upon conviction, is punishable by a fine of One Thousand
71 Dollars (\$1,000.00) and suspension of driving privilege for a
72 period of one (1) year or until the owner of the motor vehicle
73 shows proof of liability insurance that is in compliance with the
74 liability limits required by Section 63-15-3(j). Fraudulent use
75 of an insurance card shall be punishable in accordance with
76 Section 97-7-10. The funds from such fines shall be deposited in
77 the State General Fund in the State Treasury.

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

85 **SECTION 3.** This act shall take effect and be in force from
86 and after July 1, 2002.

