MISSISSIPPI LEGISLATURE REGULAR SESSION 2002

By: Senator(s) Hewes, Gollott

To: Insurance

SENATE BILL NO. 2516

AN ACT TO CREATE A NEW CODE SECTION TO BE CODIFIED AS SECTION 63-15-8, MISSISSIPPI CODE OF 1972, TO REQUIRE PROOF OF MOTOR VEHICLE LIABILITY INSURANCE OR OTHER FORM OF FINANCIAL RESPONSIBILITY BEFORE RECEIVING MOTOR VEHICLE LICENSE TAGS; AND FOR RELATED PURPOSES.

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

SECTION 1. The following shall be codified as Section 63-15-8, Mississippi Code of 1972:

63-15-8. (1) Every owner of a motor vehicle in this state shall furnish proof of motor vehicle liability insurance or other form of financial responsibility as required by this chapter before such owner may receive a license tag for a motor vehicle or renew a license tag. Proof of motor vehicle liability insurance or other form of financial responsibility as required by this chapter shall be made by signing a certificate on a form prescribed by the Commissioner of Insurance stating that the motor vehicle owner is insured or otherwise financially responsible for at least the minimum requirements as provided by this chapter and in any form as provided by this chapter. Such certificate shall state in bold print that anyone who shall affirmatively sign such certificate who is not insured or otherwise financially responsible for at least the minimum requirements as provided by this chapter shall be subject to a fine of Five Hundred Dollars ($500.00) and imprisonment for a period not exceeding one (1) year or both such fine and imprisonment. Such certificate shall be furnished to each motor vehicle owner by the tax collector of the county where the motor vehicle is registered. The tax collector shall mail such certificate with a motor vehicle tag renewal

notice that shall be mailed back to the tax collector before a tag may be renewed. The tax collector shall also make such certificates available at the tax collector's office during regular business hours. The tax collector shall forward a copy of the certificate to the Department of Public Safety and shall keep the original in the tax collector's records.

(2) Any person who presents or causes to be presented to the department or to any court of this state false evidence of motor vehicle liability insurance or other form of financial responsibility as required by this chapter, upon conviction, shall be guilty of perjury and shall be fined Five Hundred Dollars ($500.00) and shall be subject to imprisonment for a period not exceeding one (1) year or both such fine and imprisonment. This fine and imprisonment shall be waived if the offender chooses to purchase, and provides proof of such purchase by the court date, motor vehicle liability insurance for a minimum of six (6) months' coverage in at least the minimum amounts required under paragraph (j) of Section 63-15-3. Any person convicted of filing false proof of motor vehicle liability insurance or other form of financial responsibility as required by this chapter shall surrender to the department his driver's license, license plates and registration of the motor vehicle for which false proof was presented and the procedure for the suspension of licenses provided in Section 63-15-11 relating to accidents shall be followed. Such driver's license, license plates and registration shall be reinstated upon payment of any fines and reinstatement fees, serving of a sentence if applicable, upon presentation of proof of financial responsibility for a period of one (1) year or upon presentation of proof of purchase of minimum motor vehicle liability insurance in accordance with the provisions of this subsection. The district attorney of the jurisdiction where any false evidence is filed shall prosecute any violation of this

section. Any person convicted under this section shall be assessed with all costs of prosecution and all court costs.

(3) All insurance carriers are required to notify the appropriate tax collector, sheriff and the department when there is a lapse of the liability coverage that was purchased in accordance with this section. Upon such notification, the sheriff may confiscate the motor vehicle license tag, which tag may be returned to the owner in the manner provided in this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.