

By: Representatives Baker (74th), Wells-Smith, Akins, Aldridge, Beckett, Bentz, Bondurant, Bounds, Buck, Carlton, Denny, Ellis, Evans, Fillingane, Fleming, Formby, Gunn, Hamilton (6th), Janus, Jennings, Markham, Martinson, Mayhall, Mayo, McBride, Moore, Reeves, Rogers (14th), Rogers (61st), Rotenberry, Smith (59th), Staples, Turner, Upshaw, Weathersby

To: Insurance

HOUSE BILL NO. 1342

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT A PORTION OF THE FINES LEVIED IN MUNICIPAL COURT ON
3 PERSONS WHO FAIL TO OBTAIN MOTOR VEHICLE LIABILITY INSURANCE SHALL
4 BE DEPOSITED IN THE GENERAL FUND OF THE MUNICIPALITY AND THAT A
5 PORTION OF THE FINES LEVIED IN JUSTICE COURT ON PERSONS WHO FAIL
6 TO OBTAIN MOTOR VEHICLE LIABILITY INSURANCE SHALL BE DEPOSITED IN
7 THE GENERAL FUND OF THE COUNTY; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 63-15-4, Mississippi Code of 1972, is
10 amended as follows:

11 63-15-4. (1) The following vehicles are exempted from the
12 requirements of this section:

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

14 (b) Vehicles for which a bond or a certificate of
15 deposit of money or securities in at least the minimum amounts
16 required for proof of financial responsibility is on file with the
17 department;

18 (c) Vehicles that are self-insured under Section
19 63-15-53; and

20 (d) Implements of husbandry.

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

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

30 (3) Upon stopping a motor vehicle for any other statutory
31 violation, a law enforcement officer, who is authorized to issue
32 traffic citations, shall verify that the insurance card required
33 by this section is in the motor vehicle. However, no driver shall
34 be stopped or detained solely for the purpose of verifying that an
35 insurance card is in the motor vehicle.

36 (4) Failure of the owner or the operator of a motor vehicle
37 to have the insurance card in the motor vehicle is a misdemeanor
38 and, upon conviction, is punishable by a fine of One Thousand
39 Dollars (\$1,000.00) and suspension of driving privilege for a
40 period of one (1) year or until the owner of the motor vehicle
41 shows proof of liability insurance that is in compliance with the
42 liability limits required by Section 63-15-3(j). Fraudulent use
43 of an insurance card shall be punishable in accordance with
44 Section 97-7-10. If such fines are levied in a municipal court,
45 twenty-five percent (25%) of the funds from such fines shall be
46 deposited in the general fund of the municipality. If such fines
47 are levied in a justice court, twenty-five percent (25%) of the
48 funds from such fines shall be deposited in the general fund of
49 the county. The remaining seventy-five percent (75%) of the funds
50 from such fines shall be deposited in the State General Fund in
51 the State Treasury.

52 (5) If, at the hearing date or the date of payment of the
53 fine, the motor vehicle owner shows proof of motor vehicle
54 liability insurance in the amounts required by Section 63-15-3(j),
55 the fine shall be reduced to One Hundred Dollars (\$100.00). If
56 the owner shows proof that such insurance was in effect at the
57 time of citation, the fine of One Hundred Dollars (\$100.00) and
58 court costs shall be waived.

59 **SECTION 2.** This act shall take effect and be in force from
60 and after July 1, 2004.