

By: Representatives Gunn, Ellington

To: Insurance

HOUSE BILL NO. 1577

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE MUNICIPAL LAW ENFORCEMENT OFFICERS TO ISSUE CITATIONS FOR  
3 VIOLATIONS OF THE REQUIREMENT TO MAINTAIN MOTOR VEHICLE LIABILITY  
4 INSURANCE; TO PROVIDE THAT A PORTION OF THE FINES LEVIED IN  
5 MUNICIPAL COURT ON PERSONS WHO DO NOT HAVE MOTOR VEHICLE LIABILITY  
6 INSURANCE SHALL BE DEPOSITED IN THE GENERAL FUND OF THE  
7 MUNICIPALITY; 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. Except as otherwise provided herein, the funds  
45 from such fines shall be deposited in the State General Fund in  
46 the State Treasury. Municipal law enforcement officers shall  
47 issue citations for violations of this section. Of those fines  
48 that are levied in a municipal court, twenty-five percent (25%) of  
49 the funds from such fines shall be deposited in the general fund  
50 of the municipality.

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

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