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To: Insurance;  
Transportation

HOUSE BILL NO. 343

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE LAW ENFORCEMENT OFFICERS TO ISSUE CITATIONS FOR  
3 VIOLATIONS OF THE LAW THAT REQUIRES MOTOR VEHICLE OPERATORS TO  
4 CARRY PROOF OF MOTOR VEHICLE LIABILITY INSURANCE IN THEIR VEHICLES  
5 AT ROADBLOCKS AND TO PROVIDE THAT A PORTION OF THE FINES LEVIED IN  
6 MUNICIPAL COURT ON PERSONS WHO DO NOT HAVE PROOF OF MOTOR VEHICLE  
7 LIABILITY INSURANCE SHALL BE DEPOSITED IN THE GENERAL FUND OF THE  
8 MUNICIPALITY; AND FOR RELATED PURPOSES.

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

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

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

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

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

19 (c) Vehicles that are self-insured under Section  
20 63-15-53; and

21 (d) Implements of husbandry.

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

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

31           (3) Upon stopping a motor vehicle at a roadblock where all  
32 passing motorists are checked as a method to enforce traffic laws  
33 and promote public safety or upon stopping a motor vehicle for any  
34 other statutory violation, a law enforcement officer, who is  
35 authorized to issue traffic citations, shall verify that the  
36 insurance card required by this section is in the motor vehicle.  
37 However, no driver shall be stopped or detained solely for the  
38 purpose of verifying that an insurance card is in the motor  
39 vehicle.

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

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

60           **SECTION 2.** This act shall take effect and be in force from  
61 and after July 1, 2005.