

By: Representative Formby

To: Insurance;  
Transportation

HOUSE BILL NO. 496

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 FOR RELATED PURPOSES.

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

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

9 63-15-4. (1) The following vehicles are exempted from the  
10 requirements of this section:

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

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

16 (c) Vehicles that are self-insured under Section  
17 63-15-53; and

18 (d) Implements of husbandry.

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

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

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

37           (4) Failure of the owner or the operator of a motor vehicle  
38 to have the insurance card in the motor vehicle is a misdemeanor  
39 and, upon conviction, is punishable by a fine of One Thousand  
40 Dollars (\$1,000.00) and suspension of driving privilege for a  
41 period of one (1) year or until the owner of the motor vehicle  
42 shows proof of liability insurance that is in compliance with the  
43 liability limits required by Section 63-15-3(j). Fraudulent use  
44 of an insurance card shall be punishable in accordance with  
45 Section 97-7-10. The funds from such fines shall be deposited in  
46 the State General Fund in the State Treasury.

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

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