

By: Representative Mayo

To: Insurance;
Municipalities

HOUSE BILL NO. 840

1 AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE MUNICIPALITIES THAT ENFORCE MANDATORY AUTO LIABILITY
3 INSURANCE TO ASSESS A 25% ADMINISTRATIVE FEE WHEN A FINE IS
4 COLLECTED FROM SUCH ENFORCEMENT; AND FOR RELATED PURPOSES.

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

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

8 63-15-4. (1) The following vehicles are exempted from the
9 requirements of this section:

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

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

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

17 (d) Implements of husbandry.

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

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

27 (3) Upon stopping a motor vehicle for any other statutory
28 violation, a law enforcement officer, who is authorized to issue

29 traffic citations, shall verify that the insurance card required
30 by this section is in the motor vehicle. However, no driver shall
31 be stopped or detained solely for the purpose of verifying that an
32 insurance card is in the motor vehicle.

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

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

50 (6) Whenever a municipality enforces the provisions of this
51 section and a fine is collected, the municipality is authorized to
52 assess an administrative fee of twenty-five percent (25%) for such
53 fine.

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