

By: Representative Miles

To: Transportation

HOUSE BILL NO. 234

1 AN ACT TO AMEND SECTIONS 65-7-23 AND 97-15-1, MISSISSIPPI
2 CODE OF 1972, TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON TO
3 WILLFULLY DEFACE, REMOVE, MAR, DAMAGE OR DESTROY ANY VEHICLE OR
4 EQUIPMENT OWNED OR OPERATED BY THE MISSISSIPPI DEPARTMENT OF
5 TRANSPORTATION; TO PROVIDE THAT, IN ADDITION TO ANY OTHER
6 PENALTIES PRESCRIBED BY LAW, ANY PERSON GUILTY OF SUCH OFFENSE
7 SHALL BE ORDERED TO MAKE RESTITUTION; TO AUTHORIZE THE EXECUTIVE
8 DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO OFFER
9 AND PAY A REWARD FOR INFORMATION LEADING TO THE ARREST AND
10 CONVICTION OF ANY SUCH OFFENDER; AND FOR RELATED PURPOSES.

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

12 SECTION 1. Section 65-7-23, Mississippi Code of 1972, is
13 amended as follows:

14 65-7-23. (1) Any person willfully defacing, removing,
15 marring, damaging or destroying any sign or guide board, including
16 any railroad crossing sign or flasher signal, or other traffic
17 control device * * * shall be guilty of a misdemeanor and, upon
18 conviction thereof, shall be liable, and shall be ordered to make
19 restitution in accordance with the provisions of Chapter 37, Title
20 99, Mississippi Code of 1972, for the actual cost of replacing or
21 repairing such sign, and shall be fined not less than Two Hundred
22 Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00), or
23 be imprisoned in the county jail not more than six (6) months, or
24 be punished by both such fine and imprisonment. If the offender
25 is a minor, the parents of such minor shall be civilly liable in
26 accordance with Section 93-13-2 for the actual cost of replacing
27 or repairing the sign, signal or device.

28 (2) The penalties prescribed in subsection (1) of this
29 section shall also be applicable to any person, and to the parents
30 of any minor, who willfully defaces, mars or damages any bridge,

31 underpass or overpass, or any vehicle or equipment owned or
32 operated by the Mississippi Department of Transportation.

33 (3) The Executive Director of the Mississippi Department of
34 Transportation, with approval of the Mississippi Transportation
35 Commission, may offer a reward not to exceed One Thousand Dollars
36 (\$1,000.00) for information leading to the arrest and conviction
37 of any person who violates the provisions of subsection (1) or (2)
38 of this section with regard to any sign, signal, traffic control
39 device, bridge, underpass, overpass, vehicle or equipment under
40 the jurisdiction of the Mississippi Transportation Commission or
41 the Mississippi Department of Transportation. The Executive
42 Director of the Mississippi Department of Transportation may have
43 suitable reward notices printed and posted in conspicuous places
44 and may use such other news media or informational materials as
45 necessary to encourage those with information to come forward.
46 Any reward money paid, as well as the cost of printing and
47 distribution of reward notices and other news media or
48 informational materials, may be paid from any available funds of
49 the department; however, the executive director shall keep a
50 separate account of all monies disbursed under the provisions of
51 this subsection and shall include the same in the department's
52 annual report.

53 SECTION 2. Section 97-15-1, Mississippi Code of 1972, is
54 amended as follows:

55 97-15-1. (1) Any person who shall willfully destroy,
56 deface, mar, damage, pull down or remove any milepost, signboard,
57 or index board, or road number, or railroad crossing sign or
58 flasher signal, or other traffic control device shall, on
59 conviction thereof, be liable, and shall be ordered to make
60 restitution in accordance with the provisions of Chapter 37, Title
61 99, Mississippi Code of 1972, for the actual cost of replacing or
62 repairing such sign, and shall be fined not less than Two Hundred
63 Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00), or
64 be imprisoned in the county jail not more than six (6) months, or
65 be punished by both such fine and imprisonment. If the offender
66 is a minor, the parents of such minor shall be civilly liable in
67 accordance with Section 93-13-2 for the actual cost of replacing

68 or repairing the sign, signal or device.

69 (2) The penalties prescribed in subsection (1) of this
70 section shall also be applicable to any person, and to the parents
71 of any minor, who willfully defaces, mars or damages any bridge,
72 underpass or overpass, or any vehicle or requirement owned or
73 operated by the Mississippi Department of Transportation.

74 (3) The Executive Director of the Mississippi Department of
75 Transportation, with approval of the Mississippi Transportation
76 Commission, may offer a reward not to exceed One Thousand Dollars
77 (\$1,000.00) for information leading to the arrest and conviction
78 of any person who violates the provisions of subsection (1) or (2)
79 of this section with regard to any sign, signal, traffic control
80 device, bridge, underpass, overpass, vehicle or equipment under
81 the jurisdiction of the Mississippi Transportation Commission or
82 the Mississippi Department of Transportation. The Executive
83 Director of the Mississippi Department of Transportation may have
84 suitable reward notices printed and posted in conspicuous places
85 and may use such other news media or informational materials as
86 necessary to encourage those with information to come forward.
87 Any reward money paid, as well as the cost of printing and
88 distribution of reward notices and other news media or
89 informational materials, may be paid from any available funds of
90 the department; however, the executive director shall keep a
91 separate account of all monies disbursed under the provisions of
92 this subsection and shall include the same in the department's
93 annual report.

94 SECTION 3. This act shall take effect and be in force from
95 and after July 1, 1999.