

By: Representative Robertson

To: Transportation

HOUSE BILL NO. 436

1 AN ACT TO AMEND SECTION 63-13-13, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE PENALTY FOR PERSONS WHO MAKE, ISSUE, USE OR
3 DISPLAY A FALSE MOTOR VEHICLE CERTIFICATE OF INSPECTION OR WHO
4 DISPLAY OR ISSUE A MOTOR VEHICLE CERTIFICATE OF INSPECTION WITHOUT
5 A PROPER INSPECTION HAVING BEEN MADE; TO AMEND SECTION 63-13-15,
6 MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER OF PUBLIC
7 SAFETY TO CAUSE INSPECTIONS OF MOTOR VEHICLE INSPECTION STATIONS
8 AT LEAST TWICE ANNUALLY; TO AMEND SECTION 63-13-29, MISSISSIPPI
9 CODE OF 1972, IN CONFORMITY WITH THE PROVISIONS OF THIS ACT; AND
10 FOR RELATED PURPOSES.

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

12 SECTION 1. Section 63-13-13, Mississippi Code of 1972, is
13 amended as follows:

14 63-13-13. (1) No person shall make, issue or knowingly use
15 any imitation or counterfeit of an official certificate of
16 inspection.

17 (2) No person shall issue, display or cause or permit to be
18 displayed upon any vehicle any certificate of inspection and
19 approval knowing the same to be fictitious or issued for another
20 vehicle or issued without proper inspection having been made.

21 (3) Any person who violates the provisions of this section,
22 upon conviction, shall be guilty of a felony and shall be punished
23 by a fine of not more than One Thousand Dollars (\$1,000.00), or
24 sentenced to the custody of the Department of Corrections for one
25 (1) year, or both.

26 SECTION 2. Section 63-13-15, Mississippi Code of 1972, is
27 amended as follows:

28 63-13-15. (1) The Commissioner of Public Safety shall
29 annually issue permits for and furnish instructions and all
30 necessary forms to official inspection stations for the inspection

31 of vehicles as required by this chapter in the issuance of
32 official certificates of inspection and approval.

33 (2) Application for permit shall be made on an official form
34 and shall be granted only when the Commissioner of Public Safety
35 is satisfied that the station is properly equipped and has
36 competent personnel to make such inspections and that such
37 inspections will be properly conducted. A fee of Ten Dollars
38 (\$10.00) shall be charged any person or facility seeking a permit
39 as an official inspection station, or a renewal thereof, for the
40 purpose of defraying the cost of administering the processing of
41 the application.

42 (3) The person making the actual inspection for the station
43 or under whose immediate personal supervision such inspection is
44 made shall have not less than one (1) year's practical experience
45 as an automotive mechanic. No person shall be designated by such
46 station to make such inspections for it unless the person has been
47 approved for that purpose by the Department of Public Safety.

48 (4) The Commissioner of Public Safety shall properly
49 supervise and cause inspections to be made of such stations at
50 least twice annually and may, after reasonable notice, suspend or
51 revoke and require the surrender of the permit issued to a station
52 which he finds is not properly equipped or conducted. The
53 Commissioner of Public Safety shall maintain and post at the
54 Office of the Department of Public Safety lists of all stations
55 holding permits and of those whose permits have been suspended or
56 revoked.

57 SECTION 3. Section 63-13-29, Mississippi Code of 1972, is
58 amended as follows:

59 63-13-29. Except as otherwise provided in Section 63-13-13,
60 any person violating the provisions of this chapter shall be
61 guilty of a misdemeanor and, on conviction, shall be punished by a
62 fine of not more than One Hundred Fifty Dollars (\$150.00), or
63 sentenced to not more than six (6) months in the county jail, or
64 both.

65 SECTION 4. This act shall take effect and be in force from
66 and after July 1, 1999.