

By: Representative McElwain

To: Transportation

HOUSE BILL NO. 479

1 AN ACT TO AMEND SECTION 63-21-39, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE OWNER OF A DAMAGED MOTOR VEHICLE WHO RETAINS
3 POSSESSION OF THE VEHICLE AFTER HIS INSURANCE COMPANY HAS OBTAINED
4 A SALVAGE CERTIFICATE OF TITLE TO CONTINUE UNDER CERTAIN
5 CIRCUMSTANCES, TO OPERATE THE VEHICLE UPON THE ROADS OF THIS STATE
6 WITHOUT THE REQUIREMENT OF OBTAINING A REBUILT MOTOR VEHICLE
7 INSPECTION OR RETITLING OR REGISTERING THE VEHICLE; AND FOR
8 RELATED PURPOSES.

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

10 SECTION 1. Section 63-21-39, Mississippi Code of 1972, is
11 amended as follows:

12 63-21-39. (1) An owner who scraps, dismantles or destroys a
13 vehicle and a person who purchases a vehicle as scrap or to be
14 dismantled or destroyed shall indicate same on the back of the
15 certificate of title and shall immediately cause the certificate
16 of title and any other documents required by the State Tax
17 Commission to be mailed or delivered to the State Tax Commission
18 for cancellation. A certificate of title of the vehicle shall not
19 again be issued except upon application containing the information
20 the State Tax Commission requires, accompanied by a certificate of
21 inspection in the form and content specified in Section
22 63-21-15(5) and proof of payment of a fee as provided in
23 subsection (2) of this section if a clear title is to be issued.

24 (2) For the purpose of requesting a clear title on a vehicle
25 with a salvage certificate of title, every owner of a vehicle that
26 has been issued a salvage certificate of title in this state or
27 any other state which has been restored in this state to its
28 operating condition which existed prior to the event which caused
29 the salvage certificate of title to issue shall make application

to the State Tax Commission, accompanied by a certificate of inspection in the form and content specified in Section 63-21-15(5) and the payment of a fee of Seventy-five Dollars (\$75.00). All such monies shall be collected by the Department of Public Safety and paid to the State Treasurer for deposit in a special fund that is hereby created in the State Treasury to be known as the "Salvage Certificate of Title Fund." Monies in the special fund may be expended by the Department of Public Safety, upon appropriation by the Legislature. The State Tax Commission shall establish by regulation the minimum requirements by which a vehicle which has been issued a salvage certificate of title may be issued a clear title.

(3) An owner who retains possession of a vehicle for which his insurance company has obtained a salvage certificate of title under Section 63-21-33, may continue to operate the vehicle upon the roads and highways of this state without the requirement of inspection of a rebuilt motor vehicle before retitling or registering if the vehicle has a current road and bridge privilege license and has a valid and current motor vehicle inspection sticker. The owner, within ten (10) days of receipt of a properly assigned salvage certificate of title, shall make application for a new salvage certificate at his local tax collector's office or any designated agent. A certificate of title of the vehicle may not be issued again except upon application containing the information the State Tax Commission requires, accompanied by a certificate of inspection in the form and content specified in Section 63-21-15(5) and, if a clear title is to be issued, upon proof of payment of the fee as provided in subsection (2) of this section.

SECTION 2. This act shall take effect and be in force from and after September 1, 1999.