

By: Representatives Jennings, Markham

To: Ways and Means

HOUSE BILL NO. 753

1 AN ACT TO AMEND SECTION 27-19-59, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT THE ISSUANCE OF A MOTOR VEHICLE LICENSE TAG OR DECALS
3 TO A PERSON WHO DOES NOT POSSESS A MISSISSIPPI DRIVER'S LICENSE;
4 AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 27-19-59, Mississippi Code of 1972, is
7 amended as follows:

8 27-19-59. Any person required under the provisions of this
9 article to register and pay a privilege license tax on any vehicle
10 shall make application therefor, on forms to be prescribed by the
11 commission. Such forms shall require the applicant to include his
12 or her Mississippi driver's license number and such other
13 information as the commission may deem necessary. The tax
14 collector or the commissioner, as the case may be, shall not issue
15 a tag or decals to any person who does not possess a valid
16 Mississippi driver's license.

17 All motor vehicles owned by the State of Mississippi or any
18 agency, department or political subdivision thereof, when such
19 agency or department is supported wholly or in part by
20 appropriations from public funds, when used in the transportation
21 of passengers, shall have painted on both sides, and, if
22 practical, on the rear of each such vehicle the name of the state
23 agency or department, in letters at least three (3) inches in
24 height in a color which is in contrast with the color of the
25 vehicle, and no privilege license tag and decals shall be issued
26 for such vehicle until the name has been painted thereon as
27 required by this section. Provided, however, the provisions of

28 this paragraph shall not apply to vehicles used by the Chief
29 Executive of the State of Mississippi.

30 The tax collector, or the commission, as the case may be,
31 shall attach to or write upon such application the number of the
32 license tag and decals issued to such owner, and such other
33 information as may be deemed necessary. The tax collector and his
34 deputies, and all representatives and employees of the commission,
35 who are authorized to issue privilege licenses, and all other
36 persons authorized by law to issue privilege licenses, shall have
37 the power to administer oaths and take acknowledgments of
38 signatures, without cost to the applicant. All applications for
39 licenses, or a microfilm copy or a computer-generated microfilm
40 copy of every such application, shall be preserved as a public
41 record for a period of not less than three (3) years from the date
42 thereof.

43 Each person who shall make application to the commission for
44 the registration of and a privilege license for a common or
45 contract carrier of passengers which is not required by law to
46 qualify with and obtain a certificate or permit from the
47 Mississippi Public Service Commission shall, before being issued a
48 license, present with his application therefor satisfactory proof
49 that such person has in force covering such vehicle a policy or
50 policies of insurance conditioned to pay any final judgment
51 against said carrier for personal injuries and property damage
52 arising or resulting from the use, maintenance or operation of the
53 vehicles of such carrier, said policy or policies of insurance to
54 be in an amount of not less than Five Thousand Dollars (\$5,000.00)
55 for the death or injury to any one (1) person, Ten Thousand
56 Dollars (\$10,000.00) total public liability for any one (1)
57 accident, and Five Thousand Dollars (\$5,000.00) property damage
58 liability for any one (1) accident. Unless such proof that such
59 insurance policy or policies are in force is presented, no license
60 tag shall be issued to such carrier. If any person shall operate
61 a motor vehicle, required by the provisions of this paragraph to
62 furnish proof that the insurance mentioned is in force without
63 having in force such insurance and without having obtained the
64 proper license tag and decals from the commission, such person

65 shall, notwithstanding the provisions of this paragraph, be liable
66 for the full privilege license tax and the penalty thereon as is
67 otherwise provided by this article and the commission shall
68 collect such tax and penalty from such person. The commission
69 shall not, however, issue a license tag and decals for such
70 vehicle unless the owner or operator thereof shall thereafter
71 furnish proof that such insurance is in force, at which time the
72 proper license tag and decals shall be issued. If, after a
73 license tag and decals shall have been issued for any vehicle
74 required to present proof that the insurance required by this
75 paragraph is in force, the commission shall receive notice or
76 otherwise acquire knowledge that such policy or policies of
77 insurance have been cancelled, have lapsed, or are no longer in
78 force for any reason, then the commission shall have the authority
79 to require and compel the surrender of such license tag and decals
80 and to retain same until presented with proof that the policy or
81 policies of insurance required by this section are again in force,
82 at which time such license tag and decals shall be returned to
83 such taxpayer. None of the provisions of this paragraph shall
84 apply, however, to private carriers of passengers.

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