

By: Representative Foster

To: Transportation

HOUSE BILL NO. 947
(As Sent to Governor)

1 AN ACT TO AMEND SECTIONS 63-7-91, 63-7-93, 63-7-95 AND
2 63-7-99, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DISPLAY OF
3 HIGH INTENSITY REFLECTORIZED TAPE IN LIEU OF A TRIANGULAR EMBLEM
4 TO IDENTIFY SLOW-MOVING VEHICLES ON PUBLIC HIGHWAYS AND CITY
5 STREETS; TO PROHIBIT VEHICLES THAT DISPLAY THE REFLECTORIZED TAPE
6 FROM OPERATING UPON A STATE HIGHWAY DURING THE PERIOD FROM SUNRISE
7 TO SUNSET EXCEPT IN AN EMERGENCY; TO REQUIRE THE COMMISSIONER OF
8 PUBLIC SAFETY, BY RULE AND REGULATION, TO ESTABLISH SPECIFICATIONS
9 FOR POSITIONING AND MOUNTING SUCH TAPE ON VEHICLES; TO PROHIBIT
10 THE USE OF SUCH TAPE ON OTHER VEHICLES OR STATIONARY OBJECTS ON OR
11 ALONG ANY PUBLIC HIGHWAY OR STREET; AND FOR RELATED PURPOSES.

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

13 SECTION 1. Section 63-7-91, Mississippi Code of 1972, is
14 amended as follows:

15 63-7-91. When any vehicle, whether pulled, towed,
16 self-propelled or animal-drawn, which is not under ordinary
17 circumstances moved, operated or driven at a speed in excess of
18 twenty-five (25) miles per hour, is moved, operated or driven on
19 any public highway or city street which is open for vehicular
20 travel, it shall display a triangular slow-moving-vehicle emblem
21 or high intensity reflectORIZED tape mounted as near as
22 practicable to the center of the mass and at an approximate height
23 of not less than two (2) nor more than six (6) feet from level
24 ground or pavement surface. In any event, the emblem or tape
25 shall be mounted so as to be entirely visible from the rear, day
26 or night; and * * * the emblem or tape and its position of
27 mounting on the vehicle shall meet the specifications established
28 by rules and regulations properly adopted and promulgated by the
29 Commissioner of Public Safety. Except in cases of emergency,
30 vehicles subject to the provisions of this section that display

31 the reflectorized tape shall not be operated upon any highway on
32 the designated state highway system during the period from sunset
33 to sunrise.

34 SECTION 2. Section 63-7-93, Mississippi Code of 1972, is
35 amended as follows:

36 63-7-93. The use of the slow-moving-vehicle emblem or high
37 intensity reflectorized tape shall be restricted to the
38 slow-moving vehicles specified in Section 63-7-91 and the use of
39 such emblem or tape on any other type of vehicle or stationary
40 object on or along any public highway or city street is
41 prohibited.

42 SECTION 3. Section 63-7-95, Mississippi Code of 1972, is
43 amended as follows:

44 63-7-95. The Commissioner of Public Safety is hereby
45 authorized, empowered and directed to adopt and promulgate rules
46 and regulations establishing standards and specifications for the
47 design, materials and mounting of a standard slow-moving-vehicle
48 emblem and high intensity reflectorized tape for the uniform
49 identification of slow-moving vehicles. In adopting said rules
50 and regulations the Commissioner of Public Safety shall consider
51 the standard markings used in other states, the current
52 recommendations of the American Society of Agricultural Engineers
53 and the Society of Automotive Engineers, in order that the
54 slow-moving-vehicle emblem or tape may be more universally
55 recognizable and of adequate quality.

56 SECTION 4. Section 63-7-99, Mississippi Code of 1972, is
57 amended as follows:

58 63-7-99. Compliance with Section 63-7-91 shall not create a
59 prima facie case or presumption that such owner or operator of the
60 vehicle used reasonable and ordinary care in the operation of such
61 vehicle under the circumstances then existing by the use or
62 display of such slow-moving-vehicle emblem or high intensity
63 reflectorized tape.

64 SECTION 5. This act shall take effect and be in force from
65 and after July 1, 1999.