

By: Senator(s) Hall

To: Fees, Salaries and Administration

SENATE BILL NO. 2042

1 AN ACT TO AMEND SECTION 25-1-85, MISSISSIPPI CODE OF 1972, TO
 2 DELETE CERTAIN RESTRICTIONS RELATING TO THE PURCHASE OF PASSENGER
 3 VEHICLES BY STATE AGENCIES AND TO DELETE THE REQUIREMENT THAT THE
 4 PUBLIC PROCUREMENT REVIEW BOARD APPROVE THE PURCHASE OF CERTAIN
 5 FULL-SIZE VEHICLES BY STATE AGENCIES; AND FOR RELATED PURPOSES.
 6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7
 8 SECTION 1. Section 25-1-85, Mississippi Code of 1972, is
 9 amended as follows:

10 25-1-85. The following state departments, agencies or
 11 institutions are hereby allowed to purchase, own and operate, in
 12 strict accordance with the provisions hereof, passenger vehicles
 13 not to exceed the following numbers:

14	Office of the Attorney General.....	10
15	Agriculture and Commerce.....	23
16	Department of Economic and Community Development.....	14
17	Experiment Stations.....	16
18	Extension Service.....	1
19	Forestry Commission.....	48
20	Department of Transportation.....	115
21	Military Department.....	5
22	Department of Corrections.....	13
23	Parole Board.....	2
24	Mississippi Department of Public Safety.....	600
25	Division of Plant Industry.....	23
26	State Board of Mental Health.....	2
27	East Mississippi State Hospital.....	1
28	Mississippi State Hospital.....	2

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30	Alcoholic Beverage Control Division of the	
31	Mississippi State Tax Commission.....	30
32	Soil and Water Conservation Commission.....	3
33	Ellisville State School.....	1
34	North Mississippi Retardation Center.....	1
35	South Mississippi Retardation Center.....	1
36	Board of Health.....	10
37	State Oil and Gas Board.....	3
38	Each institution of higher learning, for police	
39	purposes, provided each institution with	
40	more than 6,000 students may have 4.....	2
41	Wildlife, Fisheries and Parks.....	60
42	Surplus Property Procurement Commission.....	4
43	State Tax Commission-station wagons.....	2
44	State Tax Commission-automobiles.....	6
45	Mississippi Gaming Commission.....	60
46	Department of Environmental Quality.....	12
47	Pearl River Valley Water Supply District.....	7
48	Pearl River Basin Development District.....	2
49	Pat Harrison Waterway District.....	1
50	Department of Transportation-Office of State Aid	
51	Road Construction.....	10
52	Tennessee-Tombigbee Waterway Development	
53	Authority.....	2
54	Fair Commission.....	1
55	State Civil Defense Office (including	
56	communications vehicle).....	4
57	Bureau of Narcotics.....	120
58	Mississippi State Port Authority at Gulfport.....	6
59	Tombigbee Water Supply District.....	3
60	Board of Pharmacy.....	4
61	Yellow Creek State Inland Port Authority.....	1
62	Boat and Water Safety Commission.....	2

63

64 Department of Archives and History..... 2

65 State Fire Fighters Academy (station wagon)..... 1

66 Office of Capitol Facilities—Capitol Police..... 2

67 Office of Building, Grounds and Real Property..... 1

68 State Veterans Affairs Board..... 15

69 Employment Security Commission..... 1

70 Forest Product Utilization Lab..... 1

71 Mississippi Board of Nursing..... 3

72 Certified Development Company of Mississippi, Inc..... 1

73 State Board of Medical Licensure..... 4

74 Mississippi Public Employees' Retirement System..... 3

75 Mississippi Public Service Commission..... 42

76 Department of Human Services..... 2

77 Department of Rehabilitation Services..... 4

78 Real Estate Commission..... 2

79 Mississippi Library Commission—station wagons..... 5

80 Boswell Regional Center..... 1

81 Hudspeth Regional Center..... 1

82 North Mississippi State Hospital..... 1

83 South Mississippi State Hospital..... 1

84 Motor Vehicle Commission..... 1

85 Office of the State Auditor..... 20

86 Division of Medicaid, Office of the Governor..... 3

87 Department of Marine Resources..... 3

88 Central Mississippi Residential Center..... 1

89 Juvenile Rehabilitation Center..... 1

90 Department of Education..... 1

91 Except as provided in Sections 25-1-77 through 25-1-93, no
92 state department, institution or agency shall purchase, operate or
93 maintain any passenger vehicle out of any funds available for the
94 use of such department, institution or agency, unless same has
95 been or may be donated.

96 * * *

97 For purposes of this section, passenger vehicle shall be

98 defined as a vehicle which is designed to transport four (4) or
99 more persons and/or provides adequate seating for at least four
100 (4) persons. The terms "luxury vehicle," "full-size vehicle,"
101 "utility vehicle" and "carryall vehicle" shall be as defined by
102 the industry.

103 * * *

104 Nothing in Sections 25-1-77 through 25-1-93 shall be
105 construed to prohibit agencies, departments and institutions from
106 purchasing and operating passenger vehicles when used exclusively
107 to transport patients, prisoners, students, faculty or staff of
108 state institutions, blind and sighted employees essential to
109 operate blind training programs or material, products and
110 client-trainees in the sheltered workshop program, or bookmobiles.

111 The superintendents of the Columbia Training School and Oakley
112 Training School and the Commissioner of Corrections, or staff
113 members designated by them, may use such passenger vehicles for
114 other official functions and operations of those institutions at
115 their discretion. Passenger vehicles or similar vehicles used for
116 any other purposes shall be considered as automobiles and subject
117 to the restrictions set forth in the aforesaid sections.

118 In addition to the motor vehicles authorized to be owned and
119 operated by the Mississippi Department of Public Safety, said
120 department is also authorized to receive, own and operate special
121 purpose motor vehicles to be used solely in investigations.

122 Of the motor vehicles authorized to be owned and operated by
123 the Mississippi Highway Safety Patrol, no more than twenty-one
124 (21) vehicles may be kept for use by administrative personnel of
125 the patrol whose principal duties are performed at the Highway
126 Safety Patrol Headquarters Building and the Drivers' License
127 Examining Station in Hinds County to commute to and from the
128 residence of said personnel to the office at which such duties are
129 regularly performed.

130 Of the motor vehicles authorized to be owned and operated by
131 the Mississippi Department of Transportation, not more than five

132 (5) vehicles may be kept for use by administrative personnel of
133 the department to commute between their residences and the offices
134 at which their duties are regularly performed. The executive
135 director of the department is authorized to allow additional
136 department personnel to commute to and from their residences in
137 department vehicles due to the nature of their job and for the
138 safety of the traveling public.

139 Of the motor vehicles authorized to be owned and operated by
140 the State Tax Commission, no more than four (4) vehicles may be
141 kept for use by administrative personnel whose principal duties
142 are performed at State Tax Commission offices in Hinds County to
143 commute to and from the residence of said personnel to the office
144 at which such duties are regularly performed.

145 The provisions of Chapter 226, Laws of 1964, remain in force
146 and are not affected by this section.

147 Any state officer, employee or board member who violates any
148 of the foregoing provisions of Sections 25-1-77 through 25-1-85
149 shall be liable on his or her official bond for the total amount
150 of the purchase price of the passenger vehicle, plus the total
151 amount of funds expended in violation of said sections for the
152 operating costs of such vehicle.

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