

By: Senator(s) Burton

To: Judiciary

SENATE BILL NO. 2140

1 AN ACT TO PROHIBIT ANY MOTOR VEHICLE FOR WHICH A SALVAGE OR
2 JUNK CERTIFICATE OF TITLE HAS BEEN ISSUED FROM BEING OPERATED ON
3 THE HIGHWAYS OF THIS STATE AND TO PROVIDE EXCEPTIONS THERETO; TO
4 PROVIDE THAT WHEN THE FRAME OR ENGINE IS REMOVED FROM A MOTOR
5 VEHICLE AND NOT IMMEDIATELY REPLACED BY ANOTHER FRAME OR ENGINE,
6 OR WHEN AN INSURANCE COMPANY HAS MADE A SETTLEMENT FOR A TOTAL
7 LOSS OF THE MOTOR VEHICLE, THE MOTOR VEHICLE SHALL BE CONSIDERED
8 SALVAGE; TO REQUIRE THAT THE OWNER OF EVERY MOTOR VEHICLE IN WHICH
9 TOTAL LOSS HAS OCCURRED TO MAKE APPLICATION FOR A SALVAGE
10 CERTIFICATE OF TITLE WITHIN 72 HOURS AFTER THE LOSS OCCURS; TO
11 PROVIDE THE TITLING PROCEDURE TO BE FOLLOWED BY AN INSURANCE
12 COMPANY IF IT OBTAINS A MOTOR VEHICLE IN SETTLEMENT OF AN
13 INSURANCE CLAIM AND THE VEHICLE IS NOT A TOTAL LOSS; TO PROVIDE
14 THAT A TOTAL LOSS OCCURS WHEN AN INSURANCE COMPANY OR ANY OTHER
15 PERSON PAYS OR MAKES OTHER MONETARY SETTLEMENT TO A PERSON WHEN A
16 VEHICLE IS DAMAGED AND THE DAMAGE TO THE VEHICLE IS GREATER THAN
17 OR EQUAL TO 75% OF THE FAIR RETAIL VALUE OF THE VEHICLE BEFORE
18 DAMAGE; TO PROVIDE THAT ANY PERSON ACQUIRING OWNERSHIP OF A
19 DAMAGED MOTOR VEHICLE THAT MEETS THE DEFINITION OF TOTAL LOSS AND
20 FOR WHICH A SALVAGE CERTIFICATE OR TITLE HAS NOT BEEN ISSUED SHALL
21 APPLY FOR A SALVAGE CERTIFICATE OF TITLE AND TO PROVIDE EXCEPTIONS
22 THERETO; TO MAKE IT UNLAWFUL FOR JUNK YARDS AND AUTOMOBILE
23 DISMANTLERS OR RECYCLERS TO HAVE IN THEIR POSSESSION ANY MOTOR
24 VEHICLE THAT IS JUNK OR SALVAGE OR A TOTAL LOSS WHEN THE
25 MANUFACTURER'S VEHICLE IDENTIFICATION NUMBER PLATE OR PLATES HAVE
26 BEEN REMOVED AND TO PROVIDE EXCEPTIONS THERETO; TO MAKE IT
27 UNLAWFUL TO POSSESS, SELL OR EXCHANGE, OR GIVE AWAY A CERTIFICATE
28 OF TITLE, MANUFACTURER'S IDENTIFICATION NUMBER PLATE, OR MOTOR
29 VEHICLE LICENSE PLATE OF ANY MOTOR VEHICLE THAT HAS BEEN SCRAPPED,
30 DISMANTLED OR SOLD AS JUNK OR SALVAGE OR AS A TOTAL LOSS CONTRARY
31 TO THIS ACT; TO PROVIDE FOR THE ISSUANCE OF A SALVAGE CERTIFICATE
32 OF TITLE BY THE STATE TAX COMMISSION AND TO PROVIDE THE FEE
33 THEREFOR; TO AUTHORIZE THE STATE TAX COMMISSION TO ISSUE A
34 CERTIFICATE OF TITLE TO ANY MOTOR VEHICLE FOR WHICH A SALVAGE
35 CERTIFICATE OF TITLE HAS BEEN ISSUED IF THE VEHICLE HAS BEEN
36 COMPLETELY RESTORED TO ITS OPERATING CONDITION WHICH EXISTED
37 BEFORE THE EVENT THAT CAUSED THE SALVAGE CERTIFICATE OF TITLE TO
38 ISSUE AND TO PROVIDE THE PROCEDURE FOR OBTAINING A CERTIFICATE OF
39 TITLE FOR SUCH A VEHICLE; TO PROVIDE THAT A SALVAGE VEHICLE THAT
40 HAS BEEN RESTORED TO ITS OPERATING CONDITION WHICH EXISTED BEFORE
41 THE EVENT WHICH CAUSED THE SALVAGE CERTIFICATE OF TITLE TO ISSUE
42 SHALL BE ISSUED A CERTIFICATE OF TITLE WHICH SHALL CONTAIN THE
43 WORD "REBUILT"; TO PROVIDE THAT EACH SALVAGE VEHICLE THAT IS
44 REBUILT SHALL BE ISSUED A DECAL, PLATE OR OTHER EMBLEM AS
45 PRESCRIBED BY THE DEPARTMENT OF PUBLIC SAFETY TO REFLECT THAT THE
46 VEHICLE IS REBUILT; TO REQUIRE THAT ANY PERSON WHO SELLS OR
47 OTHERWISE TRANSFERS ANY INTEREST IN ANY VEHICLE FOR WHICH A TITLE
48 BEARING THE DESIGNATION "SALVAGE" OR "REBUILT" HAS BEEN ISSUED
49 SHALL DISCLOSE IN WRITING THE EXISTENCE OF THIS TITLE TO THE
50 TRANSFEREE; TO AMEND SECTIONS 63-21-15, 63-21-33 AND 63-21-39,

51 MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED
52 PURPOSES.

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

54 SECTION 1. (1) No motor vehicle for which a salvage or junk
55 certificate of title has been issued by this state or any other
56 state shall be driven or operated on the highways or other public
57 places of this state. A vehicle which is in this state and for
58 which a salvage certificate of title has been issued, and the
59 vehicle is being restored to its operating condition that existed
60 before the event which caused the salvage certificate of title to
61 issue, may be moved to and from repair points as necessary by the
62 rebuilder to complete the restoration or may be moved as permitted
63 by the Department of Public Safety on the day the vehicle is
64 scheduled for inspection or for any other purpose.

65 (2) When the frame or engine is removed from a motor vehicle
66 and not immediately replaced by another frame or engine, or when
67 an insurance company has paid money or made other monetary
68 settlement as compensation for a total loss of any motor vehicle,
69 the motor vehicle shall be considered to be salvage. The owner of
70 every motor vehicle in which total loss or salvage has occurred
71 shall, within seventy-two (72) hours after the total loss or
72 salvage occurs, make application for a salvage certificate of
73 title to a designated agent and forward to the State Tax
74 Commission the certificate of title to the motor vehicle,
75 whereupon the State Tax Commission shall process the certificate
76 of title in a manner prescribed by law or regulation. An
77 insurance company that pays money or makes other monetary
78 settlement as compensation for total loss of a motor vehicle shall
79 obtain, at the time of payment or monetary settlement, the
80 vehicle's certificate of title and, within seventy-two (72) hours
81 after receiving the certificate of title, shall forward such
82 certificate along with an application for a salvage certificate of
83 title, to the State Tax Commission for processing. In the event

84 the payment or monetary settlement was made because of the theft
85 of the vehicle, which shall be considered a total loss as defined
86 in this section, the insurance company shall forward the vehicle's
87 properly assigned certificate of title as provided in this section
88 to the State Tax Commission as soon as practicable after the
89 vehicle is recovered. When a stolen motor vehicle for which a
90 salvage certificate of title has been issued is later recovered,
91 the owner recorded on the salvage certificate shall assign that
92 certificate to the purchaser.

93 (3) If an insurance company acquires a motor vehicle in
94 settlement of an insurance claim and holds the vehicle for resale
95 and procures the properly assigned certificate of title from the
96 owner or lienholder within fifteen (15) days after delivery of the
97 vehicle to the insurance company, and if the vehicle was not a
98 total loss as defined by this section, the insurance company need
99 not send the certificate of title to the State Tax Commission but,
100 upon transferring the vehicle to another person other than by the
101 creation of a security interest, the insurance company shall
102 execute the space reserved on the reverse of the title for first
103 reassignment by a licensed dealer naming therein the transferee
104 and complete an affidavit of acquisition and disposition of the
105 motor vehicle on a form prescribed by the State Tax Commission and
106 deliver the certificate of title, affidavit and any other
107 documents required by the State Tax Commission to the transferee
108 at the time of delivery of the motor vehicle.

109 (4) For the purposes of this section, a total loss occurs
110 when an insurance company or any other person pays or makes other
111 monetary settlement to a person when a vehicle is damaged and the
112 damage to the vehicle is equal to or greater than seventy-five
113 percent (75%) of the fair retail value of the vehicle prior to
114 damage as set forth in a current edition of a nationally
115 recognized compilation of retail values, including automated data
116 bases, as approved by the State Tax Commission. The compensation

117 for total loss as defined in this subsection does not include
118 payments by an insurer or other person for medical care, bodily
119 injury, vehicle rental, or for anything other than the amount paid
120 for the actual damage to the motor vehicle. Actual damage
121 includes the cost of both labor and parts. A vehicle that has
122 sustained minor damage as a result of theft or vandalism shall not
123 be considered a total loss. Any person acquiring ownership of a
124 damaged motor vehicle that meets the definition of total loss for
125 which a salvage certificate of title has not been issued, other
126 than a scrap metal processor acquiring such vehicle for purposes
127 of recycling into metallic scrap for remelting purposes only,
128 shall apply for a salvage certificate of title. This application
129 shall be made before the vehicle is further transferred but, in
130 any event, within thirty (30) days after ownership is acquired.

131 (5) It is unlawful for the owner of any junkyard, salvage
132 yard or motor vehicle dismantler and parts recycler or his or her
133 agents or employees to have in his possession any motor vehicle
134 that is junk or salvage or a total loss when the manufacturer's
135 vehicle identification number plate or plates, authorized
136 replacement vehicle identification number plate or plates, or
137 serial plate or plates have been removed, unless previously
138 required to be removed by a statute or law of this state or
139 another jurisdiction.

140 (6) It is unlawful for a person, firm or corporation to
141 possess, sell or exchange, offer to sell or exchange, or to give
142 away any certificate of title, salvage certificate of title,
143 manufacturer's identification number plate or plates, authorized
144 replacement vehicle identification number plate or plates, serial
145 plate or plates, or motor vehicle license plate or plates of any
146 motor vehicle which has been scrapped, dismantled or sold as junk
147 or salvage or as a total loss contrary to this section, and every
148 officer, agent or employee of a person, firm or corporation, and
149 every person who authorizes, directs, aids in or consents to the

150 possession, sale or exchange, or offer to sell, exchange or give
151 away such certificate of origin, certificate of title, salvage
152 certificate of title, manufacturer's vehicle identification number
153 plate or plates, authorized replacement vehicle identification
154 number plate or plates, serial plate or plates, or motor vehicle
155 license plate or plates contrary to this section, upon conviction,
156 is guilty of a misdemeanor and shall be punished as provided in
157 Section 63-21-71, Mississippi Code of 1972.

158 (7) The State Tax Commission may issue a salvage certificate
159 of title for a fee of Fifteen Dollars (\$15.00) on a form
160 prescribed by the State Tax Commission which provides for
161 assignments of this title. The salvage certificate of title is to
162 replace a certificate of title required to be surrendered by this
163 section. The State Tax Commission shall prescribe necessary forms
164 and procedures to comply with this subsection. Salvage and
165 rebuilt brands contained in certificates of title last issued by
166 another jurisdiction shall be carried forward on the Mississippi
167 certificate of title. The State Tax Commission may carry forward
168 other brand or brands comparable on the Mississippi certificate of
169 title.

170 (8) It is unlawful for a person to sign as assignor, or for
171 a person to have in his or her possession a salvage certificate of
172 title or any other certificate of title that has been signed by
173 the owner as assignor, without the name of the assignee and other
174 information called for on the title document prescribed by the
175 State Tax Commission. A person who violates this subsection, upon
176 conviction, is guilty of a misdemeanor and shall be punished as
177 provided by law.

178 (9) Every owner of a salvage or junk motor vehicle who sells
179 or transfers the vehicle to any person other than to a scrap metal
180 processor for purposes of recycling into metallic scrap for
181 remelting purposes only shall provide at the time of the sale or
182 transfer a properly executed assignment and warranty of title to

183 the transferee in the space provided therefor on the salvage
184 certificate of title or junk certificate or as the State Tax
185 Commission prescribes.

186 (10) The State Tax Commission may issue a certificate of
187 title containing the word "rebuilt" to any motor vehicle for which
188 a salvage certificate has been issued by this or any other state,
189 and the vehicle has, in this state, been completely restored to
190 its operating condition which existed before the event which
191 caused the salvage certificate of title to issue, provided that
192 all requirements of this section have been met. No certificate of
193 title may be issued for any motor vehicle for which a junk
194 certificate of title, junk certificate, permit to dismantle, parts
195 only, or ownership documents issued by another jurisdiction having
196 the same meaning has been issued or for a vehicle which is sold
197 for parts only.

198 (11) Every owner of a salvage motor vehicle that is in this
199 state and that has been restored in this state to its operating
200 condition which existed before the event which caused the salvage
201 certificate of title to issue shall make application to the
202 Department of Public Safety for an inspection of the vehicle in
203 the form and content as determined by the Department of Public
204 Safety. Each application for inspection of a salvage vehicle that
205 has been so restored shall be accompanied by all of the following:

206 (a) The outstanding salvage certificate of title or
207 out-of-state title previously issued for the salvage vehicle.

208 (b) Notarized bills of sale evidencing acquisition of
209 all major component parts (listing the manufacturer's vehicle
210 identification number of the vehicle from which the parts were
211 removed, if parts contain or should contain the manufacturer's
212 vehicle identification number) used to restore the vehicle and
213 bills of sale evidencing acquisition of all minor component parts.

214 Notarization is not required on bills of sale for minor component
215 parts; however, a notarized bill of sale that lists the

216 manufacturer's vehicle identification number of the vehicle from
217 which the parts were removed, if parts contain or should contain
218 the manufacturer's vehicle identification number. A notarized
219 bill of sale bearing the manufacturer's vehicle identification
220 number is required for a transmission.

221 (c) The owner shall also provide a written affirmation
222 which states the following:

223 (i) That the owner has rebuilt the vehicle or
224 supervised its rebuilders, and what has been done to restore the
225 vehicle to its operating condition which existed before the event
226 that caused the salvage certificate to issue.

227 (ii) That the owner personally inspected the
228 completed vehicle and it complies with all safety requirements set
229 forth by the State of Mississippi and any regulations promulgated
230 thereunder.

231 (iii) That the identification numbers of the
232 restored vehicle and its parts have not, to the knowledge of the
233 owner, been removed, destroyed, falsified, altered or defaced.

234 (iv) That the salvage certificate of title or
235 out-of-state title certificate attached to the application has
236 not, to the knowledge of the owner, been forged, falsified,
237 altered or counterfeited.

238 (v) That all information contained on the
239 application and its attachments is true and correct to the
240 knowledge of the owner.

241 (12) (a) The application fee for each inspection of a
242 restored vehicle shall be Seventy-five Dollars (\$75.00), payable
243 by certified funds to the Department of Public Safety, which shall
244 accompany the application for inspection.

245 (b) All application for inspection fees received by the
246 Department of Public Safety shall be applied toward the personnel
247 and maintenance costs of the vehicle inspection program. Persons
248 seeking to have vehicles inspected as provided in this section

249 shall first contact the Department of Public Safety substation for
250 the purpose of reserving a specified time to present the vehicle
251 for inspection. Upon receipt of the application for inspection
252 and the Seventy-five Dollar (\$75.00) fee, the Department of Public
253 Safety shall inspect the vehicle. Upon successfully passing
254 inspection a completed inspection certificate shall be issued
255 according to procedures of the Department of Public Safety.
256 Following inspection, the applicant shall make his application for
257 a new certificate of title to the State Tax Commission, as
258 provided in Section 63-21-15, and shall attach the inspection
259 certificate issued by the Department of Public Safety, the salvage
260 certificate of title of the vehicle, affidavits, bills of sale and
261 other documents that may be required by the State Tax Commission,
262 and the designated agent shall cause such documents to be
263 forwarded to the State Tax Commission, along with the required
264 title fee.

265 (c) The inspection and certification shall include an
266 examination of the vehicle and its parts to determine that the
267 identification numbers of the vehicle or its parts have not been
268 removed, falsified, altered, defaced, destroyed or tampered with;
269 that the vehicle information contained in the application for
270 certificate of title and supporting documents is true and correct;
271 and that there are no indications that the vehicle or any of its
272 parts are stolen. The certification shall not attest to the
273 roadworthiness or safety condition of the vehicle.

274 (13) Component parts are defined as:

275 (a) Passenger vehicles.

276 (i) Major components:

277 1. Motor or engine.

278 2. Trunk floor pan or rear section and roof.

279 3. Frame or any portion thereof (except frame

280 horn), or, in the case of a unitized body, the supporting

281 structure which serves as the frame, except when it is a part of

282 the trunk floor pan, or rear section and roof.

283 4. Cowl, firewall, or any portion thereof.

284 5. Roof assembly.

285 (ii) Minor components:

286 1. Each door allowing entrance to or egress
287 from the passenger compartment.

288 2. Hood.

289 3. Each front fender or each rear fender when
290 used with a rear section and roof.

291 4. Deck lid, tailgate or hatchback (whichever
292 is present).

293 5. Each quarter panel.

294 6. Each bumper.

295 7. T-tops, moon roof, or whichever is
296 present.

297 8. Transmission or trans-axle.

298 (b) Truck, truck type or bus type vehicles.

299 (i) Major components:

300 1. Motor or engine.

301 2. Transmission or trans-axle.

302 3. Frame or any portion thereof (except frame
303 horn), or, in the case of a unitized body, the supporting
304 structure which serves as the frame.

305 4. Cab.

306 5. Cowl or firewall or any portion thereof.

307 6. Roof assembly.

308 7. Cargo compartment floor panel or passenger
309 compartment floor pan.

310 (ii) Minor components:

311 1. Each door.

312 2. Hood.

313 3. Grill, except on one-ton truck or smaller
314 trucks.

- 315 4. Each bumper.
316 5. Each front fender.
317 6. Roof panel and rear cab panel.
318 7. Each rear fender or side panel.
319 8. Pickup box.
320 9. Body or bed.

321 (c) Motorcycle: component parts.

- 322 (i) Engine or motor.
323 (ii) Transmission or trans-axle.
324 (iii) Frame.
325 (iv) Front fork.
326 (v) Crankcase.

327 (14) A salvage vehicle that has been restored in this state
328 to its operating condition that existed before the event which
329 caused the salvage certificate of title to issue shall be issued a
330 certificate of title that contains the word "rebuilt."

331 (15) (a) Each salvage vehicle restored or rebuilt in this
332 state that is required to be inspected by the Department of Public
333 Safety pursuant to subsection (12) of this section and for which a
334 certificate of title may be issued pursuant to subsection (14) of
335 this section shall be issued a decal, plate or other emblem as
336 prescribed by the Department of Public Safety to reflect that the
337 vehicle is rebuilt. The decal, plate or other emblem shall be
338 attached to the vehicle in a place and in a manner prescribed by
339 the Department of Public Safety.

340 (b) A person who willfully removes, mutilates, tampers
341 with, obliterates or destroys a decal, plate or other emblem
342 issued and attached to a salvage vehicle pursuant to this
343 subsection is guilty of a misdemeanor and shall be punished as
344 provided in Section 63-21-71, Mississippi Code of 1972.

345 (16) Each person who sells, exchanges, delivers or otherwise
346 transfers any interest in any vehicle for which a title bearing
347 the designation "salvage" or "rebuilt" has been issued shall

348 disclose in writing the existence of this designation contained on
349 the title to the prospective purchaser, recipient in exchange,
350 recipient by donation, or recipient by other act of transfer. The
351 disclosure, which shall be made at the time of or prior to the
352 completion of the sale, exchange, donation or other act of
353 transfer shall contain the following information in no smaller
354 than ten-point type: "This vehicle's title contains the
355 designation 'salvage' or 'rebuilt.'"

356 (17) This section does not apply to any motor vehicle that
357 is ten (10) years old or older with a value of One Thousand Five
358 Hundred Dollars (\$1,500.00) or less.

359 SECTION 2. Section 63-21-15, Mississippi Code of 1972, is
360 amended as follows:

361 63-21-15. (1) The application for the certificate of title
362 of a vehicle in this state shall be made by the owner to a
363 designated agent, on the form the State Tax Commission prescribes,
364 and shall contain or be accompanied by:

365 (a) The name, current residence and mailing address of
366 the owner;

367 (b) A description of the vehicle, including the
368 following data: year, make, model, vehicle identification number,
369 type of body, the number of cylinders, odometer reading at the
370 time of application, and whether new or used;

371 (c) The date of purchase by applicant, the name and
372 address of the person from whom the vehicle was acquired, and the
373 names and addresses of any lienholders in the order of their
374 priority and the dates of their security agreements; and

375 (d) An odometer disclosure statement made by the
376 transferor of the vehicle. The statement shall read:

377 "Federal and state law requires that you state the mileage in
378 connection with the transfer of ownership. Failure to complete or
379 providing a false statement may result in fine and/or
380 imprisonment.

381 I state that the odometer now reads ____ (no tenths) miles
382 and to the best of my knowledge that it reflects the actual
383 mileage of the vehicle described herein, unless one (1) of the
384 following statements is checked:

385 ___ (1) I hereby certify that to the best of my knowledge the
386 odometer reading reflects the amount of mileage in excess of its
387 mechanical limits.

388 ___ (2) I hereby certify that the odometer reading is not the
389 actual mileage.--WARNING--ODOMETER DISCREPANCY!"

390 (e) In connection with the transfer of ownership of a
391 motor vehicle, each transferor shall disclose the mileage to the
392 transferee in writing on the title or on the document being used
393 to reassign the title, which form shall be prescribed and
394 furnished by the State Tax Commission. This written disclosure
395 must be signed by the transferor and transferee, including the
396 printed name of both parties.

397 Notwithstanding the requirements above, the following
398 exemptions as to odometer disclosure shall be in effect:

399 (i) A vehicle having a gross vehicle weight rating
400 of more than sixteen thousand (16,000) pounds.

401 (ii) A vehicle that is not self-propelled.

402 (iii) A vehicle that is ten (10) years old or
403 older.

404 (iv) A vehicle sold directly by the manufacturer
405 to any agency of the United States in conformity with contractual
406 specifications.

407 (v) A transferor of a new vehicle prior to its
408 first transfer for purposes other than resale need not disclose
409 the vehicle's odometer mileage.

410 (f) Any person who knowingly gives a false statement
411 concerning the odometer reading on an odometer disclosure
412 statement shall be guilty of a misdemeanor and, upon conviction,
413 shall be subject to a fine of up to One Thousand Dollars

414 (\$1,000.00) or imprisonment of up to one (1) year, or both, at the
415 discretion of the court. These penalties shall be cumulative,
416 supplemental and in addition to the penalties provided by any
417 other law.

418 (2) The application shall be accompanied by such evidence as
419 the State Tax Commission reasonably requires to identify the
420 vehicle and to enable the State Tax Commission to determine
421 whether the owner is entitled to a certificate of title and the
422 existence or nonexistence of security interests in the vehicle,
423 and whether the applicant is liable for a use tax as provided by
424 Sections 27-67-1 through 27-67-33.

425 (3) If the application is for a vehicle purchased from a
426 dealer, it shall contain the name and address of any lienholder
427 holding a security interest created or reserved at the time of the
428 sale and the date of his security agreement and it shall be signed
429 by the dealer as well as the owner. The designated agent shall
430 promptly mail or deliver the application to the State Tax
431 Commission.

432 (4) If the application is for a new vehicle, it shall
433 contain the certified manufacturer's statement of origin showing
434 proper assignments to the applicant and a copy of each security
435 interest document.

436 (5) Each application shall contain or be accompanied by the
437 certificate of a designated agent that the vehicle has been
438 physically inspected by him and that the vehicle identification
439 number and descriptive data shown on the application, pursuant to
440 the requirements of subsection (1)(b) of this section, are
441 correct, and also that he has identified the person signing the
442 application and witnessed the signature. * * *

443 (6) If the application is for a first certificate of title
444 on a vehicle other than a new vehicle, then the application shall
445 conform with the requirements of this section except that in lieu
446 of the manufacturer's statement of origin, the application shall

447 be accompanied by a copy of the bill of sale of said motor vehicle
448 whereby the applicant claims title or in lieu thereof certified
449 copies of the last two (2) years' tag and tax receipts or in lieu
450 thereof such other information the State Tax Commission may
451 reasonably require to identify the vehicle and to enable the State
452 Tax Commission to determine ownership of the vehicle and the
453 existence or nonexistence of security interest in it. If the
454 application is for a vehicle last previously registered in another
455 state or country, the application shall also be accompanied by the
456 certificate of title issued by the other state or country, if any,
457 properly assigned.

458 (7) Every designated agent within this state shall, no later
459 than the next business day after they are received by him, forward
460 to the State Tax Commission by mail, postage prepaid, the
461 originals of all applications received by him, together with such
462 evidence of title as may have been delivered to him by the
463 applicants.

464 (8) An application for certificate of title and information
465 to be placed on an application for certificate of title may be
466 transferred electronically as provided in Section 63-21-16.

467 SECTION 3. Section 63-21-33, Mississippi Code of 1972, is
468 amended as follows:

469 63-21-33. If a dealer buys a vehicle and holds it for resale
470 and procures the certificate of title from the owner or the
471 lienholder within ten (10) days after delivery to him of the
472 vehicle, he need not send the certificate to the State Tax
473 Commission. However, upon transferring the vehicle to another
474 person other than by the creation of a security interest, he shall
475 promptly execute the assignment and warranty of title by a dealer,
476 showing the names and addresses of the transferee and of any
477 lienholder holding a security interest created or reserved at the
478 time of the resale and the date of his security agreement, in the
479 spaces provided therefor on the certificate or as the State Tax

480 Commission prescribes, and deliver the certificate to a designated
481 agent with the transferee's application for a new certificate.

482 Every dealer shall maintain for five (5) years a record in the
483 form the State Tax Commission prescribes of every vehicle bought,
484 sold or exchanged by him or received by him for sale or exchange,
485 which shall be open to inspection by a representative of the State
486 Tax Commission or patrol or peace officer during reasonable
487 business hours.

488 * * *

489 SECTION 4. Section 63-21-39, Mississippi Code of 1972, is
490 amended as follows:

491 63-21-39. * * * An owner who scraps, dismantles or destroys
492 a vehicle and a person who purchases a vehicle as scrap or to be
493 dismantled or destroyed shall indicate same on the back of the
494 certificate of title and shall immediately cause the certificate
495 of title and any other documents required by the State Tax
496 Commission to be mailed or delivered to the State Tax Commission
497 for cancellation. A certificate of title of the vehicle shall not
498 again be issued except upon application containing the information
499 the State Tax Commission requires, accompanied by a certificate of
500 inspection in the form and content specified in Section
501 63-21-15 * * *.

502 * * *

503 SECTION 5. Section 1 of this act shall be codified in
504 Chapter 21 of Title 63, Mississippi Code of 1972.

505 SECTION 6. This act shall take effect and be in force from
506 and after July 1, 1999.