

By: Moak

To: Transportation

HOUSE BILL NO. 615

1 AN ACT TO REQUIRE MOTOR VEHICLE DISMANTLERS AND CRUSHERS TO
2 NOTIFY LIENHOLDERS BEFORE DESTROYING MOTOR VEHICLES; TO PROVIDE
3 PENALTIES FOR VIOLATIONS OF THIS ACT; TO PROVIDE THAT THE STATE
4 TAX COMMISSION SHALL INVESTIGATE AND PROSECUTE VIOLATORS OF THIS
5 ACT; AND FOR RELATED PURPOSES.

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

7 SECTION 1. (1) Any person, firm or corporation who
8 dismantles, crushes or otherwise destroys motor vehicles shall
9 determine if any lien exists upon a motor vehicle and notify any
10 lienholders by certified mail before dismantling, crushing or
11 destroying such motor vehicle. A lienholder shall have seven (7)
12 days after receipt of notice to claim a motor vehicle. A
13 reasonable effort shall be made to identify and notify any
14 lienholder.

15 (2) Any person, firm or corporation who violates the
16 provisions of subsection (1) shall, upon conviction, be punished
17 as follows:

18 (a) For a first offense by a fine of One Hundred
19 Dollars (\$100.00) per occurrence;

20 (b) For a second offense by a fine of Five Hundred
21 Dollars (\$500.00) per occurrence; and

22 (c) For a third or subsequent offense One Thousand

23 Dollars (\$1,000.00) per occurrence, the revocation of any business
24 license for one (1) year and by imprisonment for not more than six
25 (6) months.

26 (3) The State Tax Commission shall investigate and prosecute
27 violators of this section. The State Tax Commission may utilize
28 the assistance of any law enforcement agency to carry out the
29 provisions of this section. The tax assessors of the counties
30 shall assist the State Tax Commission in performing its duties
31 under this section.

32 SECTION 2. This act shall take effect and be in force from
33 and after July 1, 2000.