

By: Capps

To: Appropriations

HOUSE BILL NO. 1368  
(As Passed the House)

1 AN ACT TO AMEND SECTION 25-1-85, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE NUMBER OF VEHICLES OF THE CAPITOL POLICE, BOARD OF  
3 HEALTH, STATE SOIL AND WATER CONSERVATION COMMISSION, OFFICE OF  
4 THE STATE FIRE MARSHAL AND THE LIQUEFIED COMPRESSED GAS DIVISION  
5 IN THE DEPARTMENT OF INSURANCE, DEPARTMENT OF MARINE RESOURCES AND  
6 STATE BOARD OF MEDICAL LICENSURE; TO DELETE PURCHASE RESTRICTIONS  
7 AS TO FEATURES AND OPTIONS ON NEW PASSENGER VEHICLES; AND FOR  
8 RELATED PURPOSES.

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

10 SECTION 1. Section 25-1-85, Mississippi Code of 1972, is  
11 amended as follows:[BD1]

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

16	Office of the Attorney General.....	10
17	Agriculture and Commerce.....	23
18	Department of Economic and Community Development.....	14
19	Experiment Stations.....	16
20	Extension Service.....	1
21	Forestry Commission.....	48
22	Department of Transportation.....	115
23	Military Department.....	5
24	Department of Corrections.....	13
25	Parole Board.....	2
26	Mississippi Department of Public Safety.....	600
27	Division of Plant Industry.....	23
28	State Board of Mental Health.....	2
29	East Mississippi State Hospital.....	1
30	Mississippi State Hospital.....	2
31	Alcoholic Beverage Control Division of the	
32	Mississippi State Tax Commission.....	30
33	Soil and Water Conservation Commission.....	5
34	Ellisville State School.....	1
35	North Mississippi Retardation Center.....	1
36	South Mississippi Retardation Center.....	1
37	Board of Health.....	13
38	State Oil and Gas Board.....	3
39	Each institution of higher learning, for police	
40	purposes, provided each institution with	
41	more than 6,000 students may have 4.....	2
42	Wildlife, Fisheries and Parks.....	60
43	Surplus Property Procurement Commission.....	4
44	State Tax Commission-station wagons.....	2
45	State Tax Commission-automobiles.....	6
46	Mississippi Gaming Commission.....	60
47	Department of Environmental Quality.....	12
48	Pearl River Valley Water Supply District.....	7

49	Pearl River Basin Development District.....	2
50	Pat Harrison Waterway District.....	1
51	Department of Transportation -	
52	Office of State Aid Road Construction.....	10
53	Tennessee-Tombigbee Waterway Development 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	Department of Archives and History.....	2
64	State Fire Fighters Academy (station wagon).....	1
65	Office of Capitol Facilities - Capitol Police.....	5
66	Office of Building, Grounds and Real Property.....	1
67	State Veterans Affairs Board.....	15
68	Employment Security Commission.....	1
69	Forest Product Utilization Lab.....	1
70	Mississippi Board of Nursing.....	3
71	Certified Development Company of Mississippi, Inc.....	1
72	State Board of Medical Licensure.....	5
73	Mississippi Public Employees' Retirement System.....	3
74	Mississippi Public Service Commission.....	42
75	Department of Human Services.....	2
76	Department of Rehabilitation Services.....	4
77	Real Estate Commission.....	2
78	Mississippi Library Commission - station wagons.....	5
79	Boswell Regional Center.....	1
80	Hudspeth Regional Center.....	1
81	North Mississippi State Hospital.....	1
82	South Mississippi State Hospital.....	1
83	Motor Vehicle Commission.....	1
84	Office of the State Auditor.....	20
85	Division of Medicaid, Office of the Governor.....	3
86	Department of Marine Resources.....	10
87	Central Mississippi Residential Center.....	1
88	Juvenile Rehabilitation Center.....	1
89	Department of Education.....	1
90	<u>Office of the State Fire Marshal.....</u>	<u>15</u>
91	<u>Liquefied Compressed Gas Division of the</u>	
92	<u>Department of Insurance.....</u>	<u>10</u>
93	Except as provided in Sections 25-1-77 through 25-1-93, no	
94	state department, institution or agency shall purchase, operate or	
95	maintain any passenger vehicle out of any funds available for the	
96	use of such department, institution or agency, unless same has	
97	been or may be donated.	
98	* * *	
99	For purposes of this section, "passenger vehicle" shall be	
100	defined as a vehicle which is designed to transport four (4) or	
101	more persons and/or provides adequate seating for at least four	
102	(4) persons. The terms "luxury vehicle," "full-size vehicle,"	
103	"utility vehicle" and "carryall vehicle" shall be as defined by	
104	the industry.	
105	* * *	
106	Nothing in Sections 25-1-77 through 25-1-93 shall be	
107	construed to prohibit agencies, departments and institutions from	
108	purchasing and operating passenger vehicles when used exclusively	
109	to transport patients, prisoners, students, faculty or staff of	
110	state institutions, blind and sighted employees essential to	
111	operate blind training programs or material, products and	
112	client-trainees in the sheltered workshop program, or bookmobiles.	
113	The superintendents of the Columbia Training School and Oakley	
114	Training School and the Commissioner of Corrections, or staff	
115	members designated by them, may use such passenger vehicles for	
116	other official functions and operations of those institutions at	
117	their discretion. Passenger vehicles or similar vehicles used for	
118	any other purposes shall be considered as automobiles and subject	
119	to the restrictions set forth in the aforesaid sections.	
120	In addition to the motor vehicles authorized to be owned and	
121	operated by the Mississippi Department of Public Safety, said	

122 department is also authorized to receive, own and operate special  
123 purpose motor vehicles to be used solely in investigations.

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

132 Of the motor vehicles authorized to be owned and operated by  
133 the Mississippi Department of Transportation, not more than five  
134 (5) vehicles may be kept for use by administrative personnel of  
135 the department to commute between their residences and the offices  
136 at which their duties are regularly performed. The executive  
137 director of the department is authorized to allow additional  
138 department personnel to commute to and from their residences in  
139 department vehicles due to the nature of their job and for the  
140 safety of the traveling public.

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

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

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

155 SECTION 2. This act shall take effect and be in force from  
156 and after its passage.