

By: Horhn

To: Municipalities;
County Affairs

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2710

1 AN ACT TO CREATE NEW CODE SECTION 17-25-1, MISSISSIPPI CODE
2 OF 1972, TO PROHIBIT CERTAIN MUNICIPALITIES FROM CHARGING AN
3 IMPOUND OR TOWING FEE TO THE VICTIM OF A MOTOR VEHICLE THEFT UPON
4 RECOVERY OF THE STOLEN VEHICLE; AND FOR RELATED PURPOSES.

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

6 SECTION 1. The following shall be codified as Section
7 17-25-1, Mississippi Code of 1972:

8 17-25-1. The governing authority of any municipality having
9 a population in excess of one hundred fifty thousand (150,000),
10 according to the latest decennial census, is prohibited from
11 assessing any fee whatsoever to any owner of a motor vehicle
12 either for impounding or storage of the vehicle or for towing
13 charges when the owner retrieves the stolen vehicle within eight
14 (8) working days after the postmarked date of written notification
15 of the exact location of the vehicle mailed to the owner's last
16 known address subsequent to recovery of the vehicle by law
17 enforcement officers or other employees of the municipality,
18 regardless of whether the towing or storage is performed by the
19 municipality or by a private towing company under contract with
20 the municipality. Any towing or storage provided by a private
21 towing company under contract with the municipality shall be at
22 the expense of the municipality.

23 Any such fees, however, may be assessed against any person
24 subsequently convicted of the larceny or carjacking of the
25 vehicle.

26 After the expiration of the eight-day grace period, the owner
27 of the vehicle may be required to pay towing and impound fees to

28 the municipality, and may receive amounts in restitution ordered
29 against any person subsequently convicted of the larceny or
30 carjacking of the vehicle incurring imposition of towing or
31 storage charges.

32 Towing companies shall comply with all the requirements of
33 Section 85-7-251, Mississippi Code of 1972.

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