

By: Smith, Stogner, King

To: Finance

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 3108

1 AN ACT TO CREATE THE MISSISSIPPI MILITARY LICENSE TAG DESIGN
2 APPROVAL COMMITTEE; TO PROVIDE FOR THE MEMBERSHIP OF SUCH
3 COMMITTEE; TO PROVIDE THAT THE COMMITTEE SHALL APPROVE THE DESIGN
4 OF CERTAIN MOTOR VEHICLE LICENSE TAGS PRIOR TO THE MANUFACTURE OF
5 SUCH TAGS; TO AMEND SECTIONS 27-19-51, 27-19-53, 27-19-54,
6 27-19-56.5, 27-19-56.12 AND 27-19-56.13, MISSISSIPPI CODE OF 1972,
7 IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

9 SECTION 1. (1) There is hereby established the Mississippi
10 Military License Tag Design Approval Committee. The committee
11 shall be composed of the Adjutant General and members appointed by
12 the Adjutant General who shall be active or retired members from
13 each branch of the United States Armed Forces, including the
14 National Guard and Reserves. No motor vehicle license tags shall
15 be issued pursuant to Sections 27-19-51, 27-19-53, 27-19-54,
16 27-19-56.5, 27-19-56.12 and 27-19-56.13 unless the committee
17 approves the design of such tags before they are manufactured.

18 (2) The committee shall meet when necessary upon
19 notification of the Adjutant General to approve or disapprove of
20 the design of motor vehicle license tags issued pursuant to
21 Sections 27-19-51, 27-19-53, 27-19-54, 27-19-56.5, 27-19-56.12 and
22 27-19-56.13. A quorum shall consist of a majority of the
23 committee and decisions of the committee shall be by a majority
24 vote of those present and voting.

25 (3) The committee shall not approve any design which
26 contains the color yellow or which does not contain the colors
27 red, white and blue.

28 SECTION 2. Section 27-19-51, Mississippi Code of 1972, is

29 amended as follows:[WAN1]

30 27-19-51. (1) In recognition of their many and varied
31 patriotic services rendered the state, the United States and the
32 citizens thereof, Mississippians who have completed an active duty
33 career with the Armed Forces of the United States and active duty
34 and retired members of the Army National Guard, Air National Guard
35 of Mississippi, and the United States Reserves, including both
36 enlisted and officer personnel, upon application and subject to
37 the provisions of this section may be issued distinctive motor
38 vehicle license plates or tags identifying these persons with such
39 organizations. For the purposes of this section the term "Armed
40 Forces" includes the United States Merchant Marines and members
41 thereof in maritime service during the period from December 7,
42 1941 to August 15, 1945. The distinctive plates or tags so issued
43 shall comply with the provisions of Section 27-19-41 and shall be
44 of such color and design as may be agreed upon by the Mississippi
45 Military License Tag Design Approval Committee and the State Tax
46 Commission * * *. Each distinctive license plate shall bear the
47 words "National Guard" or the name of the appropriate armed
48 service and need not bear prefixed numbers identifying the county
49 of issuance.

50 (2) The surviving spouse of any person who was issued a
51 distinctive license plate or tag under subsection (1) of this
52 section because of completion of an active duty career with the
53 Armed Forces of the United States or because of retirement from
54 the Army National Guard, Air National Guard or United States
55 Reserves, or any prisoner of war issued a distinctive license
56 plate or tag under Section 27-19-54, shall be eligible to receive
57 the same type of distinctive license plate or tag which the
58 deceased spouse was issued.

59 (3) The distinctive license plates here provided for shall
60 be prepared by the State Tax Commission and shall be issued
61 through the tax collectors of the several counties of the state in

62 like manner as are other motor vehicle license plates or tags and
63 such officers shall be entitled to their regular fees for such
64 service. Applicants for such distinctive plates shall present to
65 the issuing official proof of their membership in the Army
66 National Guard, Air National Guard of Mississippi, or United
67 States Reserves by means of certificate signed by the commanding
68 officer of such applicant on forms prescribed by the Adjutant
69 General of Mississippi. Retired members of the Armed Forces of
70 the United States applying for such plates shall present to the
71 issuing officials a copy of their active duty retirement orders or
72 other proof of retirement from active service with one of the
73 Armed Forces of the United States. The distinctive license plates
74 or tags so issued shall be used only upon and for personally or
75 jointly owned private passenger vehicles (to include station
76 wagons, recreational motor vehicles and pickup trucks) registered
77 in the name, or jointly in the name, of the member making
78 application therefor, and when so issued to such applicant shall
79 be used upon the vehicle for which issued in lieu of the standard
80 license plate or license tag normally issued for such vehicle.

81 (4) In addition to use of such distinctive license plates or
82 tags on such personally or jointly owned vehicles, such
83 distinctive plate or tag may be used on state-owned vehicles
84 operated by the State Military Department provided the prefix
85 "MNG" is placed ahead of the number thereon. Motor vehicles for
86 which such distinctive license plates or tags are issued shall be
87 registered by the proper official as are other motor vehicles.

88 (5) The distinctive license plates issued hereunder shall
89 not be transferable between motor vehicle owners; and in the event
90 the owner of a vehicle bearing such distinctive plate shall sell,
91 trade, exchange or otherwise dispose of the vehicle, such plate
92 shall be retained by the owner to whom issued and returned by the
93 owner to the tax collector of the county or the State Tax
94 Commission, as the case may be.

95 (6) The Adjutant General is authorized to recognize not more
96 than one hundred (100) senior staff officers, commanders, command
97 sergeants major and senior enlisted advisors by designating the
98 issue of National Guard distinctive license plates or tags
99 numbered "1" through "100." These license plates or tags shall be
100 retained by the individual so designated and may be transferred
101 between vehicles or individuals under procedures established by
102 the State Tax Commission. The Adjutant General is responsible for
103 furnishing the State Tax Commission necessary information to
104 effect issue or transfer of these specially numbered license
105 plates or tags.

106 (7) National Guard plates or tags shall be prepared and
107 furnished for the licensing year commencing November 1, 1962, and
108 annually thereafter. The Adjutant General shall furnish the State
109 Tax Commission with an estimate of the number of such distinctive
110 plates or tags required in each of the several counties of the
111 state.

112 (8) The provisions of this section are supplementary to the
113 laws of this state pertaining to the licensing of motor vehicles
114 and nothing herein shall be construed as abridging or repealing
115 any of such laws.

116 SECTION 3. Section 27-19-53, Mississippi Code of 1972, is
117 amended as follows:[WAN2]

118 27-19-53. (1) Any legal resident of the State of
119 Mississippi who is a veteran of service in the Armed Forces of the
120 United States, and who is rated as having one hundred percent
121 (100%) permanent service-connected disability by the Veterans'
122 Administration is privileged to purchase annually one (1) motor
123 vehicle license plate or tag in his or her county of legal
124 residence, for the sum of One Dollar (\$1.00) in total cost,
125 regardless of make or model of motor vehicle. The registration
126 year of such motor vehicle shall commence the first day of the
127 month in which application for registration is made, as provided

128 in Section 27-19-31.

129 (a) Not more than one (1) such motor vehicle license
130 plate or tag shall be issued to each such qualified veteran.

131 (b) This section pertains only to taxes or plates for
132 private passenger motor vehicles or pickup trucks.

133 (c) Proof of ownership of each particular motor vehicle
134 for which a license plate or tag is requested must be shown at
135 time of application for such plate or tag.

136 (d) Vehicles owned by such veterans are hereby exempt
137 from all ad valorem and privilege taxes; however, the surviving
138 spouse of a deceased person who was issued a license plate or tag
139 under this section shall be entitled to apply for or retain a
140 license issued under this section and may continue annually to
141 renew registration for one (1) motor vehicle license plate or tag
142 under this section for as long as the spouse remains unmarried. At
143 the time of application or renewal registration, a surviving
144 spouse who desires to retain the distinctive plate or tag issued
145 under this section shall file with the county tax collector a
146 sworn statement that the spouse is unmarried. Any such vehicle
147 when so registered shall be exempt from all ad valorem and
148 privilege taxes.

149 (2) The State Tax Commission is directed to furnish each
150 veteran obtaining a license tag under subsection (1) an emblem,
151 which the veteran shall attach securely to the tag, showing that
152 the tag was issued to a disabled American veteran. The design of
153 the tag shall be approved by the Mississippi Military License Tag
154 Design Approval Committee.

155 (3) A license issued under this section shall not be
156 transferable to any other person.

157 (4) Any person evading or violating any of the provisions of
158 this section, or attempting to secure benefits hereunder to which
159 he is not entitled, shall be guilty of a misdemeanor and upon
160 conviction shall be fined not less than One Hundred Dollars

161 (\$100.00) nor more than One Thousand Dollars (\$1,000.00).

162 SECTION 4. Section 27-19-54, Mississippi Code of 1972, is
163 amended as follows:[WAN3]

164 27-19-54. (1) Any legal resident of the State of
165 Mississippi who was a prisoner of war or who is a recipient of the
166 Congressional Medal of Honor is privileged to obtain one (1) motor
167 vehicle license plate or tag on an annual basis in his county of
168 legal residence. The registration year of such motor vehicle
169 shall commence the first day of the month in which application for
170 registration is made, as provided in Section 27-19-31, Mississippi
171 Code of 1972.

172 (2) This section pertains only to tags or plates for private
173 passenger motor vehicles or pickup trucks.

174 (3) Proof of ownership of each particular motor vehicle for
175 which a license plate or tag is requested and proof that the owner
176 thereof is a former prisoner of war or a recipient of the
177 Congressional Medal of Honor must be shown at time of application
178 for such plate or tag. A certificate from the State Veterans
179 Affairs Board stating that said individual is a former prisoner of
180 war or a recipient of the Congressional Medal of Honor shall be
181 sufficient proof.

182 (4) Vehicles owned by such former prisoners of war, a
183 recipient of the Congressional Medal of Honor or the unmarried
184 surviving spouse of any such person are hereby exempt from all
185 motor vehicle registration fees and privilege taxes.

186 (5) The State Tax Commission is directed to furnish to the
187 tax collector of each county a sufficient number of distinctive
188 motor vehicle license plates or tags which shall be of such color
189 and design as the State Tax Commission shall prescribe subject to
190 the approval of the Mississippi License Tag Commission and the
191 Mississippi Military License Tag Design Approval Committee, and in
192 accordance with the provisions of Section 27-19-41. * * *

193 (6) A license issued under this section shall not be

194 transferable to any other person; however, the surviving spouse of
195 a deceased person who was issued a license plate or tag under this
196 section shall be entitled to apply for or retain a license issued
197 under this section and may continue annually to renew registration
198 for one (1) motor vehicle license plate or tag under this section
199 for as long as the spouse remains unmarried. At the time of
200 application or renewal registration, a surviving spouse who
201 desires to retain the distinctive plate or tag issued under this
202 section shall file with the county tax collector a sworn statement
203 that the spouse is unmarried.

204 (7) Any person evading or violating any of the provisions of
205 this section, or attempting to secure benefits hereunder to which
206 he is not entitled, shall be guilty of a misdemeanor and upon
207 conviction shall be fined not less than One Hundred Dollars
208 (\$100.00) nor more than One Thousand Dollars (\$1,000.00).

209 (8) As used in this section, the term "prisoner of war"
210 means any regularly appointed, enrolled, enlisted or inducted
211 member of the military or naval forces of the United States who
212 was held as a prisoner of war for any period of time by any
213 government of any nation with which the United States has been at
214 war; and it also means any regularly appointed, enrolled, enlisted
215 or inducted member of the Armed Forces of the United States who
216 was held as a prisoner of war for any period of time subsequent to
217 June 25, 1950, by any hostile force with which the Armed Forces of
218 the United States were actually engaged in armed conflict
219 subsequent to such date and prior to August 21, 1954, or any
220 person (military or civilian) assigned to duty on the U.S.S.
221 Pueblo who was captured by the military forces of North Korea on
222 January 23, 1968, and thereafter held prisoner by the government
223 of North Korea for any period of time ending on or before December
224 23, 1968, except any person who, at any time, voluntarily,
225 knowingly and without duress, gave aid to or collaborated with or
226 in any manner served any such hostile force; and it also means any

227 regularly appointed, enrolled, enlisted or inducted member of the
228 Armed Forces of the United States who was held as a prisoner of
229 war for any period of time during the Vietnam Conflict by any
230 force hostile to the United States, except any such member who, at
231 any time, voluntarily, knowingly and without duress, gave aid to
232 or collaborated with, or in any manner served, such hostile force.
233 The term "Vietnam Conflict" relates to the period beginning
234 February 28, 1961, and ending on such date as shall thereafter be
235 determined by presidential proclamation or concurrent resolution
236 of the Congress.

237 SECTION 5. Section 27-19-56.5, Mississippi Code of 1972, is
238 amended as follows:[WAN4]

239 27-19-56.5. In recognition of the patriotic service rendered
240 by Mississippians who survived the attack on Pearl Harbor and by
241 Mississippians who are recipients of the Purple Heart Medal, any
242 such person is privileged to obtain one (1) distinctive motor
243 vehicle license plate or tag identifying him as a Pearl Harbor
244 survivor or a Purple Heart Medal recipient. The distinctive
245 plates or tags shall be of a color and design designated by the
246 Tax Commission and approved by the Mississippi Military License
247 Tag Design Approval Committee.

248 The distinctive license plates shall be prepared by the Tax
249 Commission and shall be issued through the tax collectors of the
250 counties in the same manner as are other motor vehicle license
251 plates or tags. A tag fee of Fifteen Dollars (\$15.00), in
252 addition to all other taxes and fees, shall be collected by the
253 tax collector for the Pearl Harbor distinctive tag. Distinctive
254 tags issued to Purple Heart Medal recipients under the provisions
255 of this section shall be exempt from ad valorem taxes, privilege
256 taxes and all other taxes and fees. The tax collector shall
257 forward the additional fee of Fifteen Dollars (\$15.00) charged for
258 issuance of a Pearl Harbor distinctive tag to the Tax Commission
259 which shall deposit such fee to the credit of the State General

260 Fund. An applicant for such distinctive plates shall present to
261 the issuing official either (a) written proof that the applicant
262 is an honorably discharged former member of one of the Armed
263 Forces of the United States and, while serving in the Armed Forces
264 of the United States, was present during the attack on the island
265 of Oahu, Territory of Hawaii, on December 7, 1941, between the
266 hours of 7:55 a.m. and 9:45 a.m., Hawaii time, or (b) written
267 proof that the applicant is a Purple Heart Medal recipient. The
268 distinctive license plates or tags so issued shall be used only
269 upon a personally or jointly owned private passenger vehicle (to
270 include station wagons, recreational motor vehicles and pickup
271 trucks) registered in the name, or jointly in the name, of the
272 person making application therefor, and when issued to such person
273 shall be used upon the vehicle for which issued in lieu of the
274 standard license plate or license tag normally issued for such
275 vehicle.

276 The distinctive license plates shall not be transferable
277 between motor vehicle owners; and in the event the owner of a
278 vehicle bearing a distinctive plate shall sell, trade, exchange or
279 otherwise dispose of the vehicle, such plate shall be retained by
280 such owner and returned to the tax collector.

281 SECTION 6. Section 27-19-56.12, Mississippi Code of 1972, is
282 amended as follows:[WAN5]

283 27-19-56.12. In recognition of the patriotic service
284 rendered by Mississippians who are honorably discharged veterans
285 who served in the United States Armed Forces in Saudi Arabia or
286 Kuwait during Operation Desert Storm or Operation Desert Shield,
287 in Panama during the invasion, in Grenada during the invasion,
288 during the Vietnam Conflict, during the Korean Conflict, during
289 World War II or during World War I, any such person is privileged
290 to obtain one (1) distinctive motor vehicle license plate or tag
291 identifying him as a veteran. The State Tax Commission is further
292 authorized to develop a decal to be affixed to the license tag

293 indicating the veteran's service in the above enumerated wars or
294 conflicts. Such decal shall be approved by the Mississippi
295 Military License Tag Design Approval Committee. The distinctive
296 plates or tags shall be of a color and design designated by the
297 Tax Commission and approved by the Mississippi Military License
298 Tag Design Approval Committee.

299 The distinctive license plates shall be prepared by the Tax
300 Commission and shall be issued through the tax collectors of the
301 counties in the same manner as are other motor vehicle license
302 plates or tags. An additional tag fee of Thirty Dollars (\$30.00)
303 shall be collected by the tax collector for such license plates or
304 tags and shall be forwarded to the Tax Commission which shall
305 deposit such fee to the credit of a fund to be administered by the
306 board overseeing the veterans nursing homes in this state for the
307 benefit of indigent veterans who are residents of such nursing
308 homes.

309 An applicant for such distinctive plates shall present to the
310 issuing official written evidence of the veteran's service. Such
311 evidence shall include a copy of the applicant's DD-214 form or an
312 equivalent document. The distinctive license plates or tags so
313 issued shall be used only upon a personally or jointly owned
314 private passenger vehicle (to include station wagons, recreational
315 motor vehicles and pickup trucks) registered in the name, or
316 jointly in the name, of the person making application therefor,
317 and when issued to such person shall be used upon the vehicle for
318 which issued in lieu of the standard license plate or license tag
319 normally issued for such vehicle.

320 The distinctive license plates shall not be transferable
321 between motor vehicle owners; and in the event the owner of a
322 vehicle bearing a distinctive plate shall sell, trade, exchange or
323 otherwise dispose of the vehicle, such plate shall be retained by
324 such owner and returned to the tax collector.

325 SECTION 7. Section 27-19-56.13, Mississippi Code of 1972, is

326 amended as follows:[WAN6]

327 27-19-56.13. In recognition of the patriotic service
328 rendered by Mississippians who are recipients of the Distinguished
329 Flying Cross and the Air Medal, any such person is privileged to
330 obtain one (1) distinctive motor vehicle license plate or tag
331 identifying him as recipient of the Distinguished Flying Cross or
332 the Air Medal. The distinctive plates or tags shall be of a color
333 and design designated by the Tax Commission and approved by the
334 Mississippi Military License Tag Design Approval Committee.

335 The distinctive license plates shall be prepared by the Tax
336 Commission and shall be issued through the tax collectors of the
337 counties in the same manner as are other motor vehicle license
338 plates or tags. An additional tag fee of Thirty Dollars (\$30.00)
339 shall be collected by the tax collector for such license plates or
340 tags and shall be forwarded to the State Tax Commission which
341 shall deposit such fee to the credit of the State General Fund.
342 An applicant for such distinctive plates shall present to the
343 issuing official written proof that the applicant is a recipient
344 of the Distinguished Flying Cross or the Air Medal. The
345 distinctive license plates or tags so issued shall be used only
346 upon a personally or jointly owned private passenger vehicle (to
347 include station wagons, recreational motor vehicles and pickup
348 trucks) registered in the name, or jointly in the name, of the
349 person making application therefor, and when issued to such person
350 shall be used upon the vehicle for which issued in lieu of the
351 standard license plate or license tag normally issued for such
352 vehicle.

353 The distinctive license plates shall not be transferable
354 between motor vehicle owners; and in the event the owner of a
355 vehicle bearing a distinctive plate shall sell, trade, exchange or
356 otherwise dispose of the vehicle, such plate shall be retained by
357 such owner and returned to the tax collector.

358 SECTION 8. This act shall take effect and be in force from

359 and after July 1, 2000.