

**\*\*\*Adopted\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**House Bill NO. 1002**

**By Senator(s) Committee**

7        **Amend by striking all after the enacting clause and inserting**  
8 **in lieu thereof the following:**

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10        SECTION 1. Section 25-1-87, Mississippi Code of 1972, is  
11 amended as follows:

12        25-1-87. All motor vehicles owned or leased by the State of  
13 Mississippi or any agency, department or political subdivision  
14 thereof, which shall include counties and municipalities, when  
15 such agency or department or political subdivision, which shall  
16 include counties and municipalities, is supported wholly or in  
17 part by public taxes or by appropriations from public funds, shall  
18 have painted on both sides in letters at least three (3) inches in  
19 height, and on the rear in letters not less than one and one-half  
20 (1-1/2) inches in height, the name of the state agency or  
21 department, or political subdivision, which shall include counties  
22 and municipalities, in a color which is in contrast with the color  
23 of the vehicle; provided, however, that a permanent decal may be  
24 used in lieu of paint, and provided further, that any municipality  
25 may affix a permanent decal or design at least twelve (12) inches  
26 in height and twelve (12) inches in width on both sides of the  
27 vehicle with the name of the municipality within or across the  
28 permanent decal or design, and the permanent design or decal shall  
29 be in a color or colors which are in contrast with the color of

30the vehicle. No privilege license tag shall be issued for such  
31vehicle until the name has been painted thereon or a permanent  
32design or decal affixed thereto as required by this section. A  
33permanent decal may be used in lieu of paint. The provisions of  
34this paragraph shall not apply to vehicles used by the Chief  
35Executive of the State of Mississippi, to vehicles owned or leased  
36by the Department of Economic Development, to vehicles owned or  
37leased by the Office of the Attorney General, to vehicles owned or  
38leased by the Mississippi State Board of Medical Licensure and  
39used only by the Investigative Division of the board, to one (1)  
40vehicle owned or leased by the Commissioner of the Mississippi  
41Department of Corrections, to not more than three (3) vehicles  
42owned or leased by the Department of Corrections and used only by  
43Community Services Division officers, to not more than one (1)  
44vehicle owned or leased by the Mississippi Department of  
45Transportation and used only by an investigator employed by the  
46Mississippi Department of Transportation, to not more than one (1)  
47vehicle owned or leased by the Department of Finance and  
48Administration for use by the Capitol Police, to not more than  
49five (5) vehicles owned or leased by the Mississippi Department of  
50Marine Resources, or to not more than one (1) vehicle owned or  
51leased by the Mississippi State Tax Commission; and upon receipt  
52of a written request from the State Adjutant General, the  
53Commissioner of Public Safety, the Director of the Alcoholic  
54Beverage Control Division of the Mississippi State Tax Commission,  
55the Director of the Bureau of Fisheries and Wildlife of the  
56Department of Wildlife, Fisheries and Parks, the Director of the  
57Bureau of Narcotics, the Executive Officer of the Board of  
58Pharmacy, the Executive Director of the Mississippi Gaming  
59Commission, the State Auditor, the Executive Director of the  
60Mississippi Department of Marine Resources, the Executive Director  
61of the Department of Mental Health, or a president or chancellor  
62of a state institution of higher learning, the Governor may  
63authorize the use of specified unmarked vehicles only in instances  
64where such identifying marks will hinder official investigations,

65and the governing authorities of any municipality may authorize  
66the use of specified, unmarked police vehicles when identifying  
67marks would hinder official criminal investigations by the police.  
68 The written request or the order or resolution authorizing such  
69shall contain the manufacturer's serial number, the state  
70inventory number, where applicable, and shall set forth why the  
71vehicle should be exempt from the provisions of this paragraph.  
72In the event the request is granted, the Governor shall furnish  
73the State Department of Audit with a copy of his written authority  
74for the use of the unmarked vehicles, or the governing authority,  
75as the case may be, shall enter its order or resolution on the  
76minutes and shall furnish the State Department of Audit with a  
77certified copy of its order or resolution for the use of the  
78unmarked police vehicle. The state property auditors of the State  
79Department of Audit shall personally examine vehicles owned or  
80leased by the State of Mississippi or any agency, department or  
81commission thereof and report violations of the provisions of this  
82paragraph to the State Auditor and the Chairman of the Joint  
83Legislative Committee on Performance Evaluation and Expenditure  
84Review. Any vehicle found to be in violation of this paragraph  
85shall be reported immediately to the department head charged with  
86such vehicle, and five (5) days shall be given for compliance; and  
87if not complied with, such vehicles shall be impounded by the  
88State Auditor until properly marked or exempted.

89       Upon notification to the State Tax Commission by the State  
90Auditor that any municipality or political subdivision is not in  
91compliance with this section, the State Tax Commission shall  
92withhold any sales tax due for distribution to any such  
93municipality and any excise tax on gasoline, diesel fuel, kerosene  
94and oil due any such county and for any months thereafter, and  
95shall continue to withhold such funds until compliance with this  
96section is certified to the State Tax Commission by the State  
97Department of Audit.

98       County-owned motor vehicles operated by the sheriff's  
99department shall not be subject to the provisions of this section,

100but shall be subject to the provisions of Section 19-25-15.

101County-owned motor vehicles operated by a family court established  
102pursuant to Section 43-23-1 et seq., shall not be subject to the  
103provisions of this section.

104 State-owned or leased motor vehicles operated by the  
105Department of Mental Health or by facilities operated by the  
106Department of Mental Health and used for transporting patients  
107living in group homes or alternative living arrangements shall not  
108be subject to the provisions of this section.

109 Up to four (4) passenger automobiles owned or leased by  
110economic development districts or economic development authorities  
111shall not be subject to the provisions of this section.

112 State-owned or leased motor vehicles operated by the  
113Agricultural and Livestock Theft Bureau of the Department of  
114Agriculture and Commerce and used to investigate livestock theft  
115shall not be subject to the provisions of this section.

116 Up to three (3) motor vehicles owned or leased by the  
117Pascagoula Municipal Separate School District for use by district  
118security officers shall not be subject to the provisions of this  
119section.

120 Up to three (3) motor vehicles owned or leased by the  
121Department of Human Services for use only by the Program Integrity  
122Division and the executive director shall not be subject to the  
123provisions of this section.

124 The motor vehicles of a public airport shall not be subject  
125to the provisions of this section upon a finding by the governing  
126authority of such airport that marking a motor vehicle as required  
127in this section will compromise security at such airport.

128 SECTION 2. This act shall take effect and be in force from  
129and after July 1, 2000.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 25-1-87, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE USE OF UNMARKED VEHICLES BY THE MISSISSIPPI  
3 DEPARTMENT OF MARINE RESOURCES, THE DEPARTMENT OF HUMAN SERVICES,

4THE CAPITOL POLICE AND THE DEPARTMENT OF MENTAL HEALTH; AND FOR  
5RELATED PURPOSES.