

By: Representative Eakes

To: Ways and Means

HOUSE BILL NO. 1330

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

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

9 SECTION 1. (1) There is 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 under Sections
 21 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:

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 approved by the Mississippi
45 Military License Tag Design Approval Committee. Each distinctive
46 license plate shall bear the words of the name of the appropriate
47 armed service and need not bear prefixed numbers identifying the
48 county of issuance.

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

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

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

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

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

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

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

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

115 SECTION 3. Section 27-19-53, Mississippi Code of 1972, is
116 amended as follows:

117 27-19-53. (1) Any legal resident of the State of
118 Mississippi who is a veteran of service in the Armed Forces of the
119 United States, and who is rated as having one hundred percent
120 (100%) permanent service-connected disability by the Veterans'
121 Administration is privileged to purchase annually one (1) motor
122 vehicle license plate or tag in his or her county of legal
123 residence, for the sum of One Dollar (\$1.00) in total cost,
124 regardless of make or model of motor vehicle. The registration
125 year of such motor vehicle shall commence the first day of the

126 month in which application for registration is made, as provided
127 in Section 27-19-31.

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

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

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

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

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

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

156 (4) Any person evading or violating any of the provisions of
157 this section, or attempting to secure benefits hereunder to which
158 he is not entitled, shall be guilty of a misdemeanor and upon

159 conviction shall be fined not less than One Hundred Dollars
160 (\$100.00) nor more than One Thousand Dollars (\$1,000.00).

161 SECTION 4. Section 27-19-54, Mississippi Code of 1972, is
162 amended as follows:

163 27-19-54. (1) Any legal resident of the State of
164 Mississippi who was a prisoner of war or who is a recipient of the
165 Congressional Medal of Honor is privileged to obtain one (1) motor
166 vehicle license plate or tag on an annual basis in his county of
167 legal residence. The registration year of such motor vehicle
168 shall commence the first day of the month in which application for
169 registration is made, as provided in Section 27-19-31, Mississippi
170 Code of 1972.

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

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

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

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

192 (6) A license issued under this section shall not be
193 transferable to any other person; however, the surviving spouse of
194 a deceased person who was issued a license plate or tag under this
195 section shall be entitled to apply for or retain a license issued
196 under this section and may continue annually to renew registration
197 for one (1) motor vehicle license plate or tag under this section
198 for as long as the spouse remains unmarried. At the time of
199 application or renewal registration, a surviving spouse who
200 desires to retain the distinctive plate or tag issued under this
201 section shall file with the county tax collector a sworn statement
202 that the spouse is unmarried.

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

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

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

236 SECTION 5. Section 27-19-56.5, Mississippi Code of 1972, is
237 amended as follows:

238 27-19-56.5. In recognition of the patriotic service rendered
239 by Mississippians who survived the attack on Pearl Harbor and by
240 Mississippians who are recipients of the Purple Heart Medal, any
241 such person is privileged to obtain one (1) distinctive motor
242 vehicle license plate or tag identifying him as a Pearl Harbor
243 survivor or a Purple Heart Medal recipient. The distinctive
244 plates or tags shall be of a color and design designated and
245 approved by the Mississippi Military License Tag Design Approval
246 Committee.

247 The distinctive license plates shall be prepared by the Tax
248 Commission and shall be issued through the tax collectors of the
249 counties in the same manner as are other motor vehicle license
250 plates or tags. A tag fee of Fifteen Dollars (\$15.00), in
251 addition to all other taxes and fees, shall be collected by the
252 tax collector for the Pearl Harbor distinctive tag. Distinctive
253 tags issued to Purple Heart Medal recipients under the provisions
254 of this section shall be exempt from ad valorem taxes, privilege
255 taxes and all other taxes and fees. The surviving spouse of a
256 deceased person who was issued a Purple Heart Medal distinctive
257 license plate or tag under this section shall be entitled to apply

258 for or retain such license tag and may continue annually to renew
259 registration for one (1) such distinctive motor vehicle license
260 plate or tag for as long as the spouse remains unmarried. At the
261 time of application or renewal registration, a surviving spouse
262 who desires to retain such distinctive plate or tag shall file
263 with the county tax collector a sworn statement that the spouse is
264 unmarried, and any such vehicle when so registered shall not be
265 exempt from ad valorem taxes and privilege taxes. The tax
266 collector shall forward the additional fee of Fifteen Dollars
267 (\$15.00) charged for issuance of a Pearl Harbor distinctive tag to
268 the Tax Commission which shall deposit such fee to the credit of
269 the State General Fund. An applicant for a distinctive tag under
270 this section shall present to the issuing official either (a)
271 written proof that the applicant is an honorably discharged former
272 member of one (1) of the Armed Forces of the United States and,
273 while serving in the Armed Forces of the United States, was
274 present during the attack on the island of Oahu, Territory of
275 Hawaii, on December 7, 1941, between the hours of 7:55 a.m. and
276 9:45 a.m., Hawaii time, or (b) written proof that the applicant is
277 a Purple Heart Medal recipient. The distinctive license plates or
278 tags so issued shall be used only upon a personally or jointly
279 owned private passenger vehicle (to include station wagons,
280 recreational motor vehicles and pickup trucks) registered in the
281 name, or jointly in the name, of the person making application
282 therefor, and when issued to such person shall be used upon the
283 vehicle for which issued in lieu of the standard license plate or
284 license tag normally issued for such vehicle.

285 The distinctive license plates shall not be transferable
286 between motor vehicle owners; and in the event the owner of a
287 vehicle bearing a distinctive plate shall sell, trade, exchange or
288 otherwise dispose of the vehicle, such plate shall be retained by
289 such owner and returned to the tax collector.

290 SECTION 6. Section 27-19-56.12, Mississippi Code of 1972, is
291 amended as follows:

292 27-19-56.12. In recognition of the patriotic service
293 rendered by Mississippians who are honorably discharged veterans
294 who served in the United States Armed Forces, any such person is
295 privileged to obtain distinctive motor vehicle license plates or
296 tags for each motor vehicle registered in his name identifying his
297 status as a veteran. The State Tax Commission, with concurrence
298 by the Mississippi Military License Tag Design Approval Committee,
299 shall develop decals to be affixed to the license tag indicating
300 branch and period of military service. The distinctive plates or
301 tags shall be of a color and design designated and approved by the
302 Mississippi Military License Tag Design Approval Committee.

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

313 An applicant for such distinctive plates shall present to the
314 issuing official written evidence of the veteran's service. Such
315 evidence shall include a copy of the applicant's DD-214 form, a
316 Report of Separation from Military Service, a military discharge
317 document, or a written certification of military service from the
318 State Veterans Affairs Board. The distinctive license plates or
319 tags so issued shall be used only upon a personally or jointly
320 owned private passenger vehicle (to include station wagons,
321 recreational motor vehicles and pickup trucks) registered in the
322 name, or jointly in the name, of the person making application

323 therefor, and when issued to such person shall be used upon the
324 vehicle for which issued in lieu of the standard license plate or
325 license tag normally issued for such vehicle.

326 The distinctive license plates shall not be transferable
327 between motor vehicle owners; and in the event the owner of a
328 vehicle bearing a distinctive plate shall sell, trade, exchange or
329 otherwise dispose of the vehicle, such plate shall be retained by
330 such owner and returned to the tax collector.

331 SECTION 7. Section 27-19-56.13, Mississippi Code of 1972, is
332 amended as follows:

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

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

356 shall be used upon the vehicle for which issued in lieu of the
357 standard license plate or license tag normally issued for such
358 vehicle.

359 The distinctive license plates shall not be transferable
360 between motor vehicle owners; and in the event the owner of a
361 vehicle bearing a distinctive plate shall sell, trade, exchange or
362 otherwise dispose of the vehicle, such plate shall be retained by
363 such owner and returned to the tax collector.

364 SECTION 8. This act shall take effect and be in force from
365 and after July 1, 2001.