To: Finance

MISSISSIPPI LEGISLATURE REGULAR SESSION 2002
By: Senator(s) Kirby

SENATE BILL NO. 3045
(As Passed the Senate)

AN ACT TO AMEND SECTION 27-19-40, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT TEMPORARY TAGS OR PLATES ISSUED TO NONRESIDENTS SHALL BE VALID FOR THE NUMBER OF DAYS WITHIN WHICH THE NONRESIDENT IS REQUIRED TO OBTAIN A PERMANENT MOTOR VEHICLE LICENSE TAG OR PLATE BY THE LAWS OF THE NONRESIDENT'S STATE OF RESIDENCE; TO AUTHORIZE A MOTOR VEHICLE RENTAL COMPANY TO BE ISSUED A TEMPORARY LICENSE TAG UPON THE PURCHASE OF A MOTOR VEHICLE FROM A DEALER; TO PROVIDE THAT THE LICENSE TAG SHALL BE VALID FOR A PERIOD OF THIRTY DAYS; TO AUTHORIZE A MOTOR VEHICLE DEALER TO CHARGE A FEE FOR THE ISSUANCE OF SUCH LICENSE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 27-19-40, Mississippi Code of 1972, is amended as follows:

27-19-40. (1) A motor vehicle dealer or automobile auction may apply to the State Tax Commission for special in-transit tags or plates, which when properly displayed shall authorize the motor vehicle dealer or automobile auction to operate a motor vehicle upon the highways of this state without paying the annual highway privilege tax upon such vehicle and without attaching any other license tag or plate to such vehicle, if:

(a) The movement of the motor vehicle is for the purpose of sale of such vehicle to another motor vehicle dealer or automobile auction;

(b) The motor vehicle is being moved from the place of business of one motor vehicle dealer or automobile auction to the place of business of another motor vehicle dealer or automobile auction; and

(c) The special in-transit tag or plate is displayed in plain view on the motor vehicle in the manner prescribed by the State Tax Commission.
(2) A motor vehicle dealer or automobile auction may apply for a temporary tag or plate to be used when a motor vehicle in
this state is sold by the motor vehicle dealer or automobile
auction to a nonresident of the State of Mississippi or when a
motor vehicle is sold by a motor vehicle dealer or automobile
auction to a Mississippi resident who may temporarily exit this
state before obtaining a Mississippi tag or plate. Such tag or
plate when properly displayed shall authorize the purchaser of
such a motor vehicle to operate the motor vehicle upon the
highways of this state. The temporary tag or plate shall be valid
for a period of seven (7) full working days, exclusive of the date
of purchase, after the date the motor vehicle is purchased; however, if the temporary tag or plate is issued to a nonresident
of the State of Mississippi, the temporary tag or plate shall be
valid for the number of days within which the nonresident is
required to obtain a permanent motor vehicle license tag or plate
by the laws of the nonresident's state of residence.

(3) The State Tax Commission shall issue such tags or plates
to each motor vehicle dealer or automobile auction who applies for
them upon payment of a fee in an amount equal to Two Dollars
($2.00) for each in-transit tag or plate and Five Dollars ($5.00)
for each temporary tag or plate.

(4) Whenever a rental company acquires a vehicle from a
dealer by sale or otherwise, the rental company may apply for a
temporary tag or plate to be issued by the dealer. Such tag or
plate, when properly displayed, authorizes the rental company to
operate the motor vehicle upon the highways of this state. The
temporary tag or plate is valid for a period of thirty (30) full
working days, exclusive of the date of delivery. Any dealer
issuing a temporary tag under this subsection may collect from the
purchaser requesting the issuance of the temporary tag a fee in
the amount of Five Dollars ($5.00). The penalties established
under Section 27-19-63, are not applicable until after the
The tags or plates authorized pursuant to this section shall be designed by the State Tax Commission. The State Tax Commission shall adopt rules and regulations necessary to implement this section, including, but not limited to, rules and regulations establishing procedures for issuing such tags or plates and for the use and display of such tags or plates. Each motor vehicle dealer or automobile auction who is issued tags or plates pursuant to this section shall keep such records as may be required by the State Tax Commission.

Any motor vehicle dealer or automobile auction who uses a tag or plate issued pursuant to this section for a purpose that is not authorized by this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars ($1,000.00) and the use of all tags or plates issued to such motor vehicle dealer or automobile auction pursuant to this section shall be suspended for a period of one (1) year.

As used in this section, the terms "motor vehicle dealer" and "automobile auction" shall have the meanings ascribed to such terms in Section 27-19-303, Mississippi Code of 1972.