By: Representative Moak
To: Transportation

HOUSE BILL NO. 132

AN ACT TO REQUIRE MOTOR VEHICLE DISMANTLERS AND CRUSHERS TO NOTIFY LIENHOLDERS BEFORE DESTROYING MOTOR VEHICLES; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ACT; TO PROVIDE THAT THE STATE TAX COMMISSION SHALL INVESTIGATE AND PROSECUTE VIOLATORS OF THIS ACT; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) Any person, firm or corporation who dismantles, crushes or otherwise destroys motor vehicles shall determine if any lien exists upon a motor vehicle and notify any lienholders by certified mail before dismantling, crushing or destroying such motor vehicle. A lienholder shall have seven (7) days after receipt of notice to claim a motor vehicle. A reasonable effort shall be made to identify and notify any lienholder.

(2) Any person, firm or corporation who violates the provisions of subsection (1) of this section, upon conviction, shall be punished as follows:

(a) For a first offense by a fine of One Hundred Dollars ($100.00) per occurrence;

(b) For a second offense by a fine of Five Hundred Dollars ($500.00) per occurrence; and

(c) For a third or subsequent offense One Thousand Dollars ($1,000.00) per occurrence, the revocation of any business license for one (1) year and by imprisonment for not more than six (6) months.

(3) The State Tax Commission shall investigate and prosecute violators of this section. The State Tax Commission may utilize the assistance of any law enforcement agency to carry out the
provisions of this section. The tax assessors of the counties shall assist the State Tax Commission in performing its duties under this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.