

By: Senator(s) Burton

To: Judiciary

SENATE BILL NO. 2769

1 AN ACT TO AMEND SECTION 63-13-21, MISSISSIPPI CODE OF 1972,  
2 TO ALLOW ANY LAW ENFORCEMENT OFFICER TO ISSUE A CITATION TO A  
3 DRIVER FOR FAILURE TO DISPLAY A VALID INSPECTION STICKER ON THE  
4 MOTOR VEHICLE BEING DRIVEN; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 63-13-21, Mississippi Code of 1972, is  
7 amended as follows:

8 63-13-21. (1) (a) Members of the Mississippi Highway  
9 Safety Patrol may at any time, upon reasonable cause to believe  
10 that a vehicle is unsafe or not equipped as required by law, or  
11 that its equipment is not in proper adjustment or repair, require  
12 the driver of such vehicle to stop and submit such vehicle to an  
13 inspection and such test with reference thereto as may be  
14 reasonably appropriate. No person driving a vehicle shall refuse  
15 to submit such vehicle to an inspection and test when required to  
16 do so by a member of the Mississippi Highway Safety Patrol.

17 (b) The authority under this subsection (2) shall be  
18 limited to the inspection of the vehicle for mechanical defects  
19 and shall not authorize the search of the vehicle or the occupants  
20 thereof for any other purpose without due process of law.

21 Evidence of the commission of an unlawful act, procured by any  
22 inspection or test, shall not be admissible in any criminal  
23 prosecution except \* \* \* as may be provided for in this chapter.

24 (2) In the event a vehicle is found to be in unsafe  
25 condition, or any required part or equipment is not present or is  
26 not in proper repair and adjustment, the officer shall give a  
27 written notice to the driver and shall send a copy to the  
28 department. The notice shall require that the vehicle be placed



29 in safe condition and its equipment in proper repair and  
30 adjustment, specifying the particulars with reference thereto, and  
31 that a certificate of inspection and approval be obtained within  
32 five (5) days.

33 (3) All duly sworn law enforcement officers of incorporated  
34 municipalities or counties of this state may enforce the  
35 provisions of this chapter that require the display of a valid  
36 motor vehicle inspection certificate.

37 **SECTION 2.** This act shall take effect and be in force from  
38 and after October 1, 2003.

