To: Judiciary

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2003

By: Senator(s) Burton
To: Judiciary

SENATE BILL NO. 2769

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

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

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

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

(b) The authority under this subsection (2) shall be limited to the inspection of the vehicle for mechanical defects and shall not authorize the search of the vehicle or the occupants thereof for any other purpose without due process of law. Evidence of the commission of an unlawful act, procured by any inspection or test, shall not be admissible in any criminal prosecution except * * * as may be provided for in this chapter.

(2) In the event a vehicle is found to be in unsafe condition, or any required part or equipment is not present or is not in proper repair and adjustment, the officer shall give a written notice to the driver and shall send a copy to the department. The notice shall require that the vehicle be placed
in safe condition and its equipment in proper repair and
adjustment, specifying the particulars with reference thereto, and
that a certificate of inspection and approval be obtained within
five (5) days.

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

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