

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MADAM PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1095: Traffic tickets; authorize to be issued electronically (DPS).

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

10           **SECTION 1.** Section 63-9-21, Mississippi Code of 1972, is  
11 amended as follows:

12           63-9-21. (1) This section shall be known as the Uniform  
13 Traffic Ticket Law.

14           (2) All traffic tickets, except traffic tickets filed  
15 electronically as provided under subsection (8) of this section,  
16 shall be printed in the original and at least two (2) copies and  
17 such other copies as may be prescribed by the State Auditor. All  
18 traffic tickets shall be uniform as prescribed by the State  
19 Auditor and the Attorney General, except as otherwise provided in  
20 subsection (3)(b) and except that such state officers may alter  
21 the form and content of traffic tickets to meet the varying  
22 requirements of the different law enforcement agencies. The State  
23 Auditor and the Attorney General shall prescribe a separate  
24 traffic ticket, consistent with the provisions of subsection  
25 (3)(b) of this section, to be used exclusively for violations of  
26 the Mississippi Implied Consent Law.

27           (3) (a) Except as otherwise provided in paragraph (b) of  
28 this subsection, every traffic ticket issued by any sheriff,  
29 deputy sheriff, constable, county patrol officer, municipal police  
30 officer or State Highway Patrol officer for any violation of  
31 traffic or motor vehicle laws shall be issued on the uniform

32 traffic ticket consisting of an original and at least two (2)  
33 copies and such other copies as may be prescribed by the State  
34 Auditor.

35 (b) The traffic ticket, citation or affidavit which is  
36 issued to a person arrested for a violation of the Mississippi  
37 Implied Consent Law shall be uniform throughout all jurisdictions  
38 in the State of Mississippi. It shall contain a place for the  
39 trial judge hearing the case or accepting the guilty plea, as the  
40 case may be, to sign, stating that the person arrested either  
41 employed an attorney or waived his right to an attorney after  
42 having been properly advised of his right to have an attorney. If  
43 the person arrested employed an attorney, the name, address and  
44 telephone number of the attorney shall be written on the ticket,  
45 citation or affidavit.

46 (c) Every traffic ticket shall show, among other  
47 necessary information, the name of the issuing officer, the name  
48 of the court in which the cause is to be heard, and the date and  
49 time such person is to appear to answer the charge. The ticket  
50 shall include information which will constitute a complaint  
51 charging the offense for which the ticket was issued, and when  
52 duly sworn to and filed with a court of competent jurisdiction,  
53 prosecution may proceed thereunder.

54 (4) All traffic tickets, except traffic tickets filed  
55 electronically under subsection (8) of this section, shall be  
56 bound in book form, shall be consecutively numbered and each  
57 traffic ticket shall be accounted for to the officer issuing such  
58 book. Said traffic ticket books shall be issued to sheriffs,  
59 deputy sheriffs, constables and county patrol officers by the  
60 chancery clerk of their respective counties, to each municipal  
61 police officer by the clerk of the municipal court, and to each  
62 State Highway Patrol officer by the Commissioner of Public Safety.

63 (5) The chancery clerk, clerk of the municipal court and the  
64 Commissioner of Public Safety shall keep a record of all traffic  
65 ticket books issued and to whom issued, accounting for all books  
66 printed and issued.

67 (6) The original traffic ticket, unless the traffic ticket

68 is filed electronically as provided under subsection (8) of this  
69 section, shall be delivered by the officer issuing the traffic  
70 ticket to the clerk of the court to which it is returnable to be  
71 retained in that court's records and the number noted on the  
72 docket. The officer issuing the traffic ticket shall also give  
73 the accused a copy of the traffic ticket. The clerk of the court  
74 shall file a copy with the State Auditor within forty-five (45)  
75 days after judgment is rendered showing the amount of the fine and  
76 cost or, in cases in which no judgment has been rendered, within  
77 one hundred twenty (120) days after issuance of the ticket. Other  
78 copies that are prescribed by the State Auditor pursuant to this  
79 section shall be filed or retained as may be designated by the  
80 State Auditor. All copies shall be retained for at least two (2)  
81 years.

82 (7) Failure to comply with the provisions of this section  
83 shall constitute a misdemeanor and, upon conviction, shall be  
84 punishable by a fine of not less than Ten Dollars (\$10.00) nor  
85 more than One Hundred Dollars (\$100.00).

86 (8) (a) Law enforcement officers and agencies may file  
87 traffic tickets by computer or electronic means if the ticket  
88 conforms in all substantive respects, including layout and  
89 content, as provided under subsection (2) of this section. The  
90 provisions of subsection (4) of this section requiring tickets  
91 bound in book form do not apply to a ticket that is produced by  
92 computer or electronic means. Information concerning tickets  
93 produced by computer or electronic means shall be available for  
94 public inspection in substantially the same manner as provided for  
95 the uniform tickets described in subsection (2) of this section.

96 (b) The defendant shall be provided with a paper copy  
97 of the ticket. A law enforcement officer who files a ticket  
98 electronically shall be considered to have certified the ticket  
99 and has the same rights, responsibilities and liabilities as with  
100 all other tickets issued pursuant to this section.

101 (c) The provisions of this subsection (8) do not apply  
102 to tickets issued for a violation of the Mississippi Implied  
103 Consent Law.

104           **SECTION 2.** (1) That portion of Interstate Highway 10 in  
105 Hancock County beginning at the Mississippi/Louisiana state line  
106 and extending easterly to its intersection with Mississippi  
107 Highway 43 is designated and shall be known as the "Stephen E.  
108 Ambrose Memorial Highway."

109           (2) The Mississippi Department of Transportation shall erect  
110 and maintain appropriate signs along and approaching that portion  
111 of highway described in subsection (1) of this section.

112           **SECTION 3.** Section 1 of this act shall take effect and be in  
113 force from and after July 1, 2003. Section 2 of this act shall  
114 take effect and be in force from and after its passage.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT TO AMEND SECTION 63-9-21, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT TICKETS ISSUED UNDER THE UNIFORM TRAFFIC TICKET LAW  
3 MAY BE ISSUED BY COMPUTER OR ELECTRONIC MEANS; TO PRESCRIBE THE  
4 MANNER IN WHICH TICKETS ISSUED BY COMPUTER OR ELECTRONIC MEANS MAY  
5 BE FILED WITH THE COURT AND COPIES THEREOF DISSEMINATED; TO  
6 DESIGNATE A CERTAIN PORTION OF INTERSTATE HIGHWAY 10 IN HANCOCK  
7 COUNTY AS THE "STEPHEN AMBROSE MEMORIAL HIGHWAY"; AND FOR RELATED  
8 PURPOSES.

CONFEREES FOR THE HOUSE

**X** \_\_\_\_\_  
J. P. Compretta

**X** \_\_\_\_\_  
Randy Mitchell

**X** \_\_\_\_\_  
Clint Rotenberry

CONFEREES FOR THE SENATE

**X** \_\_\_\_\_  
Bennie L. Turner

**X** \_\_\_\_\_  
Robert L. Johnson III

**X** \_\_\_\_\_  
Thomas E. Robertson