

By: Representative Franks

To: Appropriations

## HOUSE BILL NO. 1358

1 AN ACT TO AMEND SECTION 25-1-77, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE ANY MOTOR VEHICLES PURCHASED BY A STATE AGENCY,  
3 DEPARTMENT, INSTITUTION OR AGENCY TO CONTAIN A HYBRID GAS-ELECTRIC  
4 MOTOR OR A MOTOR EQUIPPED FOR USING ALTERNATIVE FUELS; TO REQUIRE  
5 A STATE AGENCY, DEPARTMENT, INSTITUTION OR AGENCY TO PURCHASE A  
6 CERTAIN PERCENTAGE OF SUCH VEHICLES BY THE SCHEDULED TIME  
7 SPECIFIED IN THIS ACT; FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 25-1-77, Mississippi Code of 1972, is  
10 amended as follows:

11 25-1-77. (1) No state department, institution or agency  
12 shall purchase any motor vehicle, regardless of the source of  
13 funds from which the motor vehicle is to be purchased, except  
14 under authority granted by the Department of Finance and  
15 Administration. The Department of Finance and Administration  
16 shall promulgate rules and regulations governing the purchase of  
17 any motor vehicle by a state department, institution or agency  
18 with regard to the appropriateness of the vehicle to its intended  
19 use, which shall include the requirement set forth in Subsection  
20 (4). The Department of Finance and Administration shall not grant  
21 authority to purchase a motor vehicle which is not the most  
22 appropriate vehicle type for its intended use unless specifically  
23 approved by the Legislature.

24 (2) It is not the intent of the Legislature for the  
25 Department of Finance and Administration to determine the  
26 sufficient number of motor vehicles needed by each state  
27 department, institution or agency, but to regulate the purchase so  
28 that the vehicle is the most appropriate type for its intended  
29 use. Further, it is the intent of the Legislature that any motor

30 vehicle purchased shall be made with due concern for economical  
31 and efficient use, but shall also meet the needs of the  
32 department, institution or agency. The department, institution or  
33 agency shall maintain proper documentation signed by the executive  
34 director which provides the intended use of the vehicle and the  
35 basis for choosing the vehicle. Such documentation shall show  
36 that the department, institution or agency made reasonable efforts  
37 to purchase a vehicle that is economical and appropriate for its  
38 intended use. All such documentation shall be maintained and made  
39 available for review by the State Auditor and any other reviewing  
40 agency.

41 (3) The State Auditor shall make on-site visits and conduct  
42 audits necessary to ensure the intent of this section. On or  
43 before September 1 of each year, the State Auditor shall prepare  
44 and deliver to the Senate and House Fees, Salaries and  
45 Administration Committees and the Joint Legislative Budget  
46 Committee a report containing any irregularities that he finds  
47 concerning purchases of state-owned vehicles.

48 (4) (a) Beginning July 1, 2004, any motor vehicle purchased  
49 or leased by any state department, institution or agency shall  
50 contain a hybrid motor powered by a combination of gasoline and  
51 electricity or a motor equipped for using an alternative fuel.  
52 For purposes of this section, the term "alternative fuel" means  
53 compressed natural gas, liquefied petroleum gas, reformulated  
54 gasoline, methanol, ethanol, electricity, and any other fuel which  
55 meet or exceed federal Clean Air Act standards.

56 (b) All state departments, institutions or agencies  
57 shall achieve the following percentages of replacement vehicles  
58 containing a hybrid motor powered by a combination of gasoline and  
59 electricity, or a motor equipped for using alternative fuels, by  
60 the times specified:

61 (i) The percentage shall be equal to or greater  
62 than thirty percent (30%) of the number of the department's,

63 institution's or agency's fleet vehicles operated by January 1,  
64 2006.

65 (ii) The percentage shall be equal to or greater  
66 than fifty percent (50%) of the number of the department's,  
67 institution's or agency's fleet vehicles operated by January 1,  
68 2008.

69 (iii) The percentage shall be equal to or greater  
70 than seventy-five percent (75%) of the number of the department's,  
71 institution's or agency's fleet vehicles operated by January 1,  
72 2010.

73 (c) The State Auditor in its annual report to the  
74 Senate and House Conservation and Water Committees and the Joint  
75 Legislative Budget Committee shall show the progress in achieving  
76 the percentage requirements prescribed in paragraph (b).

77 **SECTION 2.** This act shall take effect and be in force from  
78 and after July 1, 2004.