

By: Representative Miles

To: Transportation

HOUSE BILL NO. 221

1 AN ACT TO AUTHORIZE THE OWNER OF AN ALL-TERRAIN VEHICLE TO
2 VOLUNTARILY REGISTER SUCH VEHICLE WITH THE SHERIFF'S DEPARTMENT OF
3 THE COUNTY OF HIS OR HER RESIDENCE; TO REQUIRE THE DEPARTMENT OF
4 PUBLIC SAFETY TO ESTABLISH A STATEWIDE ALL-TERRAIN VEHICLE
5 REGISTRATION NETWORK DESIGNED TO PROVIDE IMMEDIATE RESPONSE TO
6 SHERIFFS' DEPARTMENTS AND LAW ENFORCEMENT AGENCIES WITH REGARD TO
7 REPORTS OR COMPLAINTS OF STOLEN OR MISSING ALL-TERRAIN VEHICLES;
8 TO PROVIDE FOR THE COLLECTION AND DISPOSITION OF FEES FOR
9 OPERATION AND MAINTENANCE OF THE NETWORK; AND FOR RELATED
10 PURPOSES.

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

12 **SECTION 1.** (1) The term "all-terrain vehicle" or "ATV," as
13 used in this section, means any motorized vehicle manufactured and
14 designed exclusively for off-road use that is fifty (50) inches or
15 less in width, has an unladen dry weight of six hundred (600)
16 pounds or less, travels on three (3), four (4) or more low
17 pressure tires, has a seat designed to be straddled by the
18 operator and uses handlebars for steering control.

19 (2) Beginning July 1, 2005, any owner of an all-terrain
20 vehicle who is a resident of this state, in his or her discretion,
21 and upon payment of the fee prescribed in subsection (4) of this
22 section, may register such vehicle with the sheriff of the county
23 in which the owner resides. Registration shall be made in
24 duplicate on a form prepared and provided to the sheriff by the
25 Mississippi Department of Public Safety. Each form shall include
26 (a) the name and address of the owner of the vehicle; (b) the age
27 and sex of the owner; (c) the make, model and serial number of the
28 vehicle; (d) the name and address of the person, firm or business
29 from whom such vehicle was acquired or purchased and the date of
30 acquisition or purchase; and (e) the place where such vehicle is
31 usually kept.

32 (3) The original registration form shall be retained by the
33 sheriff in a safe and convenient file to be furnished him by the
34 board of supervisors for that purpose and also may be recorded on
35 computer or other electronic format. All registrations shall be
36 filed and arranged and/or formatted for retrieval in alphabetical
37 order and shall be open to public inspection as required under the
38 Mississippi Public Records Act of 1983. A copy of the
39 registration form shall be forwarded to the Department of Public
40 Safety within thirty (30) days after completion of registration.
41 The department shall file and maintain copies of all registrations
42 filed with it and shall establish and maintain a statewide ATV
43 registration network designed to provide immediate response to
44 sheriffs' departments and other law enforcement agencies with
45 regard to reports or complaints of stolen or missing ATVs. At the
46 time of registration, the sheriff shall issue to the registrant a
47 decal for placement on the ATV. The decal shall be designed by
48 the Department of Public Safety and shall be provided to the
49 sheriff by the department. Each decal shall contain such numbers
50 and/or other vehicle identifying information as the Department of
51 Public Safety may prescribe.

52 (4) At the time of registration, the registrant shall pay to
53 the sheriff a one-time fee of Ten Dollars (\$10.00). Eight Dollars
54 (\$8.00) of the fee shall be forwarded to the Department of Public
55 Safety at the time that the sheriff's department is required under
56 subsection (3) of this section to provide the department with a
57 copy of the registration. Two Dollars (\$2.00) of the fee shall be
58 retained by the sheriff and shall be paid to the chancery clerk
59 for deposit into the general fund of the county. The fees
60 received by the Department of Public Safety shall be expended by
61 the department, upon appropriation by the Legislature, for the
62 expenses the department incurs in complying with the provisions of
63 this section.

64 **SECTION 2.** This act shall take effect and be in force from
65 and after July 1, 2005.