

By: Representative Franks

To: Transportation;
Appropriations

HOUSE BILL NO. 901

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; AND 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, 2006, 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 2009.

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 2011.

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, 2006.