

By: Representatives Bentz, Stevens

To: Transportation

HOUSE BILL NO. 1260

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

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

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

18 (2) Beginning July 1, 2006, every owner of an all-terrain
19 vehicle who is a resident of this state, shall register such
20 vehicle with the sheriff of the county in which the owner resides.
21 Registration shall be made in duplicate on a form prepared and
22 provided to the sheriff by the Mississippi Department of Public
23 Safety. Each form shall include (a) the name and address of the
24 owner of the vehicle; (b) the age and sex of the owner; (c) the
25 make, model and serial number of the vehicle; (d) the name and
26 address of the person, firm or business from whom such vehicle was
27 acquired or purchased and the date of acquisition or purchase; and
28 (e) the place where such vehicle is usually kept.

29 (3) The original registration form shall be retained by the
30 sheriff in a safe and convenient file to be furnished him by the

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

49 (4) At the time of registration, the registrant shall pay to
50 the sheriff a one-time fee of Ten Dollars (\$10.00). Eight Dollars
51 (\$8.00) of the fee shall be forwarded to the Department of Public
52 Safety at the time that the sheriff's department is required under
53 subsection (3) of this section to provide the department with a
54 copy of the registration. Two Dollars (\$2.00) of the fee shall be
55 retained by the sheriff and shall be paid to the chancery clerk
56 for deposit into the general fund of the county. The fees
57 received by the Department of Public Safety shall be expended by
58 the department, upon appropriation by the Legislature, for the
59 expenses the department incurs in complying with the provisions of
60 this section.

61 **SECTION 2.** This act shall take effect and be in force from
62 and after July 1, 2006.