

By: Representatives Horne, Nelson, Hines,
Steverson, Clark, Brown (20th)

To: Transportation;
Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 982

1 AN ACT TO REPEAL SECTIONS 63-13-1 THROUGH 63-13-29,
2 MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR ANNUAL SAFETY
3 INSPECTIONS OF MOTOR VEHICLES AND FOR THE ISSUANCE OF CERTIFICATES
4 OF INSPECTION; TO AMEND SECTIONS 63-1-33 AND 63-7-59, MISSISSIPPI
5 CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** Sections 63-13-1, 63-13-3, 63-13-5, 63-13-7,
9 63-13-8, 63-13-9, 63-13-11, 63-13-13, 63-13-15, 63-13-17,
10 63-13-19, 63-13-21, 63-13-23, 63-13-25, 63-13-27 and 63-13-29,
11 Mississippi Code of 1972, which provide for annual safety
12 inspections of motor vehicles and for the issuance of certificates
13 of inspection, are repealed.

14 **SECTION 2.** Section 63-1-33, Mississippi Code of 1972, is
15 amended as follows:

16 63-1-33. (1) Except as otherwise provided under subsection
17 (6) of this section, it shall be the duty of the license examiner,
18 when application is made for an operator's license or regular
19 learner's permit, to test the applicant's ability to read and
20 understand road signs and to give the required signals as adopted



21 by the National Advisory Committee on Uniform Traffic Control
22 Devices and the American Association of Motor Vehicle
23 Administrators.

24 (2) Except as otherwise provided under subsection (6) of
25 this section, the commissioner shall have prepared and administer
26 a test composed of at least ten (10) questions relating to the
27 safe operation of a motor vehicle and testing the applicant's
28 knowledge of the proper operation of a motor vehicle. Every
29 examination shall ensure adequate knowledge on the part of the
30 applicant as to school bus safety requirements.

31 (3) Prior to the administration of the test, the license
32 examiner shall inspect the horn, lights, brakes, * * * vehicle
33 registration and proof of liability coverage of the motor vehicle
34 which the applicant expects to operate while being tested, and if
35 he finds that any of the aforementioned items are deficient, no
36 license or endorsement shall be issued to the applicant until same
37 have been repaired.

38 (4) An applicant for a Mississippi driver's license who, at
39 the time of application, holds a valid motor vehicle driver's
40 license issued by another state shall not be required to take a
41 written test.

42 (5) Except as otherwise provided by Section 63-1-6, when
43 application is made for an original motorcycle endorsement, the
44 applicant shall be required to pass a written test which consists
45 of questions relating to the safe operation of a motorcycle and a



46 skill test similar to the "Motorcycle Operator Skill Test," which
47 is endorsed by the American Association of Motor Vehicle
48 Administrators. The commissioner may exempt any applicant from
49 the skill test if the applicant presents a certificate showing
50 successful completion of a course approved by the commissioner,
51 which includes a similar examination of skills needed in the safe
52 operation of a motorcycle.

53 (6) The Department of Public Safety may accept the
54 certification of successful completion of an individual's training
55 in the knowledge and skills needed for the proper and safe
56 operation of a motor vehicle from a driver education and training
57 program at a secondary school that meets the standards of the
58 department, in lieu of the department administering the
59 examination of the individual for the purpose of obtaining a
60 driver's license. The commissioner and the State Board of
61 Education shall jointly promulgate rules and regulations for the
62 administration of this subsection.

63 **SECTION 3.** Section 63-7-59, Mississippi Code of 1972, is
64 amended as follows:

65 63-7-59. (1) No person shall drive any motor vehicle
66 required to be registered in this state upon the public roads,
67 streets or highways in this state with any sign or poster, or with
68 any glazing material which causes a mirrored effect, upon the
69 front windshield, side wings or side or rear windows of the
70 vehicle, other than a certificate or other paper required or



71 authorized to be so displayed by law. No person shall drive any
72 motor vehicle required to be registered in this state upon the
73 public roads, streets or highways in this state with any tinted
74 film, glazing material or darkening material of any kind on the
75 windshield of a motor vehicle except material designed to replace
76 or provide a sun shield in the uppermost area as authorized to be
77 installed by manufacturers of vehicles under federal law.

78 (2) From and after July 1, 2006, no person shall drive any
79 motor vehicle required to be registered in this state upon the
80 public roads, streets or highways in this state with any window
81 tinted or darkened, by tinted film or otherwise, unless:

82 (a) * * * The vehicle * * * has a light transmittance
83 of twenty-eight percent (28%) or more; or

84 (b) The owner or operator of the vehicle has a
85 certificate of medical exemption issued under subsection (4) of
86 this section.

87 (3) The prohibitions of subsection (2) of this section shall
88 not apply to (a) school buses, other buses used for public
89 transportation, any bus or van owned or leased by a nonprofit
90 organization duly incorporated under the laws of this state or any
91 funeral home services vehicle, any limousine owned or leased by a
92 private or public entity, or any government-owned law enforcement
93 or fire department vehicle or any volunteer fire department
94 vehicle; (b) any window behind the front two (2) side windows,
95 including the rear window, of any pickup truck, van, motor home,



96 recreational vehicle, sport utility vehicle or multipurpose
97 vehicle that has been tinted or darkened after factory delivery to
98 the extent that the light transmittance of the window meets the
99 minimum light transmittance requirements authorized to be
100 installed for that window and for that vehicle under federal law
101 or regulations before factory delivery; or (c) any other motor
102 vehicle the windows of which have been tinted or darkened before
103 factory delivery as permitted by federal law or federal
104 regulations.

105 (4) Notwithstanding the provisions of subsection (2) of this
106 section, it shall be lawful for any person who has been diagnosed
107 by a physician licensed to practice medicine in the State of
108 Mississippi as having a physical condition or disease that is
109 seriously aggravated by minimum exposure to sunlight to place or
110 have placed upon the windshield or windows of any motor vehicle
111 which he owns or operates or within which he regularly travels as
112 a passenger tinted film or other darkening material that would
113 otherwise be in violation of this section. However, any vehicle,
114 in order to be exempt under this subsection (4), shall have
115 prominently displayed on the vehicle dashboard a certificate of
116 medical exemption on a form prepared by the Commissioner of Public
117 Safety and signed by the person on whose behalf the certificate is
118 issued. The special certificate authorized by this subsection (4)
119 shall be issued free of charge to the applicants through the
120 offices of the tax collectors of the counties. Each applicant



121 shall present to the issuing official (a) an affidavit signed
122 personally by the applicant and signed and attested by a physician
123 which states the applicant's physical condition or disease which
124 entitles him to an exemption under this subsection (4); and (b)
125 proof of ownership of the motor vehicle by the applicant, or a
126 signed affidavit by the owner of a motor vehicle operated for the
127 use of the applicant, for which he is obtaining the certificate.

128 (5) The windshield on every motor vehicle shall be equipped
129 with a device for cleaning rain, snow or other moisture from the
130 windshield, which device shall be so constructed as to be
131 controlled or operated by the driver of the vehicle.

132 * * *

133 (* * *6) No person shall install any tinted film, darkening
134 material, glazing material or any other material upon the
135 windshield or any window of a motor vehicle which, after the
136 installation thereof, would result in such vehicle being in
137 violation of subsection (2) of this section.

138 * * *

139 (* * *7) It shall be unlawful for any person to alter or
140 reproduce any label or certificate of medical exemption approved
141 by the Commissioner of Public Safety under this section for the
142 purpose of misleading law enforcement officers or motor vehicle
143 inspection stations, or to knowingly use any approved label or
144 certificate except as authorized by this section.



145 (* * *8) Any person violating subsection (6) or (7) * * *
146 of this section, upon conviction, shall be punished by a fine of
147 not more than One Thousand Dollars (\$1,000.00), or imprisonment in
148 the county jail for not more than three (3) months, or by both
149 such fine and imprisonment.

150 (* * *9) Any violation of this section other than a
151 violation of subsection (6) or (7) * * * of this section shall be
152 punishable upon conviction as provided in Section 63-7-7.

153 (* * *10) Violations of this section shall be enforced only
154 by law enforcement officers of the Mississippi Department of
155 Public Safety and municipal law enforcement officers of
156 municipalities having a population of two thousand (2,000) or more
157 on the public roads, streets and highways under their
158 jurisdiction.

159 (* * *11) The Department of Public Safety shall initiate a
160 public awareness program designed to inform and educate persons of
161 the provisions of this section. Funds for such public awareness
162 program shall be available through the office of the Governor's
163 representative for highway safety programs.

164 **SECTION 4.** This act shall take effect and be in force from
165 and after July 1, 2015.

