

By: Representative Hood (By Request)

To: Judiciary A;
Transportation

HOUSE BILL NO. 1043

1 AN ACT TO AUTHORIZE THE OPERATION OF CERTAIN LOW-SPEED
2 VEHICLES ON PUBLIC HIGHWAYS, ROADS AND STREETS ON WHICH THE POSTED
3 SPEED LIMIT IS 35 MILES PER HOUR OR LESS; TO PROVIDE THAT SUCH
4 VEHICLES MAY BE OPERATED ON SUCH PUBLIC ROADS AND STREETS ONLY BY
5 THE HOLDER OF A VALID DRIVER'S LICENSE OR TEMPORARY DRIVER'S
6 PERMIT; TO AUTHORIZE COUNTIES, MUNICIPALITIES AND THE MISSISSIPPI
7 DEPARTMENT OF TRANSPORTATION TO PROHIBIT THE OPERATION OF SUCH
8 VEHICLES UPON STREETS UNDER THEIR JURISDICTION IF SUCH PROHIBITION
9 IS IN THE INTEREST OF SAFETY; TO REQUIRE SUCH VEHICLES TO BE
10 REGISTERED WITH THE DEPARTMENT OF REVENUE FOR THE PURPOSE OF THE
11 ISSUANCE OF A LICENSE TAG; TO SPECIFY THE REQUIREMENTS FOR THE
12 DESIGN AND DISPLAY OF THE LICENSE TAG; TO AUTHORIZE THE ISSUANCE
13 OF PERSONALIZED LICENSE TAGS FOR SUCH VEHICLES; TO AMEND SECTIONS
14 63-1-7, 63-3-103, 27-19-3, 27-19-43, 27-19-48, 27-19-56, 27-51-5,
15 27-51-41.1, 63-15-3, 63-17-55, 63-17-155, 63-21-5 AND 17-17-403,
16 MISSISSIPPI CODE OF 1972, IN CONFORMITY WITH THE PROVISIONS OF
17 THIS ACT; TO BRING FORWARD SECTION 27-19-5, MISSISSIPPI CODE OF
18 1972, WHICH RELATES TO THE ANNUAL HIGHWAY PRIVILEGE TAX; TO BRING
19 FORWARD SECTION 27-19-25, MISSISSIPPI CODE OF 1972, WHICH PROVIDES
20 THAT NO MUNICIPALITY, LEVEE DISTRICT, COUNTY, DRAINAGE DISTRICT OR
21 OTHER POLITICAL SUBDIVISION SHALL IMPOSE A PRIVILEGE TAX OR
22 REGISTRATION FEE UPON ANY MOTOR VEHICLE; TO REPEAL CHAPTER 938,
23 LAWS OF 2012, WHICH AUTHORIZES THE CITY OF DIAMONDHEAD,
24 MISSISSIPPI, TO ALLOW THE OPERATION OF LOW-SPEED VEHICLES AND
25 CHAPTER 909, LAWS OF 2013, WHICH AUTHORIZES THE CITY OF PASS
26 CHRISTIAN, MISSISSIPPI, TO ALLOW THE OPERATION OF LOW-SPEED
27 VEHICLES; AND FOR RELATED PURPOSES.

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

29 **SECTION 1.** (1) As used in this act, "low-speed vehicle"
30 means any four-wheeled electric or gasoline powered vehicle that



31 has a top speed greater than twenty (20) miles per hour but less
32 than twenty-five (25) miles per hour and complies with all of the
33 provisions set forth in 49 CFR 571.500. The term "low-speed
34 vehicle" includes golf carts that comply with all of the
35 provisions set forth in 49 CFR 571.500.

36 (2) As used in this act, "golf cart" means a motor vehicle
37 that is designed and manufactured for operation on a golf course
38 for sporting or recreational purposes and that is not capable of
39 exceeding speeds of twenty (20) miles per hour.

40 (3) A low-speed vehicle may be operated only on public
41 highways, roads and streets where the posted speed limit is
42 thirty-five (35) miles per hour or less. This subsection does not
43 prohibit a low-speed vehicle from crossing a highway, road or
44 street at an intersection where the highway, road or street has a
45 posted speed limit of more than thirty-five (35) miles per hour.

46 (4) A county or municipality may prohibit the operation of
47 low-speed vehicles on any public highway, road or street under its
48 jurisdiction if the governing body of the county or municipality
49 determines that the prohibition is necessary in the interest of
50 public safety.

51 (5) The Department of Transportation may prohibit the
52 operation of low-speed vehicles on any public highway, road or
53 street under its jurisdiction if it determines that the
54 prohibition is necessary in the interest of safety.



55 (6) Any person operating a low-speed vehicle on a public
56 highway, road or street pursuant to this act must have in
57 possession a valid driver's license or temporary driver's permit
58 and proof of financial responsibility as required under Section
59 63-15-1 et seq.

60 **SECTION 2.** (1) It is the intent of the Legislature that any
61 low-speed vehicle or golf cart that will not be operated on any
62 public road, street or highway, and will only be operated on any
63 private road, private land or golf course shall not be required to
64 register the vehicle with the Department of Revenue as required
65 for motor vehicles. The crossing of any public road, street or
66 highway by a low-speed vehicle or golf cart shall not constitute
67 the operation of a low-speed vehicle or golf cart on a public
68 road, street or highway for the purposes of this act.

69 (2) Every low-speed vehicle that is to be operated on a
70 public highway, road or street shall be registered with the
71 Department of Revenue as required for motor vehicles and trailers
72 under Section 27-19-31 for the purpose of the issuance of a
73 license tag. Every low-speed vehicle that is not going to be
74 operated on a public highway or street shall not be required to
75 register with the Department of Revenue as required for motor
76 vehicles.

77 (3) The tag for low-speed vehicles shall be in every respect
78 similar to the ordinary vehicle tag, subject to regulations of the
79 department, with the exception that it shall be only six (6)



80 inches wide, and three (3) inches high. It shall have the number
81 and abbreviation "MISS." and an appropriate area provided for year
82 and month decals, and shall be fastened immovably, in an upright
83 position, at the rear of the low-speed vehicle, so that it will be
84 plainly visible and legible at all times from the rear of the
85 low-speed vehicle.

86 (4) Notwithstanding the provisions of this section,
87 personalized license tags and special license tags may be issued
88 for low-speed vehicles as provided in Sections 27-19-48 and
89 27-19-56.

90 **SECTION 3.** Section 63-1-7, Mississippi Code of 1972, is
91 amended as follows:

92 63-1-7. No license issued pursuant to this article shall be
93 required of:

94 (a) Any person while operating a motor vehicle for
95 military purposes, if the person is a member of the United States
96 Armed Forces or Reserves on active duty, a member of the National
97 Guard on active duty or full-time National Guard duty, a National
98 Guard military technician, or participating in part-time National
99 Guard training.

100 (b) Any nonresident person who has in his immediate
101 possession a valid license to drive a motor vehicle on the
102 highways of his home state or country, issued to him by the proper
103 authorities of his home state or country, or of any nonresident
104 person whose home state or country does not require the licensing



105 of a person to operate a motor vehicle on the highways but does
106 require him to be duly registered. Such person being eighteen
107 (18) years of age or older may operate a motor vehicle in the
108 state for a period of sixty (60) days without securing a license.
109 However, any nonresident person operating a motor vehicle in this
110 state shall be subject to all the provisions of this article,
111 except as specified above.

112 (c) Any person while operating a road roller, road
113 machinery or any farm tractor or implement of husbandry
114 temporarily drawn, moved or propelled on the highways.

115 (d) Any engineer or motorman using tracks for road or
116 street, though used in the streets.

117 (e) Any person while operating an electric personal
118 assistive mobility device as defined in Section 63-3-103.

119 (f) Any person while operating a low-speed vehicle or
120 golf cart as defined in Section 1 of House Bill No. ,2015
121 Regular Session, on any private road, private land or golf course.

122 **SECTION 4.** Section 63-3-103, Mississippi Code of 1972, is
123 amended as follows:

124 63-3-103. (a) "Vehicle" means every device in, upon or by
125 which any person or property is or may be transported or drawn
126 upon a highway, except devices used exclusively upon stationary
127 rails or tracks.

128 (b) "Motor vehicle" means every vehicle which is
129 self-propelled and every vehicle which is propelled by electric



130 power obtained from overhead trolley wires, but not operated upon
131 rails. The term "motor vehicle" includes any low-speed vehicle,
132 that is operated on public highway, road or street as defined in
133 Section 1 of House Bill No. _____, 2015 Regular Session. The term
134 "motor vehicle" shall not include electric personal assistive
135 mobility devices.

136 (c) "Motorcycle" means every motor vehicle having a saddle
137 for the use of the rider and designed to travel on not more than
138 three (3) wheels in contact with the ground but excluding a
139 tractor.

140 (d) "Authorized emergency vehicle" means every vehicle of
141 the fire department (fire patrol), every police vehicle, every 911
142 Emergency Communications District vehicle, every such ambulance
143 and special use EMS vehicle as defined in Section 41-59-3, every
144 Mississippi Emergency Management Agency vehicle as is designated
145 or authorized by the Executive Director of MEMA and every
146 emergency vehicle of municipal departments or public service
147 corporations as is designated or authorized by the commission or
148 the chief of police of an incorporated city.

149 (e) "School bus" means every motor vehicle operated for the
150 transportation of children to or from any school, provided same is
151 plainly marked "School Bus" on the front and rear thereof and
152 meets the requirements of the State Board of Education as
153 authorized under Section 37-41-1.



154 (f) "Recreational vehicle" means a vehicular type unit
155 primarily designed as temporary living quarters for recreational,
156 camping or travel use, which either has its own motive power or is
157 mounted on or drawn by another vehicle and includes travel
158 trailers, fifth-wheel trailers, camping trailers, truck campers
159 and motor homes.

160 (g) "Motor home" means a motor vehicle that is designed and
161 constructed primarily to provide temporary living quarters for
162 recreational, camping or travel use.

163 (h) "Electric assistive mobility device" means a
164 self-balancing two-tandem wheeled device, designed to transport
165 only one (1) person, with an electric propulsion system that
166 limits the maximum speed of the device to fifteen (15) miles per
167 hour.

168 (i) "Low-speed vehicle" has the same meaning as provided in
169 Section 1 of House Bill No. , 2015 Regular Session.

170 **SECTION 5.** Section 27-19-3, Mississippi Code of 1972, is
171 amended as follows:

172 27-19-3. (a) The following words and phrases when used in
173 this article for the purpose of this article have the meanings
174 respectively ascribed to them in this section, except in those
175 instances where the context clearly describes and indicates a
176 different meaning:

177 (1) "Vehicle" means every device in, upon or by which
178 any person or property is or may be transported or drawn upon a



179 public highway, except devices moved by muscular power or used
180 exclusively upon stationary rails or tracks.

181 (2) "Commercial vehicle" means every vehicle used or
182 operated upon the public roads, highways or bridges in connection
183 with any business function.

184 (3) "Motor vehicle" means every vehicle as defined in
185 this section which is self-propelled, including, but not limited
186 to, trackless street or trolley cars, and low-speed vehicles, that
187 are operated on any public highway, road or street as defined in
188 Section 1 of House Bill No. _____, 2015 Regular Session. The term
189 "motor vehicle" shall not include electric personal assistive
190 mobility devices as defined in Section 63-3-103.

191 (4) "Tractor" means every vehicle designed, constructed
192 or used for drawing other vehicles.

193 (5) "Motorcycle" means every vehicle designed to travel
194 on not more than three (3) wheels in contact with the ground,
195 except vehicles included within the term "tractor" as herein
196 classified and defined.

197 (6) "Truck tractor" means every motor vehicle designed
198 and used for drawing other vehicles and so constructed as to carry
199 a load other than a part of the weight of the vehicle and load so
200 drawn and has a gross vehicle weight (GVW) in excess of ten
201 thousand (10,000) pounds.



202 (7) "Trailer" means every vehicle without motive power,
203 designed to carry property or passengers wholly on its structure
204 and which is drawn by a motor vehicle.

205 (8) "Semitrailer" means every vehicle (of the trailer
206 type) so designed and used in conjunction with a truck tractor.

207 (9) "Foreign vehicle" means every motor vehicle,
208 trailer or semitrailer, which shall be brought into the state
209 otherwise than by or through a manufacturer or dealer for resale
210 and which has not been registered in this state.

211 (10) "Pneumatic tires" means all tires inflated with
212 compressed air.

213 (11) "Solid rubber tires" means every tire made of
214 rubber other than pneumatic tires.

215 (12) "Solid tires" means all tires, the surface of
216 which in contact with the highway is wholly or partly of metal or
217 other hard, nonresilient material.

218 (13) "Person" means every natural person, firm,
219 copartnership, corporation, joint-stock or other association or
220 organization.

221 (14) "Owner" means a person who holds the legal title
222 of a vehicle or in the event a vehicle is the subject of an
223 agreement for the conditional sale, lease or transfer of the
224 possession, the person with the right of purchase upon performance
225 of conditions stated in the agreement, and with an immediate right
226 of possession vested in the conditional vendee, lessee, possessor



227 or in the event such or similar transaction is had by means of a
228 mortgage, and the mortgagor of a vehicle is entitled to
229 possession, then such conditional vendee, lessee, possessor or
230 mortgagor shall be deemed the owner for the purposes of this
231 article.

232 (15) "School bus" means every motor vehicle engaged
233 solely in transporting school children or school children and
234 teachers to and from schools; however, such vehicles may transport
235 passengers on weekends and legal holidays and during summer months
236 between the terms of school for compensation when the
237 transportation of passengers is over a route of which not more
238 than fifty percent (50%) traverses the route of a common carrier
239 of passengers by motor vehicle and when no passengers are picked
240 up on the route of any such carrier.

241 (16) "Dealer" means every person engaged regularly in
242 the business of buying, selling or exchanging motor vehicles,
243 trailers, semitrailers, trucks, tractors or other character of
244 commercial or industrial motor vehicles in this state, and having
245 an established place of business in this state.

246 (17) "Highway" means and includes every way or place of
247 whatever nature, including public roads, streets and alleys of
248 this state generally open to the use of the public or to be opened
249 or reopened to the use of the public for the purpose of vehicular
250 travel, and notwithstanding that the same may be temporarily



251 closed for the purpose of construction, reconstruction,
252 maintenance or repair.

253 (18) "State Tax Commission," "commission" or
254 "department" means the Commissioner of Revenue of the Department
255 of Revenue of this state, acting directly or through his duly
256 authorized officers, agents, representatives and employees.

257 (19) "Common carrier by motor vehicle" means any person
258 who or which undertakes, whether directly or by a lease or any
259 other arrangement, to transport passengers or property or any
260 class or classes of property for the general public in interstate
261 or intrastate commerce on the public highways of this state by
262 motor vehicles for compensation, whether over regular or irregular
263 routes. The term "common carrier by motor vehicle" shall not
264 include passenger buses operating within the corporate limits of a
265 municipality in this state or not exceeding five (5) miles beyond
266 the corporate limits of the municipality, and hearses, ambulances,
267 and school buses as such. In addition, this definition shall not
268 include taxicabs.

269 (20) "Contract carrier by motor vehicle" means any
270 person who or which under the special and individual contract or
271 agreements, and whether directly or by a lease or any other
272 arrangement, transports passengers or property in interstate or
273 intrastate commerce on the public highways of this state by motor
274 vehicle for compensation. The term "contract carrier by motor
275 vehicle" shall not include passenger buses operating wholly within



276 the corporate limits of a municipality in this state or not
277 exceeding five (5) miles beyond the corporate limits of the
278 municipality, and hearses, ambulances, and school buses as such.
279 In addition, this definition shall not include taxicabs.

280 (21) "Private commercial and noncommercial carrier of
281 property by motor vehicle" means any person not included in the
282 terms "common carrier by motor vehicle" or "contract carrier by
283 motor vehicle," who or which transports in interstate or
284 intrastate commerce on the public highways of this state by motor
285 vehicle, property of which such person is the owner, lessee, or
286 bailee, other than for hire. The term "private commercial and
287 noncommercial carrier of private property by motor vehicle" shall
288 not include passenger buses operated wholly within the corporate
289 limits of a municipality of this state, or not exceeding five (5)
290 miles beyond the corporate limits of the municipality, and
291 hearses, ambulances, and school buses as such. In addition, this
292 definition shall not include taxicabs.

293 Haulers of fertilizer shall be classified as private
294 commercial carriers of property by motor vehicle.

295 (22) "Private carrier of passengers" means all other
296 passenger motor vehicle carriers not included in the above
297 definitions. The term "private carrier of passengers" shall not
298 include passenger buses operating wholly within the corporate
299 limits of a municipality in this state, or not exceeding five (5)
300 miles beyond the corporate limits of the municipality, and



301 hearses, ambulances, and school buses as such. In addition, this
302 definition shall not include taxicabs.

303 (23) "Operator" means any person, partnership,
304 joint-stock company or corporation operating on the public
305 highways of the state one or more motor vehicles as the beneficial
306 owner or lessee.

307 (24) "Driver" means the person actually driving or
308 operating such motor vehicle at any given time.

309 (25) "Private carrier of property" means any person
310 transporting property on the highways of this state as defined
311 below:

312 (* * *i) Any person, or any employee of such
313 person, transporting farm products, farm supplies, materials
314 and/or equipment used in the growing or production of his own
315 agricultural products in his own truck.

316 (* * *ii) Any person transporting his own fish,
317 including shellfish, in his own truck.

318 (* * *iii) Any person, or any employee of such
319 person, transporting unprocessed forest products, or timber
320 harvesting equipment wherein ownership remains the same, in his
321 own truck.

322 (26) "Taxicab" means any passenger motor vehicle for
323 hire with a seating capacity not greater than ten (10) passengers.
324 For purposes of this paragraph (26), seating capacity shall be
325 determined according to the manufacturer's suggested seating



326 capacity for a vehicle. If there is no manufacturer's suggested
327 seating capacity for a vehicle, the seating capacity for the
328 vehicle shall be determined according to regulations established
329 by the Department of Revenue.

330 (27) "Passenger coach" means any passenger motor
331 vehicle with a seating capacity greater than ten (10) passengers,
332 operating wholly within the corporate limits of a municipality of
333 this state or within five (5) miles of the corporate limits of the
334 municipality, or motor vehicles substituted for abandoned electric
335 railway systems in or between municipalities. For purposes of
336 this paragraph (27), seating capacity shall be determined
337 according to the manufacturer's suggested seating capacity for a
338 vehicle. If there is no manufacturer's suggested seating capacity
339 for a vehicle, the seating capacity for the vehicle shall be
340 determined according to regulations established by the Department
341 of Revenue.

342 (28) "Empty weight" means the actual weight of a
343 vehicle including fixtures and equipment necessary for the
344 transportation of load hauled or to be hauled.

345 (29) "Gross weight" means the empty weight of the
346 vehicle, as defined herein, plus any load being transported or to
347 be transported.

348 (30) "Ambulance and hearse" shall have the meaning
349 generally ascribed to them. A hearse or funeral coach shall be



350 classified as a light carrier of property, as defined in Section
351 27-51-101.

352 (31) "Regular seats" means each seat ordinarily and
353 customarily used by one (1) passenger, including all temporary,
354 emergency, and collapsible seats. Where any seats are not
355 distinguished or separated by separate cushions and backs, a seat
356 shall be counted for each eighteen (18) inches of space on such
357 seats or major fraction thereof. In the case of a regular
358 passenger-type automobile which is used as a common or contract
359 carrier of passengers, three (3) seats shall be counted for the
360 rear seat of such automobile and one (1) seat shall be counted for
361 the front seat of such automobile.

362 (32) "Ton" means two thousand (2,000) pounds
363 avoirdupois.

364 (33) "Bus" means any passenger vehicle with a seating
365 capacity of more than ten (10) but shall not include "private
366 carrier of passengers" and "school bus" as defined in paragraphs
367 (15) and (22) of this section. For purposes of this paragraph
368 (33), seating capacity shall be determined according to the
369 manufacturer's suggested seating capacity for a vehicle. If there
370 is no manufacturer's suggested seating capacity for a vehicle, the
371 seating capacity for the vehicle shall be determined according to
372 regulations established by the Department of Revenue.

373 (34) "Corporate fleet" means a group of two hundred
374 (200) or more marked private carriers of passengers or light



375 carriers of property, as defined in Section 27-51-101, trailers,
376 semitrailers, or motor vehicles in excess of ten thousand (10,000)
377 pounds gross vehicle weight, except for those vehicles registered
378 for interstate travel, owned or leased on a long-term basis by a
379 corporation or other legal entity. In order to be considered
380 marked, the motor vehicle must have a name, trademark or logo
381 located either on the sides or the rear of the vehicle in sharp
382 contrast to the background, and of a size, shape and color that is
383 legible during daylight hours from a distance of fifty (50) feet.

384 (35) "Individual fleet" means a group of five (5) or
385 more private carriers of passengers or light carriers of property,
386 as defined in Section 27-51-101, owned or leased by the same
387 person and principally garaged in the same county.

388 (36) "Trailer fleet" means a group of fifty (50) or
389 more utility trailers each with a gross vehicle weight of six
390 thousand (6,000) pounds or less.

391 (b) (1) No lease shall be recognized under the provisions
392 of this article unless it shall be in writing and shall fully
393 define a bona fide relationship of lessor and lessee, signed by
394 both parties, dated and be in the possession of the driver of the
395 leased vehicle at all times.

396 (2) Leased vehicles shall be considered as domiciled at
397 the place in the State of Mississippi from which they operate in
398 interstate or intrastate commerce, and for the purposes of this
399 article shall be considered as owned by the lessee, who shall



400 furnish all insurance on the vehicles and the driver of the
401 vehicles shall be considered as an agent of the lessee for all
402 purposes of this article.

403 **SECTION 6.** Section 27-19-43, Mississippi Code of 1972, is
404 amended as follows:

405 27-19-43. (1) License tags, substitute tags and decals for
406 individual fleets and for private carriers of passengers, school
407 buses (excluding school buses owned by a school district in the
408 state), church buses, taxicabs, ambulances, hearses, motorcycles,
409 low-speed vehicles that are operated on public highways, roads or
410 street, and private carriers of property, and private commercial
411 carriers of property of a gross weight of ten thousand (10,000)
412 pounds and less, shall be sold and issued by the tax collectors of
413 the several counties.

414 (2) Applications for license tags for motor vehicles in a
415 corporate fleet registered under Section 27-19-66 and trailers in
416 a fleet registered under Section 27-19-66.1, and applications for
417 all other license tags, substitute tags and decals shall be filed
418 with the department or the local tax collector of the respective
419 counties and forwarded to the department for issuance to the
420 applicant. All tags and decals for vehicles owned by the state or
421 any agency or instrumentality thereof, and vehicles owned by a
422 fire protection district, school district or a county or
423 municipality, and all vehicles owned by a road, drainage or levee
424 district shall be issued by the department.



425 (3) In addition to the privilege taxes levied herein, there
426 shall be collected the following registration or tag fee:

427 (a) For the issuance of both a license tag and two (2)
428 decals, a fee of Five Dollars (\$5.00).

429 (b) For the issuance of up to two (2) decals only, a
430 fee of Three Dollars and Seventy-five Cents (\$3.75).

431 (c) Additionally, the tax collector or the department,
432 as the case may be, shall assess and collect a fee of Four Dollars
433 (\$4.00) upon each set of license tags and two (2) decals issued,
434 or upon each set of two (2) decals issued, and that sum shall be
435 deposited in the Mississippi Trauma Care Systems Fund established
436 in Section 41-59-75, to be used for the purposes set out in that
437 section.

438 No tag or decal shall be issued either by a tax collector or
439 by the department without the collection of such registration fee
440 except substitute tags and decals and license tags for vehicles
441 owned by the State of Mississippi.

442 Beginning July 1, 1987, and until the date specified in
443 Section 65-39-35, there shall be levied a registration fee of Five
444 Dollars (\$5.00) in addition to the regular registration fee
445 imposed in paragraphs (a) and (b) of this subsection. Such
446 additional registration fee shall be levied in the same manner as
447 the regular registration fee.

448 **SECTION 7.** Section 27-19-48, Mississippi Code of 1972, is
449 amended as follows:



450 27-19-48. (1) Owners of motor vehicles and noncommercial
451 trailers who are residents of this state, upon complying with the
452 laws relating to registration and licensing of motor vehicles and
453 trailers, and upon payment of the road and bridge privilege taxes,
454 ad valorem taxes and registration fees as prescribed by law for
455 private carriers of passengers, pickup trucks, other noncommercial
456 motor vehicles and trailers, and upon payment of an additional fee
457 in the amount provided in subsection (4) (a) of this section, shall
458 be issued a personalized license tag of the same color as regular
459 license tags to consist of the name of the county and not more
460 than seven (7) letters of the alphabet or seven (7) numbers in
461 lieu of the license tag numbering system prescribed by law. The
462 purchaser of the personalized license tag may choose the
463 combination of such letters or numbers, but no two (2) motor
464 vehicles or trailers shall have the same combination of letters or
465 numbers. In the event that the same combination of letters has
466 been chosen by two (2) or more purchasers, the Department of
467 Revenue shall assign a different number to each such purchaser
468 which shall appear on the license tag following the combination of
469 letters; however, this combination shall not exceed seven (7)
470 letters and/or numbers. The combination of letters and/or numbers
471 written across the license tag shall be sufficiently large to be
472 easily read but shall not be less than three (3) inches in height.
473 No combination of letters or numbers which comprise words or
474 expressions that are considered obscene, slandering, insulting or



475 vulgar in ordinary usage shall be permitted, with the Commissioner
476 of Revenue having the responsibility of making this determination.
477 If, however, such license plate is issued in error or otherwise
478 and is determined by the commissioner to be obscene, slanderous,
479 insulting, vulgar or offensive, the commissioner shall notify the
480 owner that the license plate must be surrendered and that another
481 personalized license plate may be selected by him and issued at no
482 cost. Should the vehicle or trailer owner not desire another
483 personalized license plate, the fee for such plate shall be
484 refunded. In the event the owner fails to surrender the license
485 plate after receiving proper notification, the commissioner shall
486 issue an order directing that the license plate be seized by
487 agents of the Department of Revenue or any other duly authorized
488 law enforcement personnel.

489 (2) For the purposes of this section the terms "motor
490 vehicle" and "vehicle" include motorcycles and low-speed vehicles
491 that are operated on any public highway, road or street, as
492 defined in Section 1 of House Bill No. , 2015 Regular Session.

493 (3) Application for the personalized license tags shall be
494 made to the county tax collector on forms prescribed by the
495 Department of Revenue. The application form shall contain space
496 for the applicant to make five (5) different choices for the
497 combination of the letters and numbers in the order in which the
498 combination is desired by the applicant. The application and the
499 additional fee, less five percent (5%) thereof to be retained by



500 the tax collector, shall be remitted to the Department of Revenue
501 within seven (7) days of the date the application is made. The
502 portion of the additional fee retained by the tax collector shall
503 be deposited into the county general fund.

504 (4) (a) Beginning with any registration year commencing on
505 or after November 1, 1986, any person applying for a personalized
506 license tag shall pay an additional fee which shall be in addition
507 to all other taxes and fees. The additional fee paid shall be for
508 a period of time to run concurrently with the vehicle's or
509 trailer's established license tag year. The additional fee of
510 Thirty Dollars (\$30.00) is due and payable at the time the
511 original application is made for a personalized tag and thereafter
512 annually at the time of renewal registration as long as the owner
513 retains the personalized tag. If the owner does not wish to
514 retain the personalized tag, he must surrender it to the local
515 county tax collector. The additional fee due at the time of
516 renewal registration shall be collected by the county tax
517 collector and remitted to the Department of Revenue on a monthly
518 basis as prescribed by the department.

519 (b) The Department of Revenue shall deposit all taxes
520 and fees into the State Treasury on the day collected. At the end
521 of each month, the Department of Revenue shall certify the total
522 fees collected under this section to the State Treasurer who shall
523 distribute to the credit of the State General Fund Sixteen Dollars
524 and Twenty-five Cents (\$16.25) of each additional fee and the



525 remainder of each such additional fee shall be deposited to the
526 credit of the State Highway Fund to be expended solely for the
527 repair, maintenance, construction or reconstruction of highways.

528 (5) A regular license tag must be properly displayed as
529 required by law until replaced by a personalized license tag; and
530 the regular license tag must be surrendered to the tax collector
531 upon issuance of the personalized license tag. The tax collector
532 shall issue up to two (2) license decals for the personalized
533 license tag, which will expire the same month and year as the
534 original license tag.

535 (6) The applicant shall receive a refund of the fee paid for
536 a personalized license tag if the personalized license tag is not
537 issued to him because the combination of letters and numbers
538 requested to be placed thereon is not available for any reason.

539 (7) In the case of loss or theft of a personalized license
540 tag, the owner may make application and affidavit for a
541 replacement license tag as provided by Section 27-19-37. The fee
542 for a replacement personalized license tag shall be Ten Dollars
543 (\$10.00). The tax collector receiving such application and
544 affidavit shall be entitled to retain and deposit into the county
545 general fund five percent (5%) of the fee for such replacement
546 license tag and the remainder shall be distributed in the same
547 manner as funds from the sale of regular license tags.

548 (8) The owner of a personalized license tag may make
549 application for a duplicate of such tag. The fee for such



550 duplicate personalized license tag shall be Ten Dollars (\$10.00).
551 The tax collector receiving the application shall be entitled to
552 retain and deposit into the county general fund five percent (5%)
553 of the fee for such duplicate personalized license tag and the
554 remainder shall be distributed in the same manner as funds from
555 the sale of regular license tags. A duplicate personalized
556 license tag may not be fastened to the rear of a vehicle or
557 trailer and may not be utilized as a replacement for any
558 personalized license tag issued pursuant to this section. Month
559 decals and year decals shall not be issued for duplicate
560 personalized license tags and month decals and year decals shall
561 not be attached to duplicate personalized license tags.

562 **SECTION 8.** Section 27-19-56, Mississippi Code of 1972, is
563 amended as follows:

564 27-19-56. (1) Upon application by any legal resident of the
565 State of Mississippi with a disability which limits or impairs the
566 ability to walk, or by the owner of a motor vehicle who has a
567 child, parent or spouse with a disability which limits or impairs
568 the ability to walk and the child, parent or spouse is living with
569 the applicant, the * * * Department of Revenue shall prepare and
570 issue through the county tax collectors a special license plate
571 bearing the International Symbol of Access adopted by
572 Rehabilitation International in 1969 at its Eleventh World
573 Congress on Rehabilitation of the Disabled for not more than two
574 (2) vehicles that are registered in the applicant's name. The



575 initial application shall be accompanied by the certification of a
576 licensed physician that (a) the applicant or the applicant's
577 child, parent or spouse meets the definition of persons with
578 disabilities which limit or impair the ability to walk; and (b)
579 that the physician has determined that the applicant or the
580 applicant's child, parent or spouse will have the disability for
581 at least five (5) years. The * * * Department of Revenue shall
582 prepare and issue to the tax collectors of the various counties,
583 decals for placement on the special license plates. The decals
584 shall bear thereon the month in which the license plate was issued
585 and the year in which the special license plate will expire. The
586 special license plate issued under this section is valid for the
587 period of time that the license tag attached upon a motor vehicle
588 is issued pursuant to Section 27-19-31(1). A person to whom the
589 special license plate is issued may retain the special license
590 plate and may renew it by submitting to the county tax collector,
591 on or before its expiration, the certification of a licensed
592 physician that the physician has determined (a) that the applicant
593 or the applicant's child, parent or spouse meets the definition of
594 a person with a disability which limits or impairs the ability to
595 walk; and (b) that the applicant or the applicant's child, parent
596 or spouse will have the disability for at least five (5) years.
597 If an applicant fails to renew the special license plate before
598 its date of expiration, then he shall surrender the special
599 license plate to the county tax collector and the tax collector



600 shall issue to such person a regular license plate to replace the
601 special license plate.

602 The terms "vehicle" and "motor vehicle," as used in this
603 section, include motorcycles and low-speed vehicles that are
604 operated on any public highway, road or street, as defined in
605 Section 1 of House Bill No. _____, 2015 Regular Session.

606 The term "persons with disabilities which limit or impair the
607 ability to walk" when used in this section means those persons
608 who, as determined by a licensed physician:

609 (a) Cannot walk two hundred (200) feet without stopping
610 to rest; or

611 (b) Cannot walk without the use of, or assistance from,
612 a brace, cane, crutch, another person, prosthetic device,
613 wheelchair, or other assistive device; or

614 (c) Are restricted by lung disease to such an extent
615 that the person's forced (respiratory) expiratory volume for one
616 (1) second, when measured by spirometry, is less than one (1)
617 liter, or the arterial oxygen tension is less than sixty (60)
618 mm/hg on room air at rest; or

619 (d) Use portable oxygen; or

620 (e) Have a cardiac condition to the extent that the
621 person's functional limitations are classified in severity as
622 Class III or Class IV according to standards set by the American
623 Heart Association; or



624 (f) Are severely limited in their ability to walk due
625 to an arthritic, neurological or orthopedic condition.

626 An applicant for a special license plate bearing the
627 International Symbol of Access shall not be required to pay any
628 fee or charge for the issuance of such license plate separate from
629 or in addition to the road and bridge privilege taxes, ad valorem
630 taxes and registration fees otherwise required by law to be paid
631 for the issuance of a regular license plate for such vehicle.

632 (2) The * * * Department of Revenue shall prepare removable
633 windshield placards and such placards shall be issued and
634 periodically renewed upon the applications of persons with
635 disabilities which limit or impair the ability to walk, or upon
636 the applications of owners of motor vehicles who have a child,
637 parent or spouse with a disability which limits or impairs the
638 ability to walk and the child, parent or spouse is living with the
639 owner of the motor vehicle. The placards shall be issued, free of
640 charge, to applicants through the offices of the tax collectors of
641 the counties. The initial application shall be accompanied by the
642 certification of a licensed physician that the applicant or the
643 applicant's child, parent or spouse meets the definition of
644 persons with disabilities which limit or impair the ability to
645 walk. These placards shall be valid for the period of time that
646 the license tag attached upon a motor vehicle is issued pursuant
647 to Section 27-19-31(1) and may be renewed in the same manner as
648 provided for the renewal of the special license plates under



649 subsection (1) of this section. The removable windshield placard
650 must be displayed on the left side of the vehicle dashboard or by
651 hanging it on the rearview mirror of the vehicle. The * * *
652 Department of Revenue shall prescribe the placement for
653 motorcycles.

654 (3) The * * * Department of Revenue shall provide for the
655 issuance of a temporary removable windshield placard, upon the
656 application of a person with a disability which limits or impairs
657 the ability to walk, or upon the application of the owner of a
658 motor vehicle who has a child, parent or spouse with a disability
659 which limits or impairs the ability to walk and the child, parent
660 or spouse is living with the owner of the motor vehicle.
661 Temporary removable windshield placards authorized by this
662 subsection shall be prepared by the * * * Department of Revenue
663 and shall be issued, free of charge, to applicants through the
664 offices of the tax collectors of the counties. Application for a
665 temporary removable windshield placard must be accompanied by the
666 certification of a licensed physician that the applicant or the
667 applicant's child, parent or spouse meets the definition of
668 persons with disabilities which limit or impair the ability to
669 walk. The certification shall also include the period of time
670 that the physician determines the applicant or the applicant's
671 child, parent or spouse will have the disability, not to exceed
672 six (6) months. The temporary removable windshield placard must
673 be displayed on the left side of the vehicle dashboard or by



674 hanging it on the rearview mirror of the vehicle. The temporary
675 removable windshield placard shall be valid for a period of time
676 for which the physician has determined that the applicant will
677 have the disability, not to exceed six (6) months from the date of
678 issuance. The * * * Department of Revenue shall prescribe the
679 placement for motorcycles.

680 (4) The removable windshield placard and the temporary
681 removable windshield placard shall be two-sided and shall include:

682 (a) The International Symbol of Access, which is at
683 least three (3) inches in height, centered on the placard (the
684 color of the removable windshield placard shall be white on a blue
685 shield; and the temporary removable windshield placard shall be
686 white on a red shield);

687 (b) An identification number and, on the reverse side,
688 the name of the individual to whom the placard is issued;

689 (c) A date of expiration; and

690 (d) The seal of the State of Mississippi.

691 (5) (a) It shall be unlawful to park a motor vehicle in an
692 area set aside for persons who are disabled if the motor vehicle
693 does not (i) have displayed the removable windshield placard
694 authorized in this section with the date of expiration visible,
695 (ii) have the special license plate issued under this section
696 properly displayed upon the motor vehicle, or (iii) have the
697 disabled American veteran tag or plate issued under Section
698 27-19-53 properly displayed upon the motor vehicle. Any person



699 who unlawfully parks a motor vehicle in such areas, or who blocks
700 such spaces or access thereto, shall be guilty of a misdemeanor
701 and, upon conviction thereof, shall be fined not more than Two
702 Hundred Dollars (\$200.00) for each such violation. For the third
703 and subsequent offenses under this section, the offender's
704 driver's license shall be suspended for ninety (90) days by the
705 Commissioner of Public Safety in accordance with Section 63-1-53
706 in addition to any fine imposed. The court shall not suspend or
707 reduce any fine required to be imposed under this subsection.

708 (b) A person who is charged with a violation of this
709 section by parking a motor vehicle in an area set aside for
710 persons who are disabled and failing properly to display (i) a
711 removable windshield placard on the dash of the vehicle or by
712 hanging it on the rearview mirror of the vehicle, (ii) a special
713 license plate issued under this section upon the vehicle or (iii)
714 a disabled American veteran tag or plate issued under Section
715 27-19-53 upon the vehicle shall not be convicted and shall have
716 the charge dismissed upon presentation to the court of proof by
717 means of sworn oral testimony or sworn affidavit that at the time
718 of the charged violation he or a passenger in the vehicle
719 possessed a valid removable windshield placard issued under this
720 section.

721 (6) Any person who, for the purpose of obtaining a special
722 license plate or windshield placard under this section, files with
723 the county tax collector a physician's certification, knowing the



724 certification to be false or to have been fraudulently obtained,
725 shall be guilty of a misdemeanor and, upon conviction, shall be
726 fined not more than Two Hundred Dollars (\$200.00).

727 (7) All law enforcement officers are authorized to enforce
728 this section on public and private property. Provision of spaces
729 restricted to handicapped parking and proper marking of such
730 spaces shall be considered as intent and permission to enforce
731 such designated parking on private property. Any owner of private
732 property may tow away a vehicle that is parked on the owner's
733 private property in violation of the disabled parking restrictions
734 set forth in this section at the vehicle owner's expense. In
735 addition, the vehicle owner may be subject to any fines or other
736 penalties provided in this section. Only areas marked in
737 accordance with the Americans with Disabilities Act Accessibility
738 Guidelines or equivalent standards shall be enforced. Spaces
739 shall bear the International Symbol of Access.

740 (8) Motor vehicles displaying a special license plate,
741 license plate decal, placard or parking certificate or permit
742 bearing the International Symbol of Access issued to a person with
743 a disability by any other state or district subject to the laws of
744 the United States shall be allowed the special parking privileges
745 under this section provided the license plate, decal, placard,
746 permit or certificate bears the International Symbol of Access and
747 is displayed in a prominent place on the vehicle.



748 (9) Parking in any area set aside for persons who are
749 disabled is limited to vehicles which, immediately before or after
750 the utilization of such an area, are used to transport a person
751 with a disability which limits or impairs the ability to walk.
752 The identification required to park in such an area, except as
753 provided in subsection (8) of this section, is as follows:

754 (a) For a vehicle used to transport a person with a
755 permanent disability, that person's permanent windshield placard
756 must be displayed or the vehicle must have a special license tag
757 issued under this section or Section 27-19-53 properly displayed.

758 (b) For a vehicle being used by a person who has a
759 temporary disability which limits or impairs the ability to walk,
760 or which is being used to transport such a person, a temporary
761 windshield placard must be displayed.

762 Any person who parks in an area set aside for persons who are
763 disabled in violation of this subsection shall be punished as
764 provided for in subsection (5) of this section.

765 (10) Upon application by a nursing home, retirement home or
766 other institution that transports disabled persons, the * * *
767 Department of Revenue may issue the special license plate
768 authorized pursuant to this section for not more than one (1)
769 vehicle that is registered in the applicant's name that is used to
770 transport disabled residents of the institution. Such institution
771 shall comply with all other laws regarding the registration of
772 such vehicle.



773 **SECTION 9.** Section 27-51-5, Mississippi Code of 1972, is
774 amended as follows:

775 27-51-5. The subject words and terms of this section, for
776 the purpose of this chapter, shall have meanings as follows:

777 (a) "Motor vehicle" means any device and attachments
778 supported by one or more wheels which is propelled or drawn by any
779 power other than muscular power over the highways, streets or
780 alleys of this state. The term "motor vehicle" shall not include
781 electric personal assistive mobility devices as defined in Section
782 63-3-103 but shall include any low-speed vehicle that is operated
783 on any public highway, road or street, as defined in Section 1 of
784 House Bill No. _____, 2015 Regular Session. However, mobile homes
785 which are detached from any self-propelled vehicles and parked on
786 land in the state are hereby expressly exempt from the motor
787 vehicle ad valorem taxes, but house trailers which are actually in
788 transit and which are not parked for more than an overnight stop
789 are not exempted.

790 (b) "Public highway" means and includes every way or
791 place of whatever nature, including public roads, streets and
792 alleys of this state generally open to the use of the public or to
793 be opened or reopened to the use of the public for the purpose of
794 vehicular travel, notwithstanding that the same may be temporarily
795 closed for the purpose of construction, reconstruction,
796 maintenance, or repair.



797 (c) "Administrator of the road and bridge privilege tax
798 law" means the official authorized by law to administer the road
799 and bridge privilege tax law of this state.

800 **SECTION 10.** Section 27-51-41.1, Mississippi Code of 1972, is
801 amended as follows:

802 27-51-41.1. (1) As used in this section:

803 (a) "Motorcycle" shall have the meaning ascribed to
804 such term in Section 27-19-3.

805 (b) "Motor home" means an individually owned private
806 carrier of passengers as defined in Section 27-19-3 whose primary
807 purpose is to provide transportation and human living facilities,
808 including, at a minimum, sleeping facilities, bath and toilet
809 facilities and food storage and preparation facilities.

810 (c) "Trailer" shall have the meaning ascribed to such
811 term in Section 27-19-3. The term "trailer" shall not include
812 semitrailers as defined in Section 27-19-3, other than those that
813 are used for recreational purposes.

814 (d) "Low-speed vehicle" has the same meaning as
815 provided in Section 1 of House Bill No. , 2015 Regular
816 Session.

817 (2) (a) From and after July 1, 2006, through September 30,
818 2007, sixty percent (60%) of the true value of all motorcycles,
819 motor homes and trailers upon which the owner is required to pay
820 the annual highway privilege tax levied in Chapter 19, Title 27,



821 Mississippi Code of 1972, shall be exempt from ad valorem
822 taxation.

823 (b) From and after October 1, 2007, through September
824 30, 2008, fifty-five percent (55%) of the true value of all
825 motorcycles, motor homes and trailers upon which the owner is
826 required to pay the annual highway privilege tax levied in Chapter
827 19, Title 27, Mississippi Code of 1972, shall be exempt from ad
828 valorem taxation.

829 (c) From and after October 1, 2008, fifty percent (50%)
830 of the true value of all motorcycles, motor homes * * *, trailers
831 and low-speed vehicles that are operated on any public highway,
832 road or street, upon which the owner is required to pay the annual
833 highway privilege tax levied in Chapter 19, Title 27, Mississippi
834 Code of 1972, shall be exempt from ad valorem taxation.

835 **SECTION 11.** Section 63-15-3, Mississippi Code of 1972, is
836 amended as follows:

837 63-15-3. The following words and phrases, when used in this
838 chapter, shall, for the purposes of this chapter, have the
839 meanings respectively ascribed to them in this section, except in
840 those instances where the context clearly indicates a different
841 meaning:

842 (a) "Highway" means the entire width between property
843 lines of any road, street, way, thoroughfare or bridge in the
844 State of Mississippi not privately owned or controlled, when any
845 part thereof is open to the public for vehicular traffic and over



846 which the state has legislative jurisdiction under its police
847 power.

848 (b) "Judgment" means any judgment which shall have
849 become final by expiration, without appeal, of the time within
850 which an appeal might have been perfected, or by final affirmation
851 on appeal, rendered by a court of competent jurisdiction of any
852 state or of the United States, upon a cause of action arising out
853 of the ownership, maintenance or use of any motor vehicle, for
854 damages, including damages for care and loss of services, because
855 of bodily injury to or death of any person, or for damages because
856 of injury to or destruction of property, including the loss of use
857 thereof, or upon a cause of action on an agreement of settlement
858 for such damages.

859 (c) "Motor vehicle" means every self-propelled vehicle
860 (other than traction engines, road rollers and graders, tractor
861 cranes, power shovels, well drillers, implements of husbandry and
862 electric personal assistive mobility device as defined in Section
863 63-3-103) which is designed for use upon a highway, including
864 trailers and semitrailers designed for use with such vehicles, and
865 every vehicle which is propelled by electric power obtained from
866 overhead wires but not operated upon rails. The term "motor
867 vehicle" shall include any low-speed vehicle, as defined in
868 Section 1 of House Bill No. _____, 2015 Regular Session.



869 For purposes of this definition, "implements of husbandry"
870 shall not include trucks, pickup trucks, trailers and semitrailers
871 designed for use with such trucks and pickup trucks.

872 (d) "License" means any driver's, operator's,
873 commercial operator's, or chauffeur's license, temporary
874 instruction permit or temporary license, or restricted license,
875 issued under the laws of the State of Mississippi pertaining to
876 the licensing of persons to operate motor vehicles.

877 (e) "Nonresident" means every person who is not a
878 resident of the State of Mississippi.

879 (f) "Nonresident's operating privilege" means the
880 privilege conferred upon a nonresident by the laws of Mississippi
881 pertaining to the operation by him of a motor vehicle, or the use
882 of a motor vehicle owned by him, in the State of Mississippi.

883 (g) "Operator" means every person who is in actual
884 physical control of a motor vehicle.

885 (h) "Owner" means a person who holds the legal title of
886 a motor vehicle; in the event a motor vehicle is the subject of an
887 agreement for the conditional sale or lease thereof with the right
888 of purchase upon performance of the conditions stated in the
889 agreement and with an immediate right of possession vested in the
890 conditional vendee or lessee or in the event a mortgagor of a
891 vehicle is entitled to possession, then such conditional vendee or
892 lessee or mortgagor shall be deemed the owner for the purpose of
893 this chapter.



894 (i) "Person" means every natural person, firm,
895 copartnership, association or corporation.

896 (j) "Proof of financial responsibility" means proof of
897 ability to respond in damages for liability, on account of
898 accidents occurring subsequent to the effective date of said
899 proof, arising out of the ownership, maintenance or use of a motor
900 vehicle, in the amount of Twenty-five Thousand Dollars
901 (\$25,000.00) because of bodily injury to or death of one (1)
902 person in any one (1) accident, and subject to said limit for one
903 (1) person, in the amount of Fifty Thousand Dollars (\$50,000.00)
904 because of bodily injury to or death of two (2) or more persons in
905 any one (1) accident, and in the amount of Twenty-five Thousand
906 Dollars (\$25,000.00) because of injury to or destruction of
907 property of others in any one (1) accident.

908 (k) "Registration" means a certificate or certificates
909 and registration plates issued under the laws of this state
910 pertaining to the registration of motor vehicles.

911 (l) "Department" means the Department of Public Safety
912 of the State of Mississippi, acting directly or through its
913 authorized officers and agents, except in such sections of this
914 chapter in which some other state department is specifically
915 named.

916 (m) "State" means any state, territory or possession of
917 the United States, the District of Columbia, or any province of
918 the Dominion of Canada.



919 **SECTION 12.** Section 63-17-55, Mississippi Code of 1972, is
920 amended as follows:

921 63-17-55. The following words, terms and phrases, when used
922 in the Mississippi Motor Vehicle Commission Law, shall have the
923 meanings respectively ascribed to them in this section, except
924 where the context clearly indicates a different meaning:

925 (a) "Motor vehicle" means any motor-driven vehicle of
926 the sort and kind required to have a Mississippi road or bridge
927 privilege license, and shall include, but not be limited to,
928 motorcycles and low-speed vehicles that are operated on any public
929 highway, road or street. "Motor vehicle" shall also mean an
930 engine, transmission, or rear axle manufactured for installation
931 in a vehicle having as its primary purpose the transport of person
932 or persons or property on a public highway and having a gross
933 vehicle weight rating of more than sixteen thousand (16,000)
934 pounds, whether or not attached to a vehicle chassis.

935 (b) "Motor vehicle dealer" means any person, firm,
936 partnership, copartnership, association, corporation, trust or
937 legal entity, not excluded by paragraph (c) of this section, who
938 holds a bona fide contract or franchise in effect with a
939 manufacturer, distributor or wholesaler of new motor vehicles, and
940 a license under the provisions of the Mississippi Motor Vehicle
941 Commission Law, and such duly franchised and licensed motor
942 vehicle dealers shall be the sole and only persons, firms,
943 partnerships, copartnerships, associations, corporations, trusts



944 or legal entities entitled to sell and publicly or otherwise
945 solicit and advertise for sale new motor vehicles as such.

946 (c) The term "motor vehicle dealer" does not include:

947 (i) Receivers, trustees, administrators,
948 executors, guardians or other persons appointed by or acting under
949 judgment, decree or order of any court;

950 (ii) Public officers while performing their duties
951 as such officers;

952 (iii) Employees of persons, corporations or
953 associations enumerated in paragraph (c) (i) of this section when
954 engaged in the specific performance of their duties as such
955 employees; or

956 (iv) A motor vehicle manufacturer operating a
957 project as defined in Section 57-75-5(f) (iv)1; and the provisions
958 of the Mississippi Motor Vehicle Commission Law shall not apply
959 to:

960 1. a. Any lease by such a motor vehicle
961 manufacturer of three (3) or fewer motor vehicles at any one time
962 and related vehicle maintenance, of any line of vehicle produced
963 by the manufacturer or its subsidiaries, to any one (1) employee
964 of the motor vehicle manufacturer on a direct basis; or

965 b. Any sale or other disposition of such
966 motor vehicles by the motor vehicle manufacturer at the end of a
967 lease through direct sales to employees of the manufacturer or



968 through an open auction or auction limited to dealers of the
969 manufacturer's vehicle line or its subsidiaries' vehicle lines; or

970 2. Any sale or other disposition by such a
971 motor vehicle manufacturer of motor vehicles for which the
972 manufacturer obtained distinguishing number tags under Section
973 27-19-309(8).

974 (d) "New motor vehicle" means a motor vehicle which has
975 not been previously sold to any person except a distributor or
976 wholesaler or motor vehicle dealer for resale.

977 (e) "Ultimate purchaser" means, with respect to any new
978 motor vehicle, the first person, other than a motor vehicle dealer
979 purchasing in his capacity as such dealer, who in good-faith
980 purchases such new motor vehicle for purposes other than for
981 resale.

982 (f) "Retail sale" or "sale at retail" means the act or
983 attempted act of selling, bartering, exchanging or otherwise
984 disposing of a new motor vehicle to an ultimate purchaser for use
985 as a consumer.

986 (g) "Motor vehicle salesman" means any person who is
987 employed as a salesman by a motor vehicle dealer whose duties
988 include the selling or offering for sale of new motor vehicles.

989 (h) "Commission" means the Mississippi Motor Vehicle
990 Commission.



991 (i) "Manufacturer" means any person, firm, association,
992 corporation or trust, resident or nonresident, who manufactures or
993 assembles new motor vehicles.

994 (j) "Distributor" or "wholesaler" means any person,
995 firm, association, corporation or trust, resident or nonresident,
996 who, in whole or in part, sells or distributes new motor vehicles
997 to motor vehicle dealers, or who maintains distributor
998 representatives.

999 (k) "Factory branch" means a branch or division office
1000 maintained by a person, firm, association, corporation or trust
1001 who manufactures or assembles new motor vehicles for sale to
1002 distributors or wholesalers, to motor vehicle dealers, or for
1003 directing or supervising, in whole or in part, its
1004 representatives.

1005 (l) "Distributor branch" means a branch or division
1006 office similarly maintained by a distributor or wholesaler for the
1007 same purposes a factory branch or division is maintained.

1008 (m) "Factory representative" means a representative
1009 employed by a person, firm, association, corporation or trust who
1010 manufactures or assembles new motor vehicles, or by a factory
1011 branch, for the purpose of making or promoting the sale of his,
1012 its or their new motor vehicles, or for supervising or contacting
1013 his, its or their dealers or prospective dealers.



1014 (n) "Distributor representative" means a representative
1015 similarly employed by a distributor, distributor branch or
1016 wholesaler.

1017 (o) "Person" means and includes, individually and
1018 collectively, individuals, firms, partnerships, copartnerships,
1019 associations, corporations and trusts, or any other forms of
1020 business enterprise, or any legal entity.

1021 (p) "Good faith" means the duty of each party to any
1022 franchise agreement, and all officers, employees or agents
1023 franchise, to act in a fair and equitable manner toward each other
1024 in the performance of the respective obligations under the
1025 franchise agreement.

1026 (q) "Coerce" means to compel or attempt to compel by
1027 threat or duress. However, recommendation, exposition,
1028 persuasion, urging or argument shall not be deemed to constitute
1029 coercion.

1030 (r) "Special tools" are those which a dealer was
1031 required to purchase by the manufacturer or distributor for
1032 service on that manufacturer's product.

1033 (s) "Motor vehicle lessor" means any person, not
1034 excluded by paragraph (c) of this section, engaged in the motor
1035 vehicle leasing or rental business.

1036 (t) "Specialty vehicle" means a motor vehicle
1037 manufactured by a second stage manufacturer by purchasing motor
1038 vehicle components, e.g. frame and drive train, and completing the



1039 manufacturer of finished motor vehicles for the purpose of resale
1040 with the primary manufacturer warranty unimpaired, to a limited
1041 commercial market rather than the consuming public. Specialty
1042 vehicles include garbage trucks, ambulances, fire trucks, buses,
1043 limousines, hearses and other similar limited purpose vehicles as
1044 the commission may by regulation provide.

1045 (u) "Auto auction" means (i) any person who provides a
1046 place of business or facilities for the wholesale exchange of
1047 motor vehicles by and between duly licensed motor vehicle dealers,
1048 (ii) any motor vehicle dealer licensed to sell used motor vehicles
1049 selling motor vehicles using an auction format but not on
1050 consignment, or (iii) any person who provides the facilities for
1051 or is in the business of selling in an auction format motor
1052 vehicles.

1053 (v) "Motor home" means a motor vehicle that is designed
1054 and constructed primarily to provide temporary living quarters for
1055 recreational, camping or travel use.

1056 (w) "Dealer-operator" means the individual designated
1057 in the franchise agreement as the operator of the motor vehicle
1058 dealership.

1059 (x) "Franchise" or "franchise agreement" means a
1060 written contract or agreement between a motor vehicle dealer and a
1061 manufacturer or its distributor or factory branch by which the
1062 motor vehicle dealer is authorized to engage in the business of
1063 selling or leasing the specific makes, models or classifications



1064 of new motor vehicles marketed or leased by the manufacturer and
1065 designated in the agreement or any addendum to such agreement.

1066 (y) "Net cost" means the price the motor vehicle dealer
1067 pays for new motor vehicles, supplies, parts, equipment, signs,
1068 furnishings and special tools, minus any applicable discounts or
1069 subsidies obtained by the motor vehicle dealer.

1070 (z) "Line or make" means a collection of models,
1071 series, or groups of motor vehicles manufactured by or for a
1072 particular manufacturer, distributor or importer offered for sale,
1073 lease or distribution pursuant to a common trademark, service mark
1074 or brand name; however:

1075 (i) Multiple brand names or marks may constitute a
1076 single line or make, but only when included in a common motor
1077 vehicle dealer agreement and the manufacturer, distributor or
1078 importer offers such vehicles bearing the multiple names of marks
1079 together only, and not separately, to its authorized motor vehicle
1080 dealers.

1081 (ii) Motor vehicles bearing a common brand name or
1082 mark may constitute separate line or makes when such vehicles are
1083 of different vehicle types or are intended for different types of
1084 use, provided that either:

1085 1. The manufacturer has expressly defined or
1086 covered the subject line or makes of vehicles as separate and
1087 distinct line or makes in the applicable dealer agreements; or



1088 2. The manufacturer has consistently
1089 characterized the subject vehicles as constituting separate and
1090 distinct line or makes to its dealer network.

1091 (aa) "Site-control agreement" or "exclusive use
1092 agreement" means an agreement that, regardless of its name, title,
1093 form or the parties entering into it, has the effect of:

1094 (i) Controlling the use and development of the
1095 premises of a motor vehicle dealer's franchise or facilities;

1096 (ii) Requiring a motor vehicle dealer to establish
1097 or maintain an exclusive motor vehicle dealership facility on the
1098 premises of the motor vehicle dealer's franchise or facility;

1099 (iii) Restricting the power or authority of the
1100 dealer or the lessor, if the motor vehicle dealer leases the
1101 dealership premises, to transfer, sell, lease, develop, redevelop
1102 or change the use of the dealership premises, whether by sublease,
1103 lease, collateral pledge of lease, right of first refusal to
1104 purchase or lease, option to purchase or lease or any similar
1105 arrangement; or

1106 (iv) Establishing a valuation process or formula
1107 for the motor vehicle dealership premises that does not allow for
1108 the motor vehicle dealership premises to be transferred, sold or
1109 leased by the motor vehicle dealer at the highest and best use
1110 valuation for the motor vehicle dealership premises.

1111 (bb) "Market area" means the area of responsibility set
1112 forth in the franchise agreement.



1113 (cc) "Core parts" means those original vehicle
1114 manufacturer parts that are listed in the original vehicle
1115 manufacturer's or distributor's current parts catalog, for which
1116 there is a core charge and which are returnable to the
1117 manufacturer or distributor.

1118 **SECTION 13.** Section 63-17-155, Mississippi Code of 1972, is
1119 amended as follows:

1120 63-17-155. As used in Sections 63-17-151 through 63-17-165,
1121 the following terms shall have the following meanings:

1122 (a) "Collateral charges" means those additional charges
1123 to a consumer which are not directly attributable to the
1124 manufacturer's suggested retail price label for the motor vehicle.
1125 Collateral charges shall include, but not be limited to, dealer
1126 preparation charges, undercoating charges, transportation charges,
1127 towing charges, replacement car rental costs and title charges.

1128 (b) "Comparable motor vehicle" means an identical or
1129 reasonably equivalent motor vehicle.

1130 (c) "Consumer" means the purchaser, other than for
1131 purposes of resale, of a motor vehicle, primarily used for
1132 personal, family, or household purposes, and any person to whom
1133 such motor vehicle is transferred for the same purposes during the
1134 duration of an express warranty applicable to such motor vehicle,
1135 and any other person entitled by the terms of such warranty to
1136 enforce the obligations of the warranty.



1137 (d) "Express warranty" means any written affirmation of
1138 fact or promise made in connection with the sale of a motor
1139 vehicle by a supplier to a consumer which relates to the nature of
1140 the material or workmanship and affirms or promises that such
1141 material or workmanship is defect-free or will meet a specified
1142 level of performance over a specified period of time. For the
1143 purposes of Section 63-17-151 et seq., express warranties do not
1144 include implied warranties.

1145 (e) "Manufacturer" means a manufacturer or distributor
1146 as defined in Section 63-17-55.

1147 (f) "Motor vehicle" means a vehicle propelled by power
1148 other than muscular power which is sold in this state, is operated
1149 over the public streets and highways of this state and is used as
1150 a means of transporting persons or property, but shall not include
1151 vehicles run only upon tracks, off-road vehicles, motorcycles,
1152 low-speed vehicles, mopeds, electric personal assistive mobility
1153 devices as defined in Section 63-3-103 or parts and components of
1154 a motor home which were added on and/or assembled by the
1155 manufacturer of the motor home. "Motor vehicle" shall include
1156 demonstrators or lease-purchase vehicles as long as a
1157 manufacturer's warranty was issued as a condition of sale.

1158 (g) "Purchase price" means the price which the consumer
1159 paid to the manufacturer to purchase the motor vehicle in a cash
1160 sale or, if the motor vehicle is purchased in a retail installment
1161 transaction, the cash sale price as defined in Section 63-19-3.



1162 **SECTION 14.** Section 63-21-5, Mississippi Code of 1972, is
1163 amended as follows:

1164 63-21-5. The following words and phrases when used in this
1165 chapter shall, for the purpose of this chapter, have the meanings
1166 respectively ascribed to them in this section except where the
1167 context clearly indicates a different meaning:

1168 (a) "State Tax Commission" or "department" means the
1169 Department of Revenue of the State of Mississippi.

1170 (b) "Dealer" means every person engaged regularly in
1171 the business of buying, selling or exchanging motor vehicles,
1172 trailers, semitrailers, trucks, tractors or other character of
1173 commercial or industrial motor vehicles in this state, and having
1174 in this state an established place of business as defined in
1175 Section 27-19-303, Mississippi Code of 1972. The term "dealer"
1176 shall also mean every person engaged regularly in the business of
1177 buying, selling or exchanging manufactured housing in this state,
1178 and licensed as a dealer of manufactured housing by the
1179 Mississippi Department of Insurance.

1180 (c) "Designated agent" means each county tax collector
1181 in this state who may perform his duties under this chapter either
1182 personally or through any of his deputies, or such other persons
1183 as the Department of Revenue may designate. The term shall also
1184 mean those "dealers" as herein defined and/or their officers and
1185 employees and other persons who are appointed by the Department of
1186 Revenue in the manner provided in Section 63-21-13, Mississippi



1187 Code of 1972, to perform the duties of "designated agent" for the
1188 purposes of this chapter.

1189 (d) "Implement of husbandry" means every vehicle
1190 designed and adapted exclusively for agricultural, horticultural
1191 or livestock raising operations or for lifting or carrying an
1192 implement of husbandry and in either case not subject to
1193 registration if used upon the highways.

1194 (e) "Vehicle identification number" means the numbers
1195 and letters on a vehicle, manufactured home or mobile home
1196 designated by the manufacturer or assigned by the Department of
1197 Revenue for the purpose of identifying the vehicle, manufactured
1198 home or mobile home.

1199 (f) "Lien" means every kind of written lease which is
1200 substantially equivalent to an installment sale or which provides
1201 for a right of purchase; conditional sale; reservation of title;
1202 deed of trust; chattel mortgage; trust receipt; and every other
1203 written agreement or instrument of whatever kind or character
1204 whereby an interest other than absolute title is sought to be held
1205 or given on a motor vehicle, manufactured home or mobile home.

1206 (g) "Lienholder" means any natural person, firm,
1207 copartnership, association or corporation holding a lien as herein
1208 defined on a motor vehicle, manufactured home or mobile home.

1209 (h) "Manufactured housing" or "manufactured home" means
1210 any structure, transportable in one or more sections, which in the
1211 traveling mode, is eight (8) body feet or more in width or forty



1212 (40) body feet or more in length or, when erected on site, is
1213 three hundred twenty (320) or more square feet and which is built
1214 on a permanent chassis and designed to be used as a dwelling with
1215 or without a permanent foundation when connected to the required
1216 utilities, and includes the plumbing, heating, air-conditioning
1217 and electrical systems contained therein; except that such terms
1218 shall include any structure which meets all the requirements of
1219 this paragraph except the size requirements and with respect to
1220 which the manufacturer voluntarily files a certification required
1221 by the Secretary of Housing and Urban Development and complies
1222 with the standards established under the National Manufactured
1223 Housing Construction and Safety Standards Act of 1974, 42 USCS,
1224 Section 5401.

1225 (i) "Manufacturer" means any person regularly engaged
1226 in the business of manufacturing, constructing or assembling motor
1227 vehicles, manufactured homes or mobile homes, either within or
1228 without this state.

1229 (j) "Mobile home" means any structure, transportable in
1230 one or more sections, which in the traveling mode, is eight (8)
1231 body feet or more in width or forty (40) body feet or more in
1232 length or, when erected on site, is three hundred twenty (320) or
1233 more square feet and which is built on a permanent chassis and
1234 designed to be used as a dwelling with or without a permanent
1235 foundation when connected to the required utilities, and includes
1236 the plumbing, heating, air-conditioning and electrical systems



1237 contained therein and manufactured prior to June 15, 1976. Any
1238 mobile home designated as realty on or before July 1, 1999, shall
1239 continue to be designated as realty so that a security interest
1240 will be made by incorporating such mobile home in a deed of trust.

1241 (k) "Motorcycle" means every motor vehicle having a
1242 seat or saddle for the use of the rider and designed to travel on
1243 not more than three (3) wheels in contact with the ground, but
1244 excluding a farm tractor.

1245 (l) "Motor vehicle" means every automobile, motorcycle,
1246 low-speed vehicle, mobile trailer, semitrailer, truck, truck
1247 tractor, trailer and every other device in, upon, or by which any
1248 person or property is or may be transported or drawn upon a public
1249 highway which is required to have a road or bridge privilege
1250 license, except such as is moved by animal power or used
1251 exclusively upon stationary rails or tracks.

1252 (m) "New vehicle" means a motor vehicle, manufactured
1253 home or mobile home which has never been the subject of a first
1254 sale for use.

1255 (n) "Used vehicle" means a motor vehicle, manufactured
1256 home or mobile home that has been the subject of a first sale for
1257 use, whether within this state or elsewhere.

1258 (o) "Owner" means a person or persons holding the legal
1259 title of a vehicle, manufactured home or mobile home; in the event
1260 a vehicle, manufactured home or mobile home is the subject of a
1261 deed of trust or a chattel mortgage or an agreement for the



1262 conditional sale or lease thereof or other like agreement, with
1263 the right of purchase upon performance of the conditions stated in
1264 the agreement and with the immediate right of possession vested in
1265 the grantor in the deed of trust, mortgagor, conditional vendee or
1266 lessee, the grantor, mortgagor, conditional vendee or lessee shall
1267 be deemed the owner for the purpose of this chapter.

1268 (p) "Person" includes every natural person, firm,
1269 copartnership, association or corporation.

1270 (q) "Pole trailer" means every vehicle without motive
1271 power designed to be drawn by another vehicle and attached to the
1272 towing vehicle by means of a reach or pole, or by being boomed or
1273 otherwise secured to the towing vehicle, and ordinarily used for
1274 transporting long or irregularly shaped loads such as poles,
1275 pipes, boats or structural members capable generally of sustaining
1276 themselves as beams between the supporting connections.

1277 (r) "Security agreement" means a written agreement
1278 which reserves or creates a security interest.

1279 (s) "Security interest" means an interest in a vehicle,
1280 manufactured home or mobile home reserved or created by agreement
1281 and which secures payment or performance of an obligation. The
1282 term includes the interest of a lessor under a lease intended as
1283 security. A security interest is "perfected" when it is valid
1284 against third parties generally, subject only to specific
1285 statutory exceptions.



1286 (t) "Special mobile equipment" means every vehicle not
1287 designed or used primarily for the transportation of persons or
1288 property and only incidentally operated or moved over a highway,
1289 including, but not limited to: ditch-digging apparatus,
1290 well-boring apparatus and road construction and maintenance
1291 machinery such as asphalt spreaders, bituminous mixers, bucket
1292 loaders, tractors other than truck tractors, ditchers, leveling
1293 graders, finishing machines, motor graders, road rollers,
1294 scarifiers, earth-moving carryalls and scrapers, power shovels and
1295 draglines, and self-propelled cranes, vehicles so constructed that
1296 they exceed eight (8) feet in width and/or thirteen (13) feet six
1297 (6) inches in height, and earth-moving equipment. The term does
1298 not include house trailers, dump trucks, truck-mounted transit
1299 mixers, cranes or shovels, or other vehicles designed for the
1300 transportation of persons or property to which machinery has been
1301 attached.

1302 (u) "Nonresident" means every person who is not a
1303 resident of this state.

1304 (v) "Current address" means a new address different
1305 from the address shown on the application or on the certificate of
1306 title. The owner shall within thirty (30) days after his address
1307 is changed from that shown on the application or on the
1308 certificate of title notify the department of the change of
1309 address in the manner prescribed by the department.



1310 (w) "Odometer" means an instrument for measuring and
1311 recording the actual distance a motor vehicle travels while in
1312 operation; but shall not include any auxiliary instrument designed
1313 to be reset by the operator of the motor vehicle for the purpose
1314 of recording the distance traveled on trips.

1315 (x) "Odometer reading" means the actual cumulative
1316 distance traveled disclosed on the odometer.

1317 (y) "Odometer disclosure statement" means a statement
1318 certified by the owner of the motor vehicle to the transferee or
1319 to the department as to the odometer reading.

1320 (z) "Mileage" means actual distance that a vehicle has
1321 traveled.

1322 (aa) "Trailer" means every vehicle other than a "pole
1323 trailer" as defined in this chapter without motive power designed
1324 to be drawn by another vehicle and attached to the towing vehicle
1325 for the purpose of hauling goods or products. The term "trailer"
1326 shall not refer to any structure, transportable in one or more
1327 sections regardless of size, when erected on site, and which is
1328 built on a permanent chassis and designed to be used as a dwelling
1329 with or without a permanent foundation when connected to the
1330 required utilities, and includes the plumbing, heating,
1331 air-conditioning and electrical systems contained therein
1332 regardless of the date of manufacture.

1333 (bb) "Salvage mobile home" or "salvage manufactured
1334 home" means a mobile home or manufactured home for which a



1335 certificate of title has been issued that an insurance company
1336 obtains from the owner as a result of paying a total loss claim
1337 resulting from collision, fire, flood, wind or other occurrence.
1338 The term "salvage mobile home" or "salvage manufactured home" does
1339 not mean or include and is not applicable to a mobile home or
1340 manufactured home that is twenty (20) years old or older.

1341 (cc) "Salvage certificate of title" means a document
1342 issued by the department for a salvage mobile home or salvage
1343 manufactured home as defined in this chapter.

1344 (dd) "All-terrain vehicle" means a motor vehicle that
1345 is designed for off-road use and is not required to have a motor
1346 vehicle privilege license.

1347 **SECTION 15.** Section 17-17-403, Mississippi Code of 1972, is
1348 amended as follows:

1349 17-17-403. The following words and phrases shall have the
1350 meanings ascribed in this section unless the context clearly
1351 indicates otherwise:

1352 (a) "Commission" means the Commission on Environmental
1353 Quality.

1354 (b) "Collection contractor" means a person approved by
1355 the department and used by a county, municipality or multicounty
1356 agency to operate a household hazardous waste collection and
1357 management program.

1358 (c) "Department" means the Department of Environmental
1359 Quality.



1360 (d) "Household hazardous waste" means any waste that
1361 would be considered hazardous under the Solid Wastes Disposal Law
1362 of 1974, Section 17-17-1 et seq., Mississippi Code of 1972, or any
1363 rules and regulations promulgated thereto, but for the fact that
1364 it is produced in quantities smaller than those regulated under
1365 that law or regulations and is generated by persons not otherwise
1366 covered by that law or regulations.

1367 (e) "Motor vehicle" means an automobile, motorcycle,
1368 low-speed vehicle, truck, trailer, semitrailer, truck tractor and
1369 semitrailer combination, farm equipment or any other vehicle
1370 operated on the public roads of this state, used to transport
1371 persons or property, and propelled by power other than muscular
1372 power, but does not include traction engines, road rollers, earth
1373 movers, graders, loaders and other similar construction equipment
1374 requiring oversized tires, any vehicles which run only upon a
1375 track, bicycles or mopeds. For purposes of this article, "farm
1376 equipment" means any vehicle which uses tires having the following
1377 designations: I-1, I-2, I-3, R-1, R-2, R-3, F-1, F-2 and Farm
1378 Highway Service.

1379 (f) "Small business" means any commercial establishment
1380 not regulated under the Resource Conservation and Recovery Act of
1381 1976 (Public Law 94-580, 42 USCS 6901 et seq.), as amended or
1382 regulations promulgated thereto.

1383 (g) "Small quantity waste tire generator" means any
1384 private individual generating twenty-five (25) or fewer waste



1385 tires annually, or a tire retail outlet, automotive mechanic shop
1386 or other commercial or governmental entity that generates ten (10)
1387 or fewer waste tires per week.

1388 (h) "Tire" means a continuous solid or pneumatic rubber
1389 covering encircling the wheel of a motor vehicle.

1390 (i) "Waste tire" means a whole tire that is no longer
1391 suitable for its original intended purpose because of wear, damage
1392 or defect.

1393 (j) "Waste tire hauler" means any person engaged in the
1394 collection and/or transportation of fifty (50) or more waste tires
1395 for the purpose of storage, processing or disposal or any person
1396 transporting waste tires for compensation.

1397 (k) "Waste tire processing facility" means a site where
1398 tires are reduced in volume by shredding, cutting, chipping or
1399 otherwise altered to facilitate recycling, resource recovery or
1400 disposal. The term includes mobile waste tire processing
1401 equipment. Commercial enterprises processing waste tires shall
1402 not be considered solid waste management facilities.

1403 (l) "Waste tire collection site" means a site used for
1404 the storage of one hundred (100) or more waste tires.

1405 **SECTION 16.** Section 27-19-5, Mississippi Code of 1972, is
1406 brought forward for purposes of possible amendment as follows:

1407 27-19-5. There is hereby levied the following annual highway
1408 privilege tax on operators of private carriers of passengers as
1409 reasonable compensation for the use of the highways of this state:



1410 (a) On the owner or operator of each private carrier of
1411 passengers.....\$15.00
1412 (b) On each motorcycle, per annum.....8.00

1413 **SECTION 17.** Section 27-19-25, Mississippi Code of 1972, is
1414 brought forward for purposes of possible amendment as follows:

1415 27-19-25. No municipality, levee district, county, drainage
1416 district or other political subdivision shall impose a privilege
1417 tax or registration fee upon any motor vehicle, as defined in this
1418 article. Nothing in this section shall be construed to prohibit
1419 municipal law enforcement officers from enforcing provisions
1420 relating to the operation of a motor vehicle in violation of this
1421 article.

1422 **SECTION 18.** Chapter 938, Laws of 2012, which authorizes the
1423 City of Diamondhead, Mississippi to allow the operation of
1424 low-speed vehicles and Chapter 909, Laws of 2013, which authorizes
1425 the City of Pass Christian, Mississippi to allow the operation of
1426 low-speed vehicles are repealed.

1427 **SECTION 19.** Nothing in this act shall affect or defeat any
1428 claim, assessment, appeal, suit, right or cause of action for
1429 taxes due or accrued under the sales tax laws before the date on
1430 which this act becomes effective, whether such claims,
1431 assessments, appeals, suits or actions have been begun before the
1432 date on which this act becomes effective or are begun thereafter;
1433 and the provisions of the sales tax laws are expressly continued
1434 in full force, effect and operation for the purpose of the



1435 assessment, collection and enrollment of liens for any taxes due
1436 or accrued and the execution of any warrant under such laws before
1437 the date on which this act becomes effective, and for the
1438 imposition of any penalties, forfeitures or claims for failure to
1439 comply with such laws.

1440 **SECTION 20.** This act shall take effect and be in force from
1441 and after July 1, 2015.

