

By: Representatives Wilkes, Wallace

To: Transportation

## HOUSE BILL NO. 797

1 AN ACT TO AMEND SECTION 63-17-74, MISSISSIPPI CODE OF 1972,  
2 TO EXCEPT FROM THE PROVISION THAT MAKES IT UNLAWFUL FOR A PERSON  
3 TO SELL A MOTOR VEHICLE THAT IS NOT TITLED AND REGISTERED IN SUCH  
4 PERSON'S NAME, A PERSON SELLING AN ABANDONED MOTOR VEHICLE UNDER  
5 SECTION 63-21-1 ET SEQ.; TO EXCEPT THE REGISTRATION REQUIREMENT IF  
6 THE PERSON PURCHASING THE MOTOR VEHICLE ATTESTS TO THE DEPARTMENT  
7 OF REVENUE THAT THE MOTOR VEHICLE WILL NOT BE OPERATED ON ANY  
8 ROADS, STREETS OR HIGHWAYS; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 63-17-74, Mississippi Code of 1972, is  
11 amended as follows:

12 63-17-74. (1) It is unlawful for a person to sell a motor  
13 vehicle that is not titled and registered in the name of that  
14 person unless the person is:

15 (a) An heir, successor or assignee of the owner of the  
16 motor vehicle;

17 (b) A motor vehicle dealer licensed or permitted in the  
18 State of Mississippi to sell motor vehicles;

19 (c) A person selling a motor vehicle to a licensed used  
20 motor vehicle parts dealer or scrap metal processor in compliance  
21 with Section 63-21-39;



(d) A person selling a motor vehicle under the Mississippi Title Pledge Act;

(e) An insurance company or its authorized agent selling a motor vehicle that is the subject of an insurance claim; \* \* \*

(f) A finance company or bank selling a motor vehicle \* \* \*; or

(g) A person selling an abandoned motor vehicle under Section 63-23-1 et seq.

A person may sell a motor vehicle that is titled in the name of that person, but that is not registered, if the person purchasing the vehicle signs and files an affidavit created by the Department of Revenue whereby the purchasing person attests that the vehicle will not be operated as a motor vehicle on any roads, streets or highways. Such purchasing person, upon filing such affidavit, shall not be required to register the motor vehicle unless or until it will be operated on any roads, streets or highways.

All local and state law enforcement agencies have jurisdiction to enforce this section.

(2) Any person who violates this section is guilty of a misdemeanor and, upon conviction, shall be fined not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00) per violation.



46           **SECTION 2.** This act shall take effect and be in force from  
47 and after July 1, 2019.

