

By: Representative Currie

To: Transportation;
Agriculture

HOUSE BILL NO. 1175

1 AN ACT TO CREATE THE PATRIOT GUARD ACT; TO BRING FORWARD
2 SECTION 63-7-73, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS CERTAIN
3 SIZE VEHICLES FROM DRIVING WITHOUT SUITABLE PROTECTORS OR FLAPS ON
4 REAR WHEELS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 63-7-73, Mississippi Code of 1972, is
7 brought forward as follows:

8 63-7-73. (1) No person shall drive or operate or cause to
9 be driven or operated, upon the public highways, streets, bridges
10 and culverts within the State of Mississippi, or any subdivision
11 thereof, any car, truck, truck-tractor, trailer or semi-trailer or
12 bus used for the transportation of property or persons the gross
13 weight of which, including load, exceeds ten tons unless such
14 motor vehicle is equipped with suitable metal protectors or
15 substantial flexible flaps on the rear-most wheels of such vehicle
16 or combination of vehicles, so as to prevent as far as possible
17 such wheels from throwing dirt, water and other materials on the
18 windshields of following motor vehicles. However, pole trailers,



19 dump trucks, and all trucks carrying an "F" license tag shall be
20 exempt from the provisions of this section.

21 (2) Such protectors or flaps shall be constructed of
22 substantial and suitable materials approved by the Commissioner of
23 Public Safety and shall have a ground clearance of not more than
24 one-fifth of the distance from the center of the rear-most axle to
25 the center of the flaps under any conditions of loading operation
26 of the motor vehicle. They shall be at least as wide as the tires
27 they are protecting. However, if the motor vehicle is so designed
28 and constructed that the purposes of this section cannot be met,
29 then, in the discretion of the Commissioner of Public Safety, no
30 such protectors or flaps shall be required. If the said rear-most
31 wheels are not adequately covered at the top by fenders, body or
32 other parts of the vehicle, the said protectors or flaps shall be
33 extended to a point directly above the rear-most axle. Lamps or
34 wiring shall not be attached to protectors or flaps, and any
35 reflectors or reflectorized material attached to or made a part of
36 the protectors or flaps shall be in addition to the reflectors
37 required by law on the vehicle.

38 (3) The Commissioner of Public Safety is hereby charged with
39 the duty of administering the provisions of this section.

40 (4) Any person convicted for a violation of any of the
41 provisions of this section shall for the first violation thereof
42 be punished by a fine of not more than Twenty-five Dollars
43 (\$25.00) or by imprisonment for not more than ten (10) days; for a



44 second conviction such person shall be punished by a fine of not
45 more than One Hundred Dollars (\$100.00) or by imprisonment for not
46 more than twenty (20) days.

47 **SECTION 2.** This act shall take effect and be in force from
48 and after July 1, 2021.

