

By: Representative Currie

To: Transportation

HOUSE BILL NO. 436

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, 2022.

