

By: Representatives Busby, Deweese

To: Transportation

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1003

1 AN ACT TO ESTABLISH THE MISSISSIPPI FULLY AUTONOMOUS VEHICLE  
2 ENABLING (MS FAVE) ACT OF 2023; TO DEFINE TERMINOLOGY USED HEREIN;  
3 TO AUTHORIZE THE OPERATION OF FULLY AUTONOMOUS VEHICLES ON THE  
4 PUBLIC ROADS OF THIS STATE WITHOUT A HUMAN DRIVER PROVIDED THAT  
5 THE AUTOMATED DRIVING SYSTEM IS ENGAGED AND CERTAIN CONDITIONS ARE  
6 MET; TO SPECIFY THE CONDITIONS TO BE SATISFIED BEFORE A FULLY  
7 AUTONOMOUS VEHICLE MAY OPERATE UPON THE PUBLIC ROADS OF THIS  
8 STATE; TO REQUIRE THE OPERATOR OF A FULLY AUTONOMOUS VEHICLE TO  
9 SUBMIT A LAW ENFORCEMENT INTERACTION PLAN TO THE DEPARTMENT OF  
10 PUBLIC SAFETY; TO PROVIDE THAT AN AUTOMATED DRIVING SYSTEM  
11 INSTALLED ON A MOTOR VEHICLE IS CONSIDERED THE DRIVER OR OPERATOR,  
12 FOR THE PURPOSE OF ASSESSING COMPLIANCE WITH APPLICABLE UNIFORM  
13 TRAFFIC LAWS; TO STIPULATE THAT BEFORE OPERATING A FULLY  
14 AUTONOMOUS VEHICLE ON PUBLIC ROADS IN THIS STATE WITHOUT A HUMAN  
15 DRIVER, SATISFACTORY PROOF OF FINANCIAL RESPONSIBILITY MUST BE  
16 FILED WITH THE DEPARTMENT OF PUBLIC SAFETY; TO PRESCRIBE THE  
17 PROCEDURES TO BE FOLLOWED WHEN A FULLY AUTONOMOUS VEHICLE IS  
18 INVOLVED IN AN ACCIDENT; TO PERMIT THE OPERATION OF AN ON-DEMAND  
19 AUTONOMOUS VEHICLE NETWORK IN COMPLIANCE WITH THE OPERATION OF  
20 TRANSPORTATION NETWORK COMPANIES, TAXIS OR ANY OTHER GROUND  
21 TRANSPORTATION FOR-HIRE OF PASSENGERS; TO REQUIRE FULLY AUTONOMOUS  
22 VEHICLES TO BE REGISTERED AND TITLED WITH THE DEPARTMENT OF  
23 REVENUE; TO PROVIDE FOR THE MANUAL HUMAN OPERATION OF VEHICLES  
24 EQUIPPED WITH AN AUTOMATED DRIVING SYSTEM; TO AUTHORIZE THE  
25 OPERATION OF FULLY AUTONOMOUS VEHICLES THAT ARE CLASSIFIED AS  
26 COMMERCIAL MOTOR VEHICLES; TO EXEMPT FULLY AUTONOMOUS VEHICLES  
27 DESIGNED TO BE OPERATED EXCLUSIVELY BY AUTOMATED DRIVING SYSTEMS  
28 FROM CERTAIN VEHICLE EQUIPMENT REQUIREMENTS; TO PROHIBIT  
29 UNAUTHORIZED STATE AGENCIES, POLITICAL SUBDIVISIONS OF THE STATE,  
30 OR LOCAL GOVERNING AUTHORITY FROM RESTRICTING THE OPERATION OF  
31 FULLY AUTONOMOUS VEHICLES OR IMPOSING TAXES, FEES AND OTHER  
32 REQUIREMENTS UPON FULLY AUTONOMOUS VEHICLES; TO AMEND SECTIONS  
33 63-1-203, 63-3-103, 63-15-49, 63-15-51, 63-15-53, 63-21-3 AND  
34 63-21-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING



35 PROVISIONS; TO BRING FORWARD SECTIONS 63-1-5, 63-3-401, 63-3-405,  
36 63-3-411, 63-3-413, 63-3-619, 63-5-53, 63-7-9, 63-15-37, 63-15-39,  
37 63-15-41, 63-15-43, 63-19-3, 63-21-11, 63-21-15 AND 63-21-17,  
38 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS;  
39 AND FOR RELATED PURPOSES.

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

41 **SECTION 1.** This act shall be known and may be cited as the  
42 Mississippi Fully Autonomous Vehicle Enabling (MS FAVE) Act of  
43 2023.

44 **SECTION 2.** As used in this act, the following terms shall  
45 have the meanings ascribed in this section, unless the context of  
46 use clearly requires otherwise:

47 (a) "Automated driving system" means the hardware and  
48 software that are collectively capable of performing the entire  
49 dynamic driving task on a sustained basis, regardless of whether  
50 it is limited to a specific operational design domain.

51 (b) "Department" means the Department of Public Safety.

52 (c) "Dynamic driving task" (DDT) means all of the  
53 real-time operational and tactical functions required to operate a  
54 vehicle in on-road traffic, excluding the strategic functions such  
55 as trip scheduling and selection of destinations and waypoints,  
56 and including without limitation:

57 (i) Lateral vehicle motion control, via steering;

58 (ii) Longitudinal motion control, via acceleration  
59 and deceleration;

60 (iii) Monitoring the driving environment, via  
61 object and event detection, recognition, classification and  
62 response preparation;



63 (iv) Object and event response execution;  
64 (v) Maneuver planning; and  
65 (vi) Enhancing conspicuity via lighting, signaling  
66 and gesturing.

67 (d) "DDT fallback" means the response by the person or  
68 human driver to either perform the DDT or achieve a minimal risk  
69 condition after occurrence of a DDT performance-relevant system  
70 failure or upon operational design domain exit, or the response by  
71 an automated driving system to achieve minimal risk condition,  
72 given the same circumstances.

73 (e) "Fully autonomous vehicle" means a motor vehicle  
74 equipped with an automated driving system designed to function  
75 without a human driver as a Level 4 or Level 5 automation system  
76 under the Society of Automotive Engineers (SAE) Standard J3016.

77 (f) "Human driver" means a natural person in the  
78 vehicle with a valid license to operate a motor vehicle who  
79 controls all or part of the dynamic driving task.

80 (g) "Law enforcement interaction plan" means a document  
81 of procedures that are developed by manufacturers, owners or  
82 operators of fully autonomous vehicles to be used by law  
83 enforcement officers and first responders when interacting with  
84 fully autonomous vehicles, which describes:

85 (i) How to communicate with a fleet support  
86 specialist who is available during the times the vehicle is in  
87 operation;



88 (ii) How to recognize whether the fully autonomous  
89 vehicle is in autonomous mode;

90 (iii) How to safely remove the vehicle from the  
91 roadway and steps to safely tow the vehicle; and

92 (iv) Any additional information the manufacturer,  
93 owner or operator deems necessary regarding hazardous conditions  
94 or public safety risks associated with the operation of the fully  
95 autonomous vehicle.

96 (h) "Minimal risk condition" means a condition to which  
97 a person, human driver, or an automated driving system may bring a  
98 vehicle after performing the DDT fallback in order to reduce the  
99 risk of a crash when a given trip cannot or should not be  
100 completed.

101 (i) "On-demand autonomous vehicle network" means a  
102 transportation service network that uses a software application  
103 or other digital means to dispatch or otherwise enable the  
104 pre-arrangement of transportation with fully autonomous vehicles  
105 for purposes of transporting passengers, including for-hire  
106 transportation and transportation of passengers for compensation.

107 (j) "Operational design domain (ODD)" means the  
108 operating conditions under which a given automated driving system  
109 is specifically designed to function, including, but not limited  
110 to, environmental, geographical, time-of-day restrictions,  
111 and/or the requisite presence or absence of certain traffic or  
112 roadway characteristics.



113 (k) "Person" means a natural person, corporation,  
114 business trust, estate, trust, partnership, limited liability  
115 company, association, joint venture, governmental agency, public  
116 corporation or any other legal or commercial entity.

117 (l) "Request to intervene" means the notification by an  
118 automated driving system to a human driver, that the human driver  
119 should promptly begin or resume performance of part or all of the  
120 dynamic driving task.

121 (m) "Society of Automotive Engineers (SAE) J3016" means  
122 the "Taxonomy and Definitions for Terms Related to Driving  
123 Automation Systems for On-Road Motor Vehicles" as revised and  
124 published by SAE International in April 2021.

125 **SECTION 3.** A person may operate a fully autonomous vehicle  
126 on the public roads of this state without a human driver provided  
127 that the automated driving system is engaged and the vehicle meets  
128 the following conditions:

129 (a) If a failure of the automated driving system occurs  
130 that renders that system unable to perform the entire dynamic  
131 driving task relevant to its intended operational design domain,  
132 the fully autonomous vehicle will achieve a minimal risk  
133 condition;

134 (b) The fully autonomous vehicle is capable of  
135 operating in compliance with the applicable traffic and motor



136 vehicle safety laws and regulations of this state when reasonable  
137 to do so, unless an exemption has been granted by the Department  
138 of Public Safety; and

139 (c) When required by federal law, the vehicle bears the  
140 required manufacturer's certification label indicating that at the  
141 time of its manufacture it has been certified to be in compliance  
142 with all applicable Federal Motor Vehicle Safety Standards,  
143 including reference to any exemption granted by the National  
144 Highway Traffic Safety Administration.

145 **SECTION 4.** (1) Prior to operating a fully autonomous  
146 vehicle on the public roads of this state without a human driver,  
147 a person shall submit a law enforcement interaction plan to the  
148 Department of Public Safety that describes:

149 (a) How to communicate with a fleet support specialist  
150 who is available during the times the vehicle is in operation;

151 (b) How to safely remove the fully autonomous vehicle  
152 from the roadway and steps to safely tow the vehicle;

153 (c) How to recognize whether the fully autonomous  
154 vehicle is in autonomous mode; and

155 (d) Any additional information the manufacturer or  
156 owner deems necessary regarding hazardous conditions or public  
157 safety risks associated with the operation of the fully autonomous  
158 vehicle.

159 (2) This section shall stand repealed on July 1, 2026.



160           **SECTION 5.** When an automated driving system installed on a  
161 motor vehicle is engaged the automated driving system is  
162 considered the driver or operator, for the purpose of assessing  
163 compliance with applicable traffic or motor vehicle laws and shall  
164 be deemed to satisfy electronically all physical acts required by  
165 a driver or operator of the vehicle. The automated driving system  
166 is considered to be licensed to operate the vehicle as required  
167 under Section 63-1-5.

168           **SECTION 6.** Before operating a fully autonomous vehicle on  
169 public roads in this state without a human driver, a person shall  
170 file proof of financial responsibility satisfactory to the  
171 Department of Public Safety that the fully autonomous vehicle is  
172 covered by insurance or proof of self-insurance that satisfies the  
173 requirements of Sections 63-15-37, 63-15-39, 63-15-41, 63-15-43,  
174 63-15-49, 63-15-51 or 63-15-53.

175           **SECTION 7.** In the event of a crash:

176                   (a) The fully autonomous vehicle shall remain on the  
177 scene of the crash when required by Article 9, Chapter 3, Title  
178 63, Mississippi Code of 1972, consistent with its capability under  
179 Section 3 of this act.

180                   (b) The owner of the fully autonomous vehicle, or a  
181 person on behalf of the vehicle owner, shall report any crashes  
182 or collisions consistent with Article 9, Chapter 3, Title 63,  
183 Mississippi Code of 1972.



184           **SECTION 8.** An on-demand autonomous vehicle network shall be  
185 permitted to operate pursuant to state laws governing the  
186 operation of transportation network companies, taxis or any other  
187 ground transportation for-hire of passengers, with the exception  
188 that any provision of law that reasonably applies only to a human  
189 driver would not apply to the operation of fully autonomous  
190 vehicles with the automated driving system engaged on an on-demand  
191 autonomous vehicle network.

192           **SECTION 9.** (1) A fully autonomous vehicle shall be properly  
193 registered with the Department of Revenue in accordance with  
194 Section 63-5-39. If a fully autonomous vehicle is registered in  
195 this state, the vehicle shall be identified on the registration as  
196 a fully autonomous vehicle.

197           (2) A fully autonomous vehicle shall be properly titled in  
198 accordance with Chapter 21, Title 63, Mississippi Code of 1972.  
199 If a fully autonomous vehicle is titled in this state, the vehicle  
200 shall be identified on the title as a fully autonomous vehicle.

201           **SECTION 10.** (1) A person may operate a motor vehicle  
202 equipped with an automated driving system capable of performing  
203 the entire dynamic driving task if:

204           (a) The automated driving system will issue a request  
205 to intervene whenever the automated driving system is not capable  
206 of performing the entire dynamic driving task with the expectation  
207 that the person will respond appropriately to the request; and





208 (b) The automated driving system is capable of being  
209 operated in compliance with rules of the road governed by Title  
210 63, Mississippi Code of 1972, when reasonable to do so unless an  
211 exemption has been granted by the Department of Public Safety.

212 (2) Nothing in this act prohibits or restricts a human  
213 driver from operating a fully autonomous vehicle equipped with  
214 controls that allow for the human driver to control all or part of  
215 the dynamic driving task.

216 **SECTION 11.** A fully autonomous vehicle that is also a  
217 commercial motor vehicle as defined in Sections 63-1-203 and  
218 63-19-3 may operate pursuant to the provisions of Title 63,  
219 Mississippi Code of 1972, which govern the operation of commercial  
220 motor vehicles, except that any provision that by its nature  
221 reasonably applies only to a human driver does not apply to such a  
222 vehicle operating with the automated driving system engaged.

223 **SECTION 12.** A fully autonomous vehicle that is designed to  
224 be operated exclusively by the automated driving system for all  
225 trips is not subject to motor vehicle equipment and identification  
226 laws prescribed under Chapter 7, Title 63, Mississippi Code of  
227 1972, or any regulations administratively promulgated therefrom  
228 that:

229 (a) Relate to or support motor vehicle operation  
230 by a human driver seated in the vehicle; and

231 (b) Are not relevant for an automated driving system.



232           **SECTION 13.** (1) Unless otherwise provided in this chapter,  
233 and notwithstanding any other provision of law, fully autonomous  
234 vehicles and automated driving systems are governed exclusively by  
235 this act. The Department of Public Safety, in conjunction with  
236 the Department of Revenue, with regard to DOR's specific functions  
237 related to the registration and titling of motor vehicles, shall  
238 implement and enforce the provisions of this act.

239           (2) No state agency, political subdivision, municipality or  
240 local entity may prohibit the operation of fully autonomous  
241 vehicles, automated driving systems or on-demand autonomous  
242 vehicle networks, or otherwise enact or enforce rules or  
243 ordinances that would impose taxes, fees or other requirements,  
244 including performance standards, specific to the operation of  
245 fully autonomous vehicles, automated driving systems or  
246 on-demand autonomous vehicle networks in addition to the  
247 requirements of this act.

248           **SECTION 14.** Section 63-1-5, Mississippi Code of 1972, is  
249 brought forward as follows:

250           63-1-5. (1) (a) No person shall drive or operate a motor  
251 vehicle or an autocycle as defined in Section 63-3-103 upon the  
252 highways of the State of Mississippi without first securing an  
253 operator's license to drive on the highways of the state, unless  
254 specifically exempted by Section 63-1-7.

255           (b) The types of operator's licenses are:

256                   (i) Class R;



257 (ii) Class D;  
258 (iii) Class A, B or C commercial license governed  
259 by Article 5 of this chapter; and  
260 (iv) Interlock-restricted license as prescribed in  
261 Section 63-11-31.

262 (2) (a) Every person who makes application for an original  
263 license or a renewal license to operate any single vehicle with a  
264 gross weight rating of less than twenty-six thousand one (26,001)  
265 pounds or any vehicle towing a vehicle with a gross vehicle weight  
266 rating not in excess of ten thousand (10,000) pounds other than  
267 vehicles included in Class C, vehicles which require a special  
268 endorsement, or to operate a vehicle as a common carrier by motor  
269 vehicle, taxicab, passenger coach, dray, contract carrier or  
270 private commercial carrier as defined in Section 27-19-3, other  
271 than those vehicles for which a Class A, B or C license is  
272 required under Article 5 of this chapter, may, in lieu of the  
273 Class R regular driver's license, apply for and obtain a Class D  
274 driver's license. The fee for the issuance of a Class D driver's  
275 license shall be as set forth in Section 63-1-43 and the Class D  
276 license shall be valid for the term prescribed in Section 63-1-47.  
277 Except as required under Article 5 of this chapter, no driver of a  
278 pickup truck shall be required to have a Class D or a commercial  
279 license regardless of the purpose for which the pickup truck is  
280 used.



281 (b) Persons operating vehicles listed in paragraph (a)  
282 of this subsection for private purposes or in emergencies need not  
283 obtain a Class D license.

284 (3) An interlock-restricted license allows a person to drive  
285 only a motor vehicle equipped with an ignition-interlock device.

286 (4) A person who violates this section is guilty of a  
287 misdemeanor and, upon conviction, may be punished by imprisonment  
288 for not less than two (2) days nor more than six (6) months, by a  
289 fine of not less than Two Hundred Dollars (\$200.00) nor more than  
290 Five Hundred Dollars (\$500.00), or both.

291 **SECTION 15.** Section 63-1-203, Mississippi Code of 1972, is  
292 amended as follows:

293 63-1-203. As used in this article:

294 (a) "Alcohol" means any substance containing any form  
295 of alcohol including, but not limited to, ethanol, methanol,  
296 propanol and isopropanol.

297 (b) "Alcohol concentration" means the concentration of  
298 alcohol in a person's blood or breath. When expressed as a  
299 percentage it means:

300 (i) The number of grams of alcohol per one hundred  
301 (100) milliliters of blood; or

302 (ii) The number of grams of alcohol per two  
303 hundred ten (210) liters of breath.

304 (c) "Commercial driver's license" or "CDL" means a  
305 license issued by a state or other jurisdiction, in accordance



306 with the standards contained in 49 CFR, Part 383, to an individual  
307 which authorizes the individual to operate a class of commercial  
308 motor vehicle.

309 (d) "Commercial driver's license information system" or  
310 "CDLIS" means the CDLIS established by the Federal Motor Carrier  
311 Safety Administration (FMCSA) pursuant to Section 12007, of the  
312 Commercial Motor Vehicle Safety Act of 1986.

313 (e) "Commercial learner's permit" means a permit issued  
314 pursuant to Section 63-1-208(5).

315 (f) "Commercial motor vehicle" or "CMV" means a motor  
316 vehicle or combination of motor vehicles used in commerce to  
317 transport passengers or property if the motor vehicle:

318 (i) Has a gross combination weight rating of  
319 eleven thousand seven hundred ninety-four (11,794) kilograms or  
320 more (twenty-six thousand one (26,001) pounds or more) inclusive  
321 of a towed unit(s) with a gross vehicle weight rating of more than  
322 four thousand five hundred thirty-six (4,536) kilograms (ten  
323 thousand (10,000) pounds);

324 (ii) Has a gross vehicle weight rating of eleven  
325 thousand seven hundred ninety-four (11,794) or more kilograms  
326 (twenty-six thousand one (26,001) pounds or more);

327 (iii) Is designed to transport sixteen (16) or  
328 more passengers, including the driver;



329 (iv) Is of any size and is used in the  
330 transportation of hazardous materials as defined in this section;  
331 or

332 (v) The term shall not include:

333 1. Authorized emergency vehicles as defined  
334 in Section 63-3-103;

335 2. Motor homes as defined in Section  
336 63-3-103; however, this exemption shall only apply to vehicles  
337 used strictly for recreational, noncommercial purposes;

338 3. Military and commercial equipment owned or  
339 operated by the United States Department of Defense, including the  
340 National Guard and Mississippi Military Department, and operated  
341 by: active duty military personnel; members of the military  
342 reserves; members of the National Guard on active duty, including  
343 personnel on full-time National Guard duty; personnel on part-time  
344 National Guard training; National Guard military technicians  
345 (civilians who are required to wear military uniforms); employees  
346 of the Mississippi Military Department; and active duty United  
347 States Coast Guard personnel. This exception is not applicable to  
348 United States Reserve technicians;

349 4. Farm vehicles, which are vehicles:

350 a. Controlled and operated by a farmer;

351 b. Used to transport either agricultural  
352 products, farm machinery, farm supplies, or both, to or from a  
353 farm;



354 c. Not used in the operations of a  
355 common or contract motor carrier; and

356 d. Used within one hundred fifty (150)  
357 miles of the farm.

358 (g) "Controlled substance" means any substance so  
359 classified under Section 102(6) of the Controlled Substances Act,  
360 21 USCS 802(6), and includes all substances listed on Schedules I  
361 through V of 21 Code of Federal Regulations, Part 1308, as they  
362 may be revised from time to time, any substance so classified  
363 under Sections 41-29-113 through 41-29-121, Mississippi Code of  
364 1972, and any other substance which would impair a person's  
365 ability to operate a motor vehicle.

366 (h) "Conviction" means an unvacated adjudication of  
367 guilt, or a determination by a judge or hearing officer that a  
368 person has violated or failed to comply with the law in a court of  
369 original jurisdiction or an authorized administrative tribunal, an  
370 unvacated forfeiture of bail or collateral deposited to secure the  
371 person's appearance in court, the payment of a fine or court cost,  
372 or violation of a condition of release without bail, regardless of  
373 whether or not the penalty is rebated, suspended or probated.  
374 Conviction shall also mean a plea of guilty or nolo contendere  
375 which has been accepted by the court.

376 (i) "Disqualification" means any of the following three  
377 (3) actions:



378 (i) The suspension, revocation or cancellation of  
379 a commercial driver's license by the state or jurisdiction of  
380 issuance;

381 (ii) Any withdrawal of a person's privilege to  
382 drive a commercial motor vehicle by a state or other jurisdiction  
383 as the result of a violation of state or local law relating to  
384 motor vehicle traffic control, other than parking, vehicle weight  
385 or vehicle defect violations; or

386 (iii) A determination by the Federal Motor Carrier  
387 Safety Administration that a person is not qualified to operate a  
388 commercial motor vehicle under 49 CFR, Part 391.

389 (j) "Driver" means any person who drives, operates or  
390 is in physical control of a commercial motor vehicle on a public  
391 highway or who is required to hold a commercial driver's license.

392 (k) "Employer" means any person, including the United  
393 States, a state, the District of Columbia or a political  
394 subdivision of a state, who owns or leases a commercial motor  
395 vehicle or assigns employees to operate a commercial motor  
396 vehicle.

397 (l) "Foreign" means outside the fifty (50) United  
398 States and the District of Columbia.

399 (m) "Gross combination weight rating" or "GCWR" means  
400 the value specified by the manufacturer as the loaded weight of a  
401 combination (articulated) vehicle. In the absence of a value  
402 specified by the manufacturer, gross combination weight rating





403 will be determined by adding the gross vehicle weight rating of  
404 the power unit and the total weight of the towed unit and any load  
405 thereon.

406 (n) "Gross vehicle weight rating" or "GVWR" means the  
407 value specified by the manufacturer as the loaded weight of a  
408 single vehicle.

409 (o) "Hazardous materials" means any material that has  
410 been designated as hazardous under 49 USCS Section 5103 and is  
411 required to be placarded under subpart F of 49 CFR, Part 172 or  
412 any quantity of a material listed as a select agent or toxin in 42  
413 CFR, Part 73.

414 (p) "Imminent hazard" means the existence of a  
415 condition that presents a substantial likelihood that death,  
416 serious illness, severe personal injury, or a substantial  
417 endangerment to health, property, or the environment may occur  
418 before the reasonably foreseeable completion date of a formal  
419 proceeding begun to lessen the risk of that death, illness,  
420 injury, or endangerment.

421 (q) "Nonresident commercial driver's license" or  
422 "nonresident CDL" means a commercial driver's license issued by a  
423 state to an individual under either of the following two (2)  
424 conditions:

425 (i) To an individual domiciled in a foreign  
426 country meeting the requirements of 49 CFR, Part 383.23(b)(1); or



427 (ii) To an individual domiciled in another state  
428 meeting the requirements of 49 CFR, Part 383.23(b)(2).

429 (r) "Serious traffic violation" means conviction at any  
430 time when operating a commercial motor vehicle or at those times  
431 when operating a noncommercial motor vehicle when the conviction  
432 results in the revocation, cancellation, or suspension of the  
433 operator's license or operating privilege, of:

434 (i) Excessive speeding, involving a single charge  
435 of any speed fifteen (15) miles per hour or more, above the posted  
436 speed limit;

437 (ii) Reckless driving, as defined under state or  
438 local law;

439 (iii) Improper traffic lane changes, as defined in  
440 Section 63-3-601, 63-3-603, 63-3-613 or 63-3-803;

441 (iv) Following the vehicle ahead too closely, as  
442 defined in Section 63-3-619;

443 (v) A violation of any state law or local  
444 ordinance relating to motor vehicle traffic control, other than a  
445 parking violation, arising in connection with an accident or  
446 collision resulting in death to any person;

447 (vi) Operating a commercial motor vehicle without  
448 obtaining a commercial driver's license;

449 (vii) Operating a commercial motor vehicle without  
450 a commercial driver's license in the driver's possession;



451 (viii) Operating a commercial motor vehicle  
452 without the proper class of commercial driver's license or  
453 endorsements, or both.

454 (s) "Out-of-service order" means a declaration by an  
455 authorized enforcement officer of a federal, state, Canadian,  
456 Mexican, or local jurisdiction, that a driver, or a commercial  
457 motor vehicle, or a motor carrier operation, is out of service  
458 pursuant to 49 CFR, Part 386.72, 392.5, 395.13, 396.9 or  
459 compatible laws, or the North American Uniform Out-of-Service  
460 Criteria.

461 (t) "State of domicile" means that state where a person  
462 has a true, fixed and permanent home and principal residence and  
463 to which the person has the intention of returning whenever the  
464 person is absent.

465 (u) "Tank vehicle" means any commercial motor vehicle  
466 that is designed to transport any liquid or gaseous materials  
467 within a tank that is either permanently or temporarily attached  
468 to the vehicle or the chassis. Such vehicles include, but are not  
469 limited to, cargo tanks and portable tanks, as defined in 49 CFR,  
470 Part 171. However, they do not include portable tanks having a  
471 rated capacity under one thousand (1,000) gallons.

472 (v) "United States" means the fifty (50) states and the  
473 District of Columbia.

474 (w) "Fully autonomous vehicle" means a motor vehicle  
475 equipped with an automated driving system designed to function



476 without a human driver as a Level 4 or Level 5 automation system  
477 under the Society of Automotive Engineers (SAE) Standard J3016.

478 **SECTION 16.** Section 63-3-103, Mississippi Code of 1972, is  
479 amended as follows:

480 63-3-103. (a) "Vehicle" means every device in, upon or by  
481 which any person or property is or may be transported or drawn  
482 upon a highway, except devices used exclusively upon stationary  
483 rails or tracks.

484 (b) "Motor vehicle" means every vehicle which is  
485 self-propelled and every vehicle which is propelled by electric  
486 power obtained from overhead trolley wires, but not operated upon  
487 rails. The term "motor vehicle" shall not include electric  
488 personal assistive mobility devices, personal delivery devices or  
489 electric bicycles.

490 (c) "Motorcycle" means every motor vehicle having a saddle  
491 for the use of the rider and designed to travel on not more than  
492 three (3) wheels in contact with the ground but excluding a  
493 tractor. The term "motorcycle" includes motor scooters as defined  
494 in subsection (j) of this section. The term "motorcycle" shall  
495 not include electric bicycles or personal delivery devices.

496 (d) "Authorized emergency vehicle" means every vehicle of  
497 the fire department (fire patrol), every police vehicle, every 911  
498 Emergency Communications District vehicle, every such ambulance  
499 and special use EMS vehicle as defined in Section 41-59-3, every  
500 Mississippi Emergency Management Agency vehicle as is designated



501 or authorized by the Executive Director of MEMA and every  
502 emergency vehicle of municipal departments or public service  
503 corporations as is designated or authorized by the commission or  
504 the chief of police of an incorporated city.

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

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

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

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



524 (i) "Autocycle" means a three-wheel motorcycle with a  
525 steering wheel, nonstraddle seating, rollover protection and seat  
526 belts.

527 (j) "Motor scooter" means a two-wheeled vehicle that has a  
528 seat for the operator, one (1) wheel that is ten (10) inches or  
529 more in diameter, a step-through chassis, a motor with a rating of  
530 two and seven-tenths (2.7) brake horsepower or less if the motor  
531 is an internal combustion engine, an engine of 50cc or less and  
532 otherwise meets all safety requirements of motorcycles. The term  
533 "motor scooter" shall not include electric bicycles or personal  
534 delivery devices.

535 (k) "Platoon" means a group of individual motor vehicles  
536 traveling in a unified manner at electronically coordinated speeds  
537 at following distances that are closer than would be reasonable  
538 and prudent without such coordination.

539 (l) "Electric bicycle" means a bicycle or tricycle equipped  
540 with fully operable pedals, a saddle or seat for the rider, and an  
541 electric motor of less than seven hundred fifty (750) watts that  
542 meets the requirements of one (1) of the following three (3)  
543 classes:

544 (i) "Class 1 electric bicycle" means an electric  
545 bicycle equipped with a motor that provides assistance only when  
546 the rider is pedaling, and that ceases to provide assistance when  
547 the bicycle reaches the speed of twenty (20) miles per hour.



548           (ii) "Class 2 electric bicycle" means an electric  
549 bicycle equipped with a motor that may be used exclusively to  
550 propel the bicycle, and that is not capable of providing  
551 assistance when the bicycle reaches the speed of twenty (20) miles  
552 per hour.

553           (iii) "Class 3 electric bicycle" means an electric  
554 bicycle equipped with a motor that provides assistance only when  
555 the rider is pedaling, and that ceases to provide assistance when  
556 the bicycle reaches the speed of twenty-eight (28) miles per hour.

557           (m) "Personal delivery device" means a device:

558                 (i) Solely powered by an electric motor;

559                 (ii) Intended to be operated primarily on sidewalks,  
560 crosswalks, and other pedestrian areas to transport cargo;

561                 (iii) Intended primarily to transport property on  
562 public rights-of-way, and not intended to carry passengers; and

563                 (iv) Capable of navigating with or without the active  
564 control or monitoring of a natural person.

565           (n) "Personal delivery device operator" means a person or  
566 entity that exercises physical control or monitoring over the  
567 operation of a personal delivery device, excluding a person or  
568 entity that requests or receives the services of a personal  
569 delivery device, arranges for or dispatches the requested services  
570 of a personal delivery device, or stores, charges or maintains a  
571 personal delivery device.



572           (o) "Fully autonomous vehicle" means a motor vehicle  
573 equipped with an automated driving system designed to function  
574 without a human driver as a Level 4 or Level 5 automation system  
575 under the Society of Automotive Engineers (SAE) Standard J3016.

576           **SECTION 17.** Section 63-3-401, Mississippi Code of 1972, is  
577 brought forward as follows:

578           63-3-401. (1) The driver of any vehicle involved in an  
579 accident resulting in injury to or death of any person shall  
580 immediately stop such vehicle at the scene of such accident or as  
581 close thereto as possible but shall then forthwith return to and  
582 in every event shall remain at the scene of the accident until he  
583 has fulfilled the requirements of Section 63-3-405.

584           (2) Every stop under the provisions of subsection (1) of  
585 this section shall be made without obstructing traffic or  
586 endangering the life of any person more than is necessary.

587           (3) Except as provided in subsection (4) of this section, if  
588 any driver of a vehicle involved in an accident that results in  
589 injury to any person willfully fails to stop or to comply with the  
590 requirements of subsection (1) of this section, then such person,  
591 upon conviction, shall be punished by imprisonment for not less  
592 than thirty (30) days nor more than one (1) year, or by fine of  
593 not less than One Hundred Dollars (\$100.00) nor more than Five  
594 Thousand Dollars (\$5,000.00), or by both such fine and  
595 imprisonment.





596 (4) If any driver of a vehicle involved in an accident that  
597 results in the death of another or the mutilation, disfigurement,  
598 permanent disability or the destruction of the tongue, eye, lip,  
599 nose or any other limb, organ or member of another willfully fails  
600 to stop or to comply with the requirements under the provisions of  
601 subsection (1) of this section, then such person, upon conviction,  
602 shall be guilty of a felony and shall be punished by imprisonment  
603 for not less than five (5) nor more than twenty (20) years, or by  
604 fine of not less than One Thousand Dollars (\$1,000.00) nor more  
605 than Ten Thousand Dollars (\$10,000.00), or by both such fine and  
606 imprisonment.

607 (5) The commissioner shall revoke the driver's license of  
608 any person convicted under this section.

609 **SECTION 18.** Section 63-3-405, Mississippi Code of 1972, is  
610 brought forward as follows:

611 63-3-405. The driver of any vehicle involved in an accident  
612 resulting in injury to or death of any person or damage to any  
613 vehicle which is driven or attended by any person shall give his  
614 name, address and the registration number of the vehicle he is  
615 driving and shall, upon request and if available, exhibit his  
616 operator's or chauffeur's license to the person struck or the  
617 driver or occupant of or person attending any vehicle collided  
618 with. Said driver shall render to any person injured in such  
619 accident reasonable assistance, including the carrying, or the  
620 making of arrangements for the carrying, of such person to a



621 physician, surgeon or hospital for medical or surgical treatment  
622 if it is apparent that such treatment is necessary or if such  
623 carrying is requested by the injured person. No such driver who,  
624 in good faith and in the exercise of reasonable care, renders  
625 emergency care to any injured person at the scene of an accident  
626 or in transporting said injured person to a point where medical  
627 assistance can be reasonably expected, shall be liable for any  
628 civil damages to said injured person as a result of any acts  
629 committed in good faith and in the exercise of reasonable care or  
630 omission in good faith and in the exercise of reasonable care by  
631 such driver in rendering the emergency care to said injured  
632 person.

633         **SECTION 19.** Section 63-3-411, Mississippi Code of 1972, is  
634 brought forward as follows:

635         63-3-411. (1) The driver of a vehicle involved in an  
636 accident resulting in injury to or death of any person or total  
637 property damage to an apparent extent of Five Hundred Dollars  
638 (\$500.00) or more shall immediately, by the quickest means of  
639 communication, give notice of the collision to the local police  
640 department if the collision occurs within an incorporated  
641 municipality, or if the collision occurs outside of an  
642 incorporated municipality to the nearest sheriff's office or  
643 highway patrol station.

644         (2) The department may require any driver of a vehicle  
645 involved in an accident, of which report must be made as provided



646 in this section, to file supplemental reports whenever the  
647 original report is insufficient in the opinion of the department.  
648 Additionally, the department may require witnesses of accidents to  
649 render reports to the department.

650 (3) It shall be the duty of the highway patrol or the  
651 sheriff's office to investigate all accidents required to be  
652 reported by this section when the accident occurs outside the  
653 corporate limits of a municipality, and it shall be the duty of  
654 the police department of each municipality to investigate all  
655 accidents required to be reported by this section when the  
656 accidents occur within the corporate limits of the municipality.

657 Every law enforcement officer who investigates an accident as  
658 required by this subsection, whether the investigation is made at  
659 the scene of the accident or by subsequent investigation and  
660 interviews, shall forward within six (6) days after completing the  
661 investigation a written report of the accident to the department  
662 if the accident occurred outside the corporate limits of a  
663 municipality, or to the police department of the municipality if  
664 the accident occurred within the corporate limits of such  
665 municipality. Police departments shall forward such reports to  
666 the department within six (6) days of the date of the accident.

667 (4) Whenever an engineer of a railroad locomotive, or other  
668 person in charge of a train, is required to show proof of his  
669 identity under the provisions of this article, in connection with  
670 operation of such locomotive, to any law enforcement officer, such



671 person shall not be required to display his operator's or  
672 chauffeur's license but shall display his railroad employee  
673 number.

674 (5) In addition to the information required on the  
675 "statewide uniform traffic accident report" forms provided by  
676 Section 63-3-415, the department shall require the parties  
677 involved in an accident and the witnesses of such accident to  
678 furnish their phone numbers in order to assist the investigation  
679 by law enforcement officers.

680 **SECTION 20.** Section 63-3-413, Mississippi Code of 1972, is  
681 brought forward as follows:

682 63-3-413. Whenever the driver of a vehicle is physically  
683 incapable of making a required accident report and there was  
684 another occupant in the vehicle at the time of the accident  
685 capable of making a report, such occupant shall make or cause to  
686 be made said report.

687 **SECTION 21.** Section 63-3-619, Mississippi Code of 1972, is  
688 brought forward as follows:

689 63-3-619. (1) The driver of a motor vehicle shall not  
690 follow another vehicle more closely than is reasonable and  
691 prudent, having due regard for the speed of such vehicles and the  
692 traffic upon and the condition of the highway.

693 (2) The driver of any motor truck or motor truck drawing  
694 another vehicle when traveling upon a roadway outside of a  
695 business or residence district shall not follow within three



696 hundred (300) feet of another motor truck or motor truck drawing  
697 another vehicle. The provisions of this subsection shall not be  
698 construed to prevent overtaking and passing nor shall the same  
699 apply upon any lane specially designated for use by motor trucks.

700 (3) (a) Subject to the provisions of paragraph (b) of this  
701 subsection, subsections (1) and (2) of this section shall not  
702 apply to the operator of a nonlead vehicle in a platoon, as  
703 defined in Section 63-3-103(k), as long as the platoon is  
704 operating on a limited access divided highway with more than one  
705 (1) lane in each direction and the platoon consists of not more  
706 than two (2) motor vehicles.

707 (b) A platoon may be operated in this state only after  
708 an operator files a plan for approval of general platoon  
709 operations with the Department of Transportation. If that  
710 department approves the submission, it shall forward the plan to  
711 the Department of Public Safety for approval. The plan shall be  
712 reviewed and either approved or disapproved by the Department of  
713 Transportation and the Department of Public Safety within thirty  
714 (30) days after it is filed. If approved by both departments, the  
715 operator shall be allowed to operate the platoon five (5) working  
716 days after plan approval. The Motor Carrier Division of the  
717 Department of Public Safety shall develop the acceptable standards  
718 required for each portion of the plan.

719 **SECTION 22.** Section 63-5-53, Mississippi Code of 1972, is  
720 brought forward as follows:



721           63-5-53. (1) Any person driving any vehicle, object, or  
722 contrivance upon any highway or highway structure shall be liable  
723 for all damage which said highway or structure may sustain as a  
724 result of any illegal operation, driving, or moving of such  
725 vehicle, object, or contrivance, or as a result of operation,  
726 driving, or moving any vehicle, object or contrivance weighing in  
727 excess of the maximum weight in this chapter but authorized by a  
728 special permit issued as provided in this chapter.

729           (2) Whenever such driver is not the owner of such vehicle,  
730 object or contrivance, but is so operating, driving, or moving the  
731 same with the express or implied permission of said owner, then  
732 said owner and driver shall be jointly and severally liable for  
733 any such damage.

734           (3) Such damage may be recovered in a civil action brought  
735 by the authorities in control of such highway or highway  
736 structure.

737           **SECTION 23.** Section 63-7-9, Mississippi Code of 1972, is  
738 brought forward as follows:

739           63-7-9. Except as may otherwise be provided in this chapter,  
740 the provisions of this chapter with respect to equipment on  
741 vehicles shall not apply to implements of husbandry, road  
742 machinery, road rollers, or farm tractors.

743           **SECTION 24.** Section 63-15-37, Mississippi Code of 1972, is  
744 brought forward as follows:



745           63-15-37. Proof of financial responsibility when required  
746 under this chapter with respect to a motor vehicle or with respect  
747 to a person who is not the owner of a motor vehicle may be given  
748 by filing:

749           1. A certificate of insurance as provided in Section  
750 63-15-39 or Section 63-15-41; or

751           2. A bond as provided in Section 63-15-49; or

752           3. A certificate of deposit of money or securities as  
753 provided in Section 63-15-51; or

754           4. A certificate of self-insurance as provided in  
755 section 63-15-53, supplemented by an agreement by the self-insurer  
756 that, with respect to accidents occurring while the certificate is  
757 in force, he will pay the same judgments and in the same amounts  
758 that an insurer would have been obligated to pay under an owner's  
759 motor vehicle liability policy if it had issued such a policy to  
760 said self-insurer.

761           **SECTION 25.** Section 63-15-39, Mississippi Code of 1972, is  
762 brought forward as follows:

763           63-15-39. Proof of financial responsibility may be furnished  
764 by filing with the department the written certificate of any  
765 insurance company duly authorized to write motor vehicle liability  
766 insurance in this state certifying that there is in effect a motor  
767 vehicle liability policy for the benefit of the person required to  
768 furnish proof of financial responsibility. Such certificate shall  
769 give the effective date of such motor vehicle liability policy,



770 which date shall be the same as the effective date of the  
771 certificate, and shall designate by explicit description or by  
772 appropriate reference all motor vehicles covered thereby, unless  
773 the policy is issued to a person who is not the owner of a motor  
774 vehicle.

775         **SECTION 26.** Section 63-15-41, Mississippi Code of 1972, is  
776 brought forward as follows:

777         63-15-41. (1) The nonresident owner of a motor vehicle, the  
778 owner or operator of which is not licensed in this state, may give  
779 proof of financial responsibility by filing with the department a  
780 written certificate or certificates of an insurance company  
781 authorized to transact business in the state in which the motor  
782 vehicle or motor vehicles described in such certificate or  
783 certificates are registered, or if such nonresident does not own a  
784 motor vehicle, then in the state in which the insured resides,  
785 provided such certificate otherwise conforms to the provisions of  
786 this chapter. The department shall accept the same upon condition  
787 that said insurance company complies with the following provisions  
788 with respect to the policies so certified:

789                 (a) Said insurance company shall execute a power of  
790 attorney authorizing the department to accept service on its  
791 behalf of notice or process in any action arising out of a motor  
792 vehicle accident in this state;

793                 (b) Said insurance company shall agree in writing that  
794 such policies shall be deemed to conform with the laws of this





795 state relating to the terms of motor vehicle liability policies  
796 issued herein.

797 (2) If any insurance company not authorized to transact  
798 business in this state, which has qualified to furnish proof of  
799 financial responsibility, defaults in any said undertakings or  
800 agreements, the department shall not thereafter accept as proof  
801 any certificate of said company whether theretofore filed or  
802 thereafter tendered as proof, so long as such default continues.

803 **SECTION 27.** Section 63-15-43, Mississippi Code of 1972, is  
804 brought forward as follows:

805 63-15-43. (1) A "motor vehicle liability policy" as said  
806 term is used in this chapter shall mean an owner's or an  
807 operator's motor vehicle liability policy, that has been certified  
808 as provided in Section 63-15-39 or Section 63-15-41, as proof of  
809 financial responsibility, and issued, except as otherwise provided  
810 in Section 63-15-41, by an insurance company duly authorized to  
811 write motor vehicle liability insurance in this state, to or for  
812 the benefit of the person named therein as insured.

813 (2) Such owner's motor vehicle liability policy:

814 (a) May be any motor vehicle liability policy form that  
815 has been filed with and approved by the Commissioner of Insurance  
816 and may contain exclusions and limitations on coverage as long as  
817 the exclusions and limitations language has been filed with and  
818 approved by the Commissioner of Insurance.



819           (b) Shall have limits of liability no less than:  
820 Twenty-five Thousand Dollars (\$25,000.00) because of bodily injury  
821 to or death of one (1) person in any one (1) accident and, subject  
822 to said limit for one (1) person, Fifty Thousand Dollars  
823 (\$50,000.00) because of bodily injury to or death of two (2) or  
824 more persons in any one (1) accident, and Twenty-five Thousand  
825 Dollars (\$25,000.00) because of injury to or destruction of  
826 property of others in any one (1) accident.

827           (3) Every motor vehicle liability policy certified under the  
828 provisions of this chapter shall be subject to the following  
829 provisions which need not be contained therein:

830           (a) The liability of the insurance company with respect  
831 to the insurance required by this chapter shall become absolute  
832 whenever injury or damage covered by said motor vehicle liability  
833 policy occurs; said policy may not be cancelled or annulled as to  
834 such liability by any agreement between the insurance company and  
835 the insured after the occurrence of the injury or damage; no  
836 statement made by the insured or on his behalf and no violation of  
837 said policy shall defeat or void said policy;

838           (b) The satisfaction by the insured of a judgment for  
839 such injury or damage shall not be a condition precedent to the  
840 right or duty of the insurance company to make payment on account  
841 of such injury or damage;

842           (c) The insurance company shall have the right to  
843 settle any claim covered by the policy, and if such settlement is



844 made in good faith, the amount thereof shall be deductible from  
845 the limits of liability specified in paragraph (b) of subsection  
846 (2) of this section; or

847 (d) The policy, the written application therefor, if  
848 any, and any rider or endorsement which does not conflict with the  
849 provisions of the chapter shall constitute the entire contract  
850 between the parties.

851 (4) Any policy which grants the coverage required for a  
852 motor vehicle liability policy may also grant any lawful coverage  
853 in excess of or in addition to the coverage specified for a motor  
854 vehicle liability policy, and such excess or additional coverage  
855 shall not be subject to the provisions of this chapter. With  
856 respect to a policy which grants such excess or additional  
857 coverage, the term "motor vehicle liability policy" shall apply  
858 only to that part of the coverage which is required by this  
859 section.

860 (5) Any motor vehicle liability policy may provide that the  
861 insured shall reimburse the insurance company for any payment the  
862 insurance company would not have been obligated to make under the  
863 terms of the policy except for the provisions of this chapter.

864 (6) Any motor vehicle liability policy may provide for the  
865 prorating of the insurance thereunder with other valid and  
866 collectible insurance.



867 (7) The requirements for a motor vehicle liability policy  
868 may be fulfilled by the policies of one or more insurance  
869 companies which policies together meet such requirements.

870 (8) Any binder issued pending the issuance of a motor  
871 vehicle liability policy shall be deemed to fulfill the  
872 requirements for such a policy.

873 **SECTION 28.** Section 63-15-49, Mississippi Code of 1972, is  
874 amended as follows:

875 63-15-49. (1) Proof of financial responsibility may be  
876 furnished by filing a bond with the department, accompanied by the  
877 statutory recording fee of the chancery clerk to cover the cost of  
878 recordation of the notice provided for herein. The bond may be  
879 either a surety bond with a surety company authorized to do  
880 business within the state or a bond with at least two (2)  
881 individual sureties each owning real estate within the state not  
882 exempt under the constitution or laws of the State of Mississippi  
883 and together having equities equal in value to at least twice the  
884 amount of such bond. In cases of a bond with two (2) individual  
885 sureties, such real estate shall be scheduled and a description  
886 thereof shall appear in the bond approved by the clerk of the  
887 chancery court of the county or counties in which the real estate  
888 is located and also approved by the tax collector of the county or  
889 counties where the property is situated as being free from any  
890 delinquent tax liens. Such bond shall be conditioned for payments  
891 in amounts and under the same circumstances as would be required



892 in a motor vehicle liability policy, and shall not be cancellable  
893 except after five (5) days' written notice is received by the  
894 department. However, cancellation shall not prevent recovery with  
895 respect to any right or cause of action arising prior to the date  
896 of cancellation. Such bond shall constitute a lien in favor of  
897 the state upon the real estate so scheduled of any surety, which  
898 lien shall exist in favor of any holder of a final judgment  
899 against the person who has filed such bond. Notice to that  
900 effect, which shall include a description of the real estate  
901 scheduled in the bond, shall be filed by the department in the  
902 office of the chancery clerk of the county where such real estate  
903 is situated. Such notice shall be accompanied by the statutory  
904 fee for the services of the chancery clerk in connection with the  
905 recordation of such notice, and the chancery clerk or his deputy,  
906 upon receipt of such notice, shall acknowledge and cause the same  
907 to be recorded in the lien records. Recordation shall constitute  
908 notice as provided by the statutes governing the recordation of  
909 liens on real estate.

910 (2) If a judgment rendered against the principal on such  
911 surety or real estate bond shall not be satisfied within sixty  
912 (60) days after it has become final, the judgment creditor may,  
913 for his own use and benefit and at his sole expense, bring an  
914 action or actions in the name of the state against the persons who  
915 executed such bond, including an action or proceeding to foreclose  
916 any lien that may exist upon the real estate of a person who has



917 executed such real estate bond, which foreclosure action shall be  
918 brought in like manner and subject to all the provisions of law  
919 applicable to an action to foreclose a mortgage on real estate.

920         **SECTION 29.** Section 63-15-51, Mississippi Code of 1972, is  
921 amended as follows:

922         63-15-51. (1) Proof of financial responsibility may be  
923 evidenced by the certificate of the State Treasurer that the  
924 person named therein has deposited with him Fifteen Thousand  
925 Dollars (\$15,000.00) in cash, or securities \* \* \* as may legally  
926 be purchased by savings banks or for trust funds of a market value  
927 of Fifteen Thousand Dollars (\$15,000.00). The State Treasurer  
928 shall not accept any such deposit and issue a certificate therefor  
929 and the department shall not accept such certificate unless  
930 accompanied by evidence that there are no unsatisfied judgments of  
931 any character against the depositor in the county where the  
932 depositor resides.

933         (2) Such deposit shall be held by the State Treasurer to  
934 satisfy, in accordance with the provisions of this chapter, any  
935 execution on a judgment issued against \* \* \* the person making the  
936 deposit, for damages, including damages for care and loss of  
937 services, because of bodily injury to or death of any person, or  
938 for damages because of injury to or destruction of property,  
939 including the loss of use thereof, resulting from the ownership,  
940 maintenance, use or operation of a motor vehicle after \* \* \* the  
941 deposit was made. Money or securities so deposited shall not be



942 subject to attachment or execution unless \* \* \* the attachment or  
943 execution shall arise out of a suit for damages as aforesaid.

944 **SECTION 30.** Section 63-15-53, Mississippi Code of 1972, is  
945 amended as follows:

946 63-15-53. (1) Any person in whose name more than  
947 twenty-five (25) motor vehicles are licensed may qualify as a  
948 self-insurer by obtaining a certificate of self-insurance issued  
949 by the department as provided in subsection (2) of this section.

950 (2) The department may, in its discretion, upon the  
951 application of a person, issue a certificate of self-insurance  
952 when it is satisfied that such person is possessed and will  
953 continue to be possessed of ability to pay judgments obtained  
954 against such person.

955 (3) Upon not less than five (5) days notice and a hearing  
956 pursuant to such notice, the department may upon reasonable  
957 grounds cancel a certificate of self-insurance. Failure to pay  
958 any judgment within thirty (30) days after such judgment shall  
959 have become final shall constitute a reasonable ground for the  
960 cancellation of a certificate of self-insurance.

961 **SECTION 31.** Section 63-19-3, Mississippi Code of 1972, is  
962 brought forward as follows:

963 63-19-3. The following words and phrases, when used in this  
964 chapter, shall have the meanings respectively ascribed to them in  
965 this section, except where the context or subject matter otherwise  
966 requires:



967 (a) "Motor vehicle" means any self-propelled or motored  
968 device designed to be used or used primarily for the  
969 transportation of passengers or property, or both, and having a  
970 gross vehicular weight rating of less than fifteen thousand  
971 (15,000) pounds, but shall not include electric personal assistive  
972 mobility devices, personal delivery devices or electric bicycles  
973 as defined in Section 63-3-103.

974 (b) "Commercial vehicle" means any self-propelled or  
975 motored device designed to be used or used primarily for the  
976 transportation of passengers or property, or both, and having a  
977 gross vehicular weight rating of fifteen thousand (15,000) pounds  
978 or more; however, wherever "motor vehicle" appears in this  
979 chapter, except in Section 63-19-43, the same shall be construed  
980 to include commercial vehicles where such construction is  
981 necessary in order to give effect to this chapter.

982 (c) "Retail buyer" or "buyer" means a person who buys a  
983 motor vehicle or commercial vehicle from a retail seller, not for  
984 the purpose of resale, and who executes a retail installment  
985 contract in connection therewith.

986 (d) "Retail seller" or "seller" means a person who  
987 sells a motor vehicle or commercial vehicle to a retail buyer  
988 under or subject to a retail installment contract.

989 (e) The "holder" of a retail installment contract means  
990 the retail seller of the motor vehicle or commercial vehicle under  
991 or subject to the contract or if the contract is purchased by a





992 sales finance company or other assignee, the sales finance company  
993 or other assignee.

994 (f) "Retail installment transaction" means any  
995 transaction evidenced by a retail installment contract entered  
996 into between a retail buyer and a retail seller wherein the retail  
997 buyer buys a motor vehicle or commercial vehicle from the retail  
998 seller at a time price payable in one or more deferred  
999 installments. The cash sale price of the motor vehicle or  
1000 commercial vehicle, the amount included for insurance and other  
1001 benefits if a separate charge is made therefor, official fees and  
1002 the finance charge shall together constitute the time price.

1003 (g) "Retail installment contract" or "contract" means  
1004 an agreement entered into in this state pursuant to which the  
1005 title to or a lien upon the motor vehicle or commercial vehicle  
1006 which is the subject matter of a retail installment transaction is  
1007 retained or taken by a retail seller from a retail buyer as  
1008 security for the buyer's obligation. The term includes a chattel  
1009 mortgage, a conditional sales contract and a contract for the  
1010 bailment or leasing of a motor vehicle or commercial vehicle by  
1011 which the bailee or lessee contracts to pay as compensation for  
1012 its use a sum substantially equivalent to or in excess of its  
1013 value and by which it is agreed that the bailee or lessee is bound  
1014 to become, or has the option of becoming, the owner of the motor  
1015 vehicle upon full compliance with the provisions of the contract.



1016 (h) "Cash sale price" means the price stated in a  
1017 retail installment contract for which the seller would have sold  
1018 to the buyer, and the buyer would have bought from the seller, the  
1019 motor vehicle or commercial vehicle which is the subject matter of  
1020 the retail installment contract, if such sale had been a sale for  
1021 cash instead of a retail installment transaction. The cash sale  
1022 price may include any taxes, registration, certificate of title,  
1023 if any, license and other fees and charges for accessories and  
1024 their installation and for delivery, servicing, repairing or  
1025 improving the motor vehicle or commercial vehicle.

1026 (i) "Official fees" means the fees prescribed by law  
1027 for filing, recording or otherwise perfecting and releasing or  
1028 satisfying a retained title or a lien created by a retail  
1029 installment contract, if recorded.

1030 (j) "Finance charge" means the amount agreed upon  
1031 between the buyer and the seller, as limited in this chapter, to  
1032 be added to the aggregate of the cash sale price, the amount, if  
1033 any, included for insurance and other benefits and official fees,  
1034 in determining the time price.

1035 (k) "Sales finance company" means a person engaged, in  
1036 whole or in part, in the business of purchasing retail installment  
1037 contracts from one or more retail sellers. The term includes, but  
1038 is not limited to, a bank, trust company, private banker,  
1039 industrial bank or investment company, if so engaged. The term  
1040 also includes a retail seller engaged, in whole or in part, in the



1041 business of creating and holding retail installment contracts  
1042 which exceed a total aggregate outstanding indebtedness of Five  
1043 Hundred Thousand Dollars (\$500,000.00). The term does not include  
1044 the pledgee to whom is pledged one or more of such contracts to  
1045 secure a bona fide loan thereon.

1046 (l) "Person" means an individual, partnership,  
1047 corporation, association and any other group however organized.

1048 (m) "Administrator" means the Commissioner of Banking  
1049 and Consumer Finance or his duly authorized representative.

1050 (n) "Commissioner" means the Commissioner of Banking  
1051 and Consumer Finance.

1052 (o) "Records" or "documents" means any item in hard  
1053 copy or produced in a format of storage commonly described as  
1054 electronic, imaged, magnetic, microphotographic or otherwise, and  
1055 any reproduction so made shall have the same force and effect as  
1056 the original thereof and be admitted in evidence equally with the  
1057 original.

1058 Words in the singular include the plural and vice versa.

1059 **SECTION 32.** Section 63-21-3, Mississippi Code of 1972, is  
1060 amended as follows:

1061 63-21-3. The terms and provisions of this chapter shall be  
1062 administered by the Department of Revenue. The Department of  
1063 Revenue shall have charge of all the affairs of administering the  
1064 laws of the state relative to vehicle registration and titling,  
1065 including fully autonomous vehicles, and manufactured housing



1066 titling as hereinafter provided and may employ such administrative  
1067 and clerical assistance, material and equipment as may be  
1068 necessary to enable it to speedily, completely and efficiently  
1069 perform the duties as outlined in this chapter.

1070         **SECTION 33.** Section 63-21-9, Mississippi Code of 1972, is  
1071 amended as follows:

1072         63-21-9. (1) Except as provided in Section 63-21-11, every  
1073 owner of a motor vehicle as defined in this chapter, which is in  
1074 this state and which is manufactured or assembled after July 1,  
1075 1969, or which is the subject of first sale for use after July 1,  
1076 1969, \* \* \* every owner of a manufactured home as defined in this  
1077 chapter, which is in this state and which is manufactured or  
1078 assembled after July 1, 1999, or which is the subject of first  
1079 sale for use after July 1, 1999, and every owner of a fully  
1080 autonomous vehicle as defined in Section 3 of this act, which is  
1081 in this state and which is manufactured or assembled after July 1,  
1082 2023, or which is the subject of first sale for use after July 1,  
1083 2023, shall make application to the \* \* \* Department of Revenue  
1084 for a certificate of title with the following exceptions:

1085             (a) Voluntary application for title may be made for any  
1086 model motor vehicle which is in this state after July 1,  
1087 1969, \* \* \* for any model manufactured home or mobile home which  
1088 is in this state after July 1, 1999, and for any model fully  
1089 autonomous vehicles which is in this state after July 1, 2023, and  
1090 any person bringing a motor vehicle, manufactured home \* \* \*,



1091 mobile home or fully autonomous vehicle into this state from a  
1092 state which requires titling shall make application for title to  
1093 the \* \* \* Department of Revenue within thirty (30) days  
1094 thereafter.

1095 (b) After July 1, 1969, any dealer, acting for himself,  
1096 or another, who sells, trades or otherwise transfers any new or  
1097 used vehicle as defined in this chapter, \* \* \* after July 1, 1999,  
1098 any dealer, acting for himself, or another, who sells, trades or  
1099 otherwise transfers any new or used manufactured home or mobile  
1100 home as defined in this chapter, and after July 1, 2023, any  
1101 dealer, acting for himself, or another, who sells, trades or  
1102 otherwise transfers any new or used fully autonomous vehicle as  
1103 defined in Section 3 of this act, or any designated agent, shall  
1104 furnish to the purchaser or transferee, without charge for either  
1105 application or certificate of title, an application for title of  
1106 said vehicle, manufactured home \* \* \*, mobile home or fully  
1107 autonomous vehicle and cause to be forwarded to the \* \* \*  
1108 Department of Revenue any and all documents required by the \* \* \*  
1109 department to issue certificate of title to the purchaser or  
1110 transferee. The purchaser or transferee may then use the  
1111 duplicate application for title as a permit to operate vehicle as  
1112 provided in Section 63-21-67, until certificate of title is  
1113 received.

1114 (2) (a) Voluntary application for title may be made for any  
1115 model all-terrain vehicle which is in this state.



1116 (b) A dealer who sells, trades or otherwise transfers  
1117 any new or used all-terrain vehicles as defined in this chapter,  
1118 may furnish to the purchaser or transferee, without charge for  
1119 either application or certificate of title, an application for  
1120 title of said vehicle, and cause to be forwarded to the State Tax  
1121 Commission any and all documents required by the commission to  
1122 issue certificate of title to the purchaser or transferee.

1123 (3) Any dealer, acting for himself or another who sells,  
1124 trades or otherwise transfers any vehicle, manufactured  
1125 home \* \* \*, mobile home or fully autonomous vehicle required to be  
1126 titled under this chapter who does not comply with the provisions  
1127 of this chapter shall be guilty of a misdemeanor and upon  
1128 conviction shall be fined a sum not exceeding Five Hundred Dollars  
1129 (\$500.00).

1130 **SECTION 34.** Section 63-21-11, Mississippi Code of 1972, is  
1131 brought forward as follows:

1132 63-21-11. (1) No certificate of title need be obtained for:

1133 (a) A vehicle, manufactured home or mobile home owned  
1134 by the United States or any agency thereof;

1135 (b) A vehicle, manufactured home or mobile home owned  
1136 by a manufacturer or dealer and held for sale, even though  
1137 incidentally moved on the highway or used for purposes of testing  
1138 or demonstration, or a vehicle used by a manufacturer solely for  
1139 testing;



1140 (c) A vehicle, manufactured home or mobile home owned  
1141 by a nonresident of this state and not required by law to be  
1142 registered in this state;

1143 (d) A vehicle regularly engaged in the interstate  
1144 transportation of persons or property for which a currently  
1145 effective certificate of title has been issued in another state;

1146 (e) A vehicle moved solely by animal power;

1147 (f) An implement of husbandry;

1148 (g) Special mobile equipment;

1149 (h) A pole trailer;

1150 (i) Utility trailers of less than five thousand (5,000)  
1151 pounds gross vehicle weight;

1152 (j) A manufactured home with respect to which the  
1153 requirements of subsections (1) through (5) of Section 63-21-30,  
1154 as applicable, have been satisfied unless with respect to the same  
1155 manufactured home or mobile home there has been recorded an  
1156 affidavit of severance pursuant to subsection (6) of Section  
1157 63-21-30.

1158 (2) Nothing in this section shall prohibit the issuance of a  
1159 certificate of title to the nonresident owner of an all-terrain  
1160 vehicle that is purchased in this state.

1161 **SECTION 35.** Section 63-21-15, Mississippi Code of 1972, is  
1162 brought forward as follows:

1163 63-21-15. (1) The application for the certificate of title  
1164 of a vehicle, manufactured home or mobile home in this state shall



1165 be made by the owner to a designated agent, on the form the  
1166 Department of Revenue prescribes, and shall contain or be  
1167 accompanied by the following, if applicable:

1168 (a) The name, driver's license number, if the owner has  
1169 been issued a driver's license, current residence and mailing  
1170 address of the owner;

1171 (b) (i) If a vehicle, a description of the vehicle,  
1172 including the following data: year, make, model, vehicle  
1173 identification number, type of body, the number of cylinders,  
1174 odometer reading at the time of application, and whether new or  
1175 used; and

1176 (ii) If a manufactured home or mobile home, a  
1177 description of the manufactured home or mobile home, including the  
1178 following data: year, make, model number, serial number and  
1179 whether new or used;

1180 (c) The date of purchase by applicant, the name and  
1181 address of the person from whom the vehicle, manufactured home or  
1182 mobile home was acquired, and the names and addresses of any  
1183 lienholders in the order of their priority and the dates of their  
1184 security agreements;

1185 (d) In connection with the transfer of ownership of a  
1186 manufactured home or mobile home sold by a sheriff's bill of sale,  
1187 a copy of the sheriff's bill of sale;

1188 (e) (i) An odometer disclosure statement made by the  
1189 transferor of a motor vehicle. The statement shall read:





1190 "Federal and state law requires that you state the mileage in  
1191 connection with the transfer of ownership. Failure to complete or  
1192 providing a false statement may result in fine and/or  
1193 imprisonment.

1194 I state that the odometer now reads \_\_\_\_\_ (no tenths)  
1195 miles and to the best of my knowledge that it reflects the actual  
1196 mileage of the vehicle described herein, unless one (1) of the  
1197 following statements is checked:

1198 \_\_\_\_\_ (1) I hereby certify that to the best of my knowledge  
1199 the odometer reading reflects the amount of mileage in excess of  
1200 its mechanical limits.

1201 \_\_\_\_\_ (2) I hereby certify that the odometer reading is not  
1202 the actual mileage. WARNING-ODOMETER DISCREPANCY!"

1203 (ii) In connection with the transfer of ownership  
1204 of a motor vehicle, each transferor shall disclose the mileage to  
1205 the transferee in writing on the title or on the document being  
1206 used to reassign the title, which form shall be prescribed and  
1207 furnished by the Department of Revenue. This written disclosure  
1208 must be signed by the transferor and transferee, including the  
1209 printed name of both parties.

1210 Notwithstanding the requirements above, the following  
1211 exemptions as to odometer disclosure shall be in effect:

1212 1. A vehicle having a gross vehicle weight  
1213 rating of more than sixteen thousand (16,000) pounds.

1214 2. A vehicle that is not self-propelled.



1215                           3. A vehicle that is twenty (20) years old or  
1216 older.

1217                           4. A vehicle sold directly by the  
1218 manufacturer to any agency of the United States in conformity with  
1219 contractual specifications.

1220                           5. A transferor of a new vehicle prior to its  
1221 first transfer for purposes other than resale need not disclose  
1222 the vehicle's odometer mileage.

1223                           (iii) Any person who knowingly gives a false  
1224 statement concerning the odometer reading on an odometer  
1225 disclosure statement shall be guilty of a misdemeanor and, upon  
1226 conviction, shall be subject to a fine of up to One Thousand  
1227 Dollars (\$1,000.00) or imprisonment of up to one (1) year, or  
1228 both, at the discretion of the court. These penalties shall be  
1229 cumulative, supplemental and in addition to the penalties provided  
1230 by any other law; and

1231                           (f) For previously used manufactured homes and mobile  
1232 homes that previously have not been titled in this state or any  
1233 other state, a disclosure statement shall be made by the owner of  
1234 the manufactured home or mobile home applying for the certificate  
1235 of title. That statement shall read:

1236                           "I state that the previously used manufactured home or mobile  
1237 home owned by me for which I am applying for a certificate of  
1238 title, to the best of my knowledge:



1239 \_\_\_\_\_ (1) Has never been declared a total loss due to  
1240 flood damage, fire damage, wind damage or other damage; or

1241 \_\_\_\_\_ (2) Has previously been declared a total loss due  
1242 to:

1243 \_\_\_\_\_ (a) Collision;

1244 \_\_\_\_\_ (b) Flood;

1245 \_\_\_\_\_ (c) Fire;

1246 \_\_\_\_\_ (d) Wind;

1247 \_\_\_\_\_ (e) Other (please describe): \_\_\_\_\_

1248 \_\_\_\_\_."

1249 (2) The application shall be accompanied by such evidence as  
1250 the Department of Revenue reasonably requires to identify the  
1251 vehicle, manufactured home or mobile home and to enable the  
1252 Department of Revenue to determine whether the owner is entitled  
1253 to a certificate of title and the existence or nonexistence of  
1254 security interests in the vehicle, manufactured home or mobile  
1255 home and whether the applicant is liable for a use tax as provided  
1256 by Sections 27-67-1 through 27-67-33.

1257 (3) If the application is for a vehicle, manufactured home  
1258 or mobile home purchased from a dealer, it shall contain the name  
1259 and address of any lienholder holding a security interest created  
1260 or reserved at the time of the sale and the date of his security  
1261 agreement and it shall be signed by the dealer as well as the  
1262 owner. The designated agent shall promptly mail or deliver the  
1263 application to the Department of Revenue.



1264 (4) If the application is for a new vehicle, manufactured  
1265 home or mobile home, it shall contain the certified manufacturer's  
1266 statement of origin showing proper assignments to the applicant  
1267 and a copy of each security interest document.

1268 (5) Each application shall contain or be accompanied by the  
1269 certificate of a designated agent that the vehicle, manufactured  
1270 home or mobile home has been physically inspected by him and that  
1271 the vehicle identification number and descriptive data shown on  
1272 the application, pursuant to the requirements of subsection (1)(b)  
1273 of this section, are correct, and also that he has identified the  
1274 person signing the application and witnessed the signature. If  
1275 the application is to receive a branded title for a vehicle for  
1276 which a salvage certificate of title has been issued, the  
1277 application shall be accompanied by a sworn affidavit that the  
1278 vehicle complies with the requirements of this section, Section  
1279 63-21-39 and the regulations promulgated by the Department of  
1280 Revenue under Section 63-21-39.

1281 (6) (a) If the application is for a first certificate of  
1282 title on a vehicle, manufactured home or mobile home other than a  
1283 new vehicle, manufactured home or mobile home, then the  
1284 application shall conform with the requirements of this section  
1285 except that in lieu of the manufacturer's statement of origin, the  
1286 application shall be accompanied by a copy of the bill of sale of  
1287 said motor vehicle, manufactured home or mobile home whereby the  
1288 applicant claims title or in lieu thereof, in the case of a motor



1289 vehicle, certified copies of the last two (2) years' tag and tax  
1290 receipts or in lieu thereof, in any case, such other information  
1291 the Department of Revenue may reasonably require to identify the  
1292 vehicle, manufactured home or mobile home and to enable the  
1293 Department of Revenue to determine ownership of the vehicle,  
1294 manufactured home or mobile home and the existence or nonexistence  
1295 of security interest in it. If the application is for a vehicle,  
1296 manufactured home or mobile home last previously registered in  
1297 another state or country, the application shall also be  
1298 accompanied by the certificate of title issued by the other state  
1299 or country, if any, properly assigned.

1300 (b) A person may apply for a certificate of title to a  
1301 vehicle lacking proper documentation if the vehicle is at least  
1302 thirty (30) years old and the person submits a certificate of  
1303 ownership signed under penalty of perjury on a form prescribed by  
1304 the Department of Revenue.

1305 (7) If the application is for a vehicle the owner does not  
1306 intend to drive, the owner need not purchase a license tag in  
1307 order to receive a certificate of title, so long as the  
1308 application contains an affidavit attesting to the owner's intent  
1309 that the vehicle not be operated on the highways of this state  
1310 until and unless the owner applies for a license tag.

1311 (8) Every designated agent within this state shall, no later  
1312 than the next business day after they are received by him, forward  
1313 to the Department of Revenue by mail, postage prepaid, the



1314 originals of all applications received by him, together with such  
1315 evidence of title as may have been delivered to him by the  
1316 applicants.

1317 (9) An application for certificate of title and information  
1318 to be placed on an application for certificate of title may be  
1319 transferred electronically as provided in Section 63-21-16.

1320 (10) The Department of Revenue shall issue a certificate of  
1321 title or any other document applied for under this chapter to the  
1322 designated agent, owner or lienholder of the motor vehicle or of  
1323 the manufactured home or mobile home, as appropriate, not more  
1324 than thirty (30) days after the application and required fee  
1325 prescribed under Section 63-21-63 or Section 63-21-64 are received  
1326 unless the applicant requests expedited processing under  
1327 subsection (11) of this section.

1328 (11) (a) The Department of Revenue shall establish an  
1329 expedited processing procedure for the receipt of applications and  
1330 the issuance of certificates of title and any other documents  
1331 issued under this chapter, except a replacement certificate of  
1332 title as provided under Section 63-21-27(2), for motor vehicles  
1333 and for manufactured homes or mobile homes. Any designated agent,  
1334 lienholder or owner requesting the issuance of any such document,  
1335 at his or her option, shall receive such expedited processing upon  
1336 payment of a fee in the amount of Thirty Dollars (\$30.00). Such  
1337 fee shall be in addition to the fees applicable to the issuance of  
1338 any such documents under Section 63-21-63 and Section 63-21-64.



1339 (b) When expedited title processing is requested, the  
1340 applicable fees are paid and all documents and information  
1341 necessary for the Department of Revenue to issue the certificate  
1342 of title or other documents applied for are received by the  
1343 department, then the department shall complete processing of the  
1344 application and issue the title or document applied for within  
1345 seventy-two (72) hours of the time of receipt, excluding weekends  
1346 and holidays.

1347 **SECTION 36.** Section 63-21-17, Mississippi Code of 1972, is  
1348 brought forward as follows:

1349 63-21-17. (1) The Department of Revenue shall examine each  
1350 application received and, when satisfied as to its genuineness and  
1351 regularity and that the applicant is entitled to the issuance of a  
1352 certificate of title, shall issue a certificate of title of the  
1353 vehicle, manufactured home or mobile home on the form prescribed  
1354 by the department.

1355 (2) The Department of Revenue shall maintain a record of all  
1356 certificates of title issued for fifteen (15) years from the date  
1357 of issuance, pursuant to the provisions of this chapter:

1358 (a) Under a distinctive title number assigned to the  
1359 vehicle, manufactured home or mobile home;

1360 (b) Under the vehicle identification number;

1361 (c) Under the name of the owner; and

1362 (d) In the discretion of the Department of Revenue, by  
1363 any other method the department determines.



1364           (3) The Department of Revenue shall maintain a record of  
1365 each affidavit of affixation filed in accordance with subsections  
1366 (3), (4) and (5) of Section 63-21-30. The record shall state the  
1367 name and mailing address of each owner of the related manufactured  
1368 home, the county of recordation, the date of recordation, and the  
1369 book and page number of each book of records in which there has  
1370 been recorded an affidavit of affixation under subsections (1) and  
1371 (2) of Section 63-21-30, the name of the manufacturer, the make,  
1372 the model name, the model year, the dimensions, and the  
1373 manufacturer's serial number or VIN of the manufactured home or  
1374 mobile home, to the extent that such data exists, and any other  
1375 information the Department of Revenue prescribes.

1376           (4) The Department of Revenue shall maintain a record of  
1377 each manufacturer's certificate of origin submitted for the  
1378 purpose of effectuating the retirement of title as provided in  
1379 Section 63-21-30. The record shall state the name and mailing  
1380 address of each owner of the manufactured home, the date the  
1381 manufacturer's certificate of origin was submitted, the county of  
1382 recordation, the date of recordation, and the book and page number  
1383 of each book of records in which there has been recorded an  
1384 affidavit of affixation under subsections (1) and (2) of Section  
1385 63-21-30, the name of the manufacturer, the make, the model name,  
1386 the model year, the dimensions, and the manufacturer's serial  
1387 number or VIN of the manufactured home or mobile home, to the





1388 extent that such data exists, and any other information the  
1389 Department of Revenue prescribes.

1390 (5) The Department of Revenue shall maintain a record of  
1391 each certificate of title accepted for surrender as provided in  
1392 subsection (5) of Section 63-21-30. The record shall state the  
1393 name and mailing address of each owner of the manufactured home,  
1394 the date the certificate of title was accepted for surrender, the  
1395 county of recordation, the date of recordation, and the book and  
1396 page number of each book of records in which there has been  
1397 recorded an affidavit of affixation under subsections (1) and (2)  
1398 of Section 63-21-30, the name of the manufacturer, the make, the  
1399 model name, the model year, the dimensions, and the manufacturer's  
1400 serial number or VIN of the manufactured home or mobile home, to  
1401 the extent that such data exists, and any other information the  
1402 Department of Revenue prescribes.

1403 (6) The Department of Revenue shall maintain a record of  
1404 each affidavit of severance filed in accordance with subsection  
1405 (6) of Section 63-21-30. The record shall state the name and  
1406 mailing address of each owner of the related manufactured home,  
1407 the county of recordation, the date of recordation, and the book  
1408 and page number of each book of records in which there has been  
1409 recorded an affidavit of severance under subsection (6) of Section  
1410 63-21-30, the name of the manufacturer, the make, the model name,  
1411 the model year, the dimensions, and the manufacturer's serial  
1412 number or VIN of the manufactured home or mobile home, to the



1413 extent that such data exists, and any other information the  
1414 Department of Revenue prescribes.

1415 (7) Records of affidavits of affixation, submitted  
1416 manufacturer's certificates of origin, surrendered certificates of  
1417 title, and affidavits of severance shall be maintained permanently  
1418 and be subject to public records request. The records of  
1419 affidavits of affixation, submitted manufacturer's certificates of  
1420 origin, and surrendered certificates of title shall include a  
1421 statement that the manufactured home is real property as provided  
1422 in subsections (13) and (14) of Section 63-21-30.

1423 **SECTION 37.** This act shall take effect and be in force from  
1424 and after July 1, 2023.

