

By: Representatives Busby, Deweese

To: Transportation

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.** (1) A person may operate a fully autonomous
126 vehicle on the public roads of this state without a human driver
127 provided that the automated driving system is engaged and the
128 vehicle meets 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 (2) Prior to operating a fully autonomous vehicle on the
146 public roads of this state without a human driver, a person shall
147 submit a law enforcement interaction plan to the Department of
148 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 **SECTION 4.** When an automated driving system installed on a
160 motor vehicle is engaged the automated driving system is



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

167 **SECTION 5.** Before operating a fully autonomous vehicle on
168 public roads in this state without a human driver, a person shall
169 file proof of financial responsibility satisfactory to the
170 Department of Public Safety that the fully autonomous vehicle is
171 covered by insurance or proof of self-insurance that satisfies the
172 requirements of Sections 63-15-37, 63-15-39, 63-15-41, 63-15-43,
173 63-15-49, 63-15-51 or 63-15-53.

174 **SECTION 6.** In the event of a crash:

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

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

183 **SECTION 7.** An on-demand autonomous vehicle network shall be
184 permitted to operate pursuant to state laws governing the
185 operation of transportation network companies, taxis or any other



186 ground transportation for-hire of passengers, with the exception
187 that any provision of law that reasonably applies only to a human
188 driver would not apply to the operation of fully autonomous
189 vehicles with the automated driving system engaged on an on-demand
190 autonomous vehicle network.

191 **SECTION 8.** (1) A fully autonomous vehicle shall be properly
192 registered with the Department of Revenue in accordance with
193 Section 63-5-39. If a fully autonomous vehicle is registered in
194 this state, the vehicle shall be identified on the registration as
195 a fully autonomous vehicle.

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

200 **SECTION 9.** (1) A person may operate a motor vehicle
201 equipped with an automated driving system capable of performing
202 the entire dynamic driving task if:

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

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



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

215 **SECTION 10.** A fully autonomous vehicle that is also a
216 commercial motor vehicle as defined in Sections 63-1-203 and
217 63-19-3 may operate pursuant to the provisions of Title 63,
218 Mississippi Code of 1972, which govern the operation of commercial
219 motor vehicles, except that any provision that by its nature
220 reasonably applies only to a human driver does not apply to such a
221 vehicle operating with the automated driving system engaged.

222 **SECTION 11.** A fully autonomous vehicle that is designed to
223 be operated exclusively by the automated driving system for all
224 trips is not subject to motor vehicle equipment and identification
225 laws prescribed under Chapter 7, Title 63, Mississippi Code of
226 1972, or any regulations administratively promulgated therefrom
227 that:

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

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

231 **SECTION 12.** (1) Unless otherwise provided in this chapter,
232 and notwithstanding any other provision of law, fully autonomous
233 vehicles and automated driving systems are governed exclusively by
234 this act. The Department of Public Safety, in conjunction with
235 the Department of Revenue, with regard to DOR's specific functions



236 related to the registration and titling of motor vehicles, shall
237 implement and enforce the provisions of this act.

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

247 **SECTION 13.** Section 63-1-5, Mississippi Code of 1972, is
248 brought forward as follows:

249 63-1-5. (1) (a) No person shall drive or operate a motor
250 vehicle or an autocycle as defined in Section 63-3-103 upon the
251 highways of the State of Mississippi without first securing an
252 operator's license to drive on the highways of the state, unless
253 specifically exempted by Section 63-1-7.

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

255 (i) Class R;

256 (ii) Class D;

257 (iii) Class A, B or C commercial license governed
258 by Article 5 of this chapter; and

259 (iv) Interlock-restricted license as prescribed in
260 Section 63-11-31.



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

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

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



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

290 **SECTION 14.** Section 63-1-203, Mississippi Code of 1972, is
291 amended as follows:

292 63-1-203. As used in this article:

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

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

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

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

303 (c) "Commercial driver's license" or "CDL" means a
304 license issued by a state or other jurisdiction, in accordance
305 with the standards contained in 49 CFR, Part 383, to an individual
306 which authorizes the individual to operate a class of commercial
307 motor vehicle.

308 (d) "Commercial driver's license information system" or
309 "CDLIS" means the CDLIS established by the Federal Motor Carrier



310 Safety Administration (FMCSA) pursuant to Section 12007, of the
311 Commercial Motor Vehicle Safety Act of 1986.

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

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

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

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

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

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

330 or

331 (v) The term shall not include:

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



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

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

348 4. Farm vehicles, which are vehicles:
349 a. Controlled and operated by a farmer;
350 b. Used to transport either agricultural
351 products, farm machinery, farm supplies, or both, to or from a
352 farm;
353 c. Not used in the operations of a
354 common or contract motor carrier; and
355 d. Used within one hundred fifty (150)
356 miles of the farm.

357 (g) "Controlled substance" means any substance so
358 classified under Section 102(6) of the Controlled Substances Act,



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

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

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

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

380 (ii) Any withdrawal of a person's privilege to
381 drive a commercial motor vehicle by a state or other jurisdiction
382 as the result of a violation of state or local law relating to



383 motor vehicle traffic control, other than parking, vehicle weight
384 or vehicle defect violations; or

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

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

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

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

398 (m) "Gross combination weight rating" or "GCWR" means
399 the value specified by the manufacturer as the loaded weight of a
400 combination (articulated) vehicle. In the absence of a value
401 specified by the manufacturer, gross combination weight rating
402 will be determined by adding the gross vehicle weight rating of
403 the power unit and the total weight of the towed unit and any load
404 thereon.

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



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

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

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

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

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

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



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

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

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

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

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

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

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

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

453 (s) "Out-of-service order" means a declaration by an
454 authorized enforcement officer of a federal, state, Canadian,
455 Mexican, or local jurisdiction, that a driver, or a commercial
456 motor vehicle, or a motor carrier operation, is out of service
457 pursuant to 49 CFR, Part 386.72, 392.5, 395.13, 396.9 or



458 compatible laws, or the North American Uniform Out-of-Service
459 Criteria.

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

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

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

473 (w) "Fully autonomous vehicle" means a motor vehicle
474 equipped with an automated driving system designed to function
475 without a human driver as a Level 4 or Level 5 automation system
476 under the Society of Automotive Engineers (SAE) Standard J3016.

477 **SECTION 15.** Section 63-3-103, Mississippi Code of 1972, is
478 amended as follows:

479 63-3-103. (a) "Vehicle" means every device in, upon or by
480 which any person or property is or may be transported or drawn
481 upon a highway, except devices used exclusively upon stationary
482 rails or tracks.



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

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

495 (d) "Authorized emergency vehicle" means every vehicle of
496 the fire department (fire patrol), every police vehicle, every 911
497 Emergency Communications District vehicle, every such ambulance
498 and special use EMS vehicle as defined in Section 41-59-3, every
499 Mississippi Emergency Management Agency vehicle as is designated
500 or authorized by the Executive Director of MEMA and every
501 emergency vehicle of municipal departments or public service
502 corporations as is designated or authorized by the commission or
503 the chief of police of an incorporated city.

504 (e) "School bus" means every motor vehicle operated for the
505 transportation of children to or from any school, provided same is
506 plainly marked "School Bus" on the front and rear thereof and



507 meets the requirements of the State Board of Education as
508 authorized under Section 37-41-1.

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

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

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

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

526 (j) "Motor scooter" means a two-wheeled vehicle that has a
527 seat for the operator, one (1) wheel that is ten (10) inches or
528 more in diameter, a step-through chassis, a motor with a rating of
529 two and seven-tenths (2.7) brake horsepower or less if the motor
530 is an internal combustion engine, an engine of 50cc or less and
531 otherwise meets all safety requirements of motorcycles. The term



532 "motor scooter" shall not include electric bicycles or personal
533 delivery devices.

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

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

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

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

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

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



557 (i) Solely powered by an electric motor;
558 (ii) Intended to be operated primarily on sidewalks,
559 crosswalks, and other pedestrian areas to transport cargo;
560 (iii) Intended primarily to transport property on
561 public rights-of-way, and not intended to carry passengers; and
562 (iv) Capable of navigating with or without the active
563 control or monitoring of a natural person.

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

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

575 **SECTION 16.** Section 63-3-401, Mississippi Code of 1972, is
576 brought forward as follows:

577 63-3-401. (1) The driver of any vehicle involved in an
578 accident resulting in injury to or death of any person shall
579 immediately stop such vehicle at the scene of such accident or as
580 close thereto as possible but shall then forthwith return to and



581 in every event shall remain at the scene of the accident until he
582 has fulfilled the requirements of Section 63-3-405.

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

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

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



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

608 **SECTION 17.** Section 63-3-405, Mississippi Code of 1972, is
609 brought forward as follows:

610 63-3-405. The driver of any vehicle involved in an accident
611 resulting in injury to or death of any person or damage to any
612 vehicle which is driven or attended by any person shall give his
613 name, address and the registration number of the vehicle he is
614 driving and shall, upon request and if available, exhibit his
615 operator's or chauffeur's license to the person struck or the
616 driver or occupant of or person attending any vehicle collided
617 with. Said driver shall render to any person injured in such
618 accident reasonable assistance, including the carrying, or the
619 making of arrangements for the carrying, of such person to a
620 physician, surgeon or hospital for medical or surgical treatment
621 if it is apparent that such treatment is necessary or if such
622 carrying is requested by the injured person. No such driver who,
623 in good faith and in the exercise of reasonable care, renders
624 emergency care to any injured person at the scene of an accident
625 or in transporting said injured person to a point where medical
626 assistance can be reasonably expected, shall be liable for any
627 civil damages to said injured person as a result of any acts
628 committed in good faith and in the exercise of reasonable care or
629 omission in good faith and in the exercise of reasonable care by



630 such driver in rendering the emergency care to said injured
631 person.

632 **SECTION 18.** Section 63-3-411, Mississippi Code of 1972, is
633 brought forward as follows:

634 63-3-411. (1) The driver of a vehicle involved in an
635 accident resulting in injury to or death of any person or total
636 property damage to an apparent extent of Five Hundred Dollars
637 (\$500.00) or more shall immediately, by the quickest means of
638 communication, give notice of the collision to the local police
639 department if the collision occurs within an incorporated
640 municipality, or if the collision occurs outside of an
641 incorporated municipality to the nearest sheriff's office or
642 highway patrol station.

643 (2) The department may require any driver of a vehicle
644 involved in an accident, of which report must be made as provided
645 in this section, to file supplemental reports whenever the
646 original report is insufficient in the opinion of the department.
647 Additionally, the department may require witnesses of accidents to
648 render reports to the department.

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



654 accidents required to be reported by this section when the
655 accidents occur within the corporate limits of the municipality.

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

666 (4) Whenever an engineer of a railroad locomotive, or other
667 person in charge of a train, is required to show proof of his
668 identity under the provisions of this article, in connection with
669 operation of such locomotive, to any law enforcement officer, such
670 person shall not be required to display his operator's or
671 chauffeur's license but shall display his railroad employee
672 number.

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



679 **SECTION 19.** Section 63-3-413, Mississippi Code of 1972, is
680 brought forward as follows:

681 63-3-413. Whenever the driver of a vehicle is physically
682 incapable of making a required accident report and there was
683 another occupant in the vehicle at the time of the accident
684 capable of making a report, such occupant shall make or cause to
685 be made said report.

686 **SECTION 20.** Section 63-3-619, Mississippi Code of 1972, is
687 brought forward as follows:

688 63-3-619. (1) The driver of a motor vehicle shall not
689 follow another vehicle more closely than is reasonable and
690 prudent, having due regard for the speed of such vehicles and the
691 traffic upon and the condition of the highway.

692 (2) The driver of any motor truck or motor truck drawing
693 another vehicle when traveling upon a roadway outside of a
694 business or residence district shall not follow within three
695 hundred (300) feet of another motor truck or motor truck drawing
696 another vehicle. The provisions of this subsection shall not be
697 construed to prevent overtaking and passing nor shall the same
698 apply upon any lane specially designated for use by motor trucks.

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



704 (1) lane in each direction and the platoon consists of not more
705 than two (2) motor vehicles.

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

718 **SECTION 21.** Section 63-5-53, Mississippi Code of 1972, is
719 brought forward as follows:

720 63-5-53. (1) Any person driving any vehicle, object, or
721 contrivance upon any highway or highway structure shall be liable
722 for all damage which said highway or structure may sustain as a
723 result of any illegal operation, driving, or moving of such
724 vehicle, object, or contrivance, or as a result of operation,
725 driving, or moving any vehicle, object or contrivance weighing in
726 excess of the maximum weight in this chapter but authorized by a
727 special permit issued as provided in this chapter.



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

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

736 **SECTION 22.** Section 63-7-9, Mississippi Code of 1972, is
737 brought forward as follows:

738 63-7-9. Except as may otherwise be provided in this chapter,
739 the provisions of this chapter with respect to equipment on
740 vehicles shall not apply to implements of husbandry, road
741 machinery, road rollers, or farm tractors.

742 **SECTION 23.** Section 63-15-37, Mississippi Code of 1972, is
743 brought forward as follows:

744 63-15-37. Proof of financial responsibility when required
745 under this chapter with respect to a motor vehicle or with respect
746 to a person who is not the owner of a motor vehicle may be given
747 by filing:

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

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

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



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

760 **SECTION 24.** Section 63-15-39, Mississippi Code of 1972, is
761 brought forward as follows:

762 63-15-39. Proof of financial responsibility may be furnished
763 by filing with the department the written certificate of any
764 insurance company duly authorized to write motor vehicle liability
765 insurance in this state certifying that there is in effect a motor
766 vehicle liability policy for the benefit of the person required to
767 furnish proof of financial responsibility. Such certificate shall
768 give the effective date of such motor vehicle liability policy,
769 which date shall be the same as the effective date of the
770 certificate, and shall designate by explicit description or by
771 appropriate reference all motor vehicles covered thereby, unless
772 the policy is issued to a person who is not the owner of a motor
773 vehicle.

774 **SECTION 25.** Section 63-15-41, Mississippi Code of 1972, is
775 brought forward as follows:

776 63-15-41. (1) The nonresident owner of a motor vehicle, the
777 owner or operator of which is not licensed in this state, may give



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

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

792 (b) Said insurance company shall agree in writing that
793 such policies shall be deemed to conform with the laws of this
794 state relating to the terms of motor vehicle liability policies
795 issued herein.

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



802 **SECTION 26.** Section 63-15-43, Mississippi Code of 1972, is
803 brought forward as follows:

804 63-15-43. (1) A "motor vehicle liability policy" as said
805 term is used in this chapter shall mean an owner's or an
806 operator's motor vehicle liability policy, that has been certified
807 as provided in Section 63-15-39 or Section 63-15-41, as proof of
808 financial responsibility, and issued, except as otherwise provided
809 in Section 63-15-41, by an insurance company duly authorized to
810 write motor vehicle liability insurance in this state, to or for
811 the benefit of the person named therein as insured.

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

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

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



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

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

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

841 (c) The insurance company shall have the right to
842 settle any claim covered by the policy, and if such settlement is
843 made in good faith, the amount thereof shall be deductible from
844 the limits of liability specified in paragraph (b) of subsection
845 (2) of this section; or

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



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

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

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

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

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

872 **SECTION 27.** Section 63-15-49, Mississippi Code of 1972, is
873 amended as follows:



874 63-15-49. (1) Proof of financial responsibility may be
875 furnished by filing a bond with the department, accompanied by the
876 statutory recording fee of the chancery clerk to cover the cost of
877 recordation of the notice provided for herein. The bond may be
878 either a surety bond with a surety company authorized to do
879 business within the state or a bond with at least two (2)
880 individual sureties each owning real estate within the state not
881 exempt under the constitution or laws of the State of Mississippi
882 and together having equities equal in value to at least twice the
883 amount of such bond. In cases of a bond with two (2) individual
884 sureties, such real estate shall be scheduled and a description
885 thereof shall appear in the bond approved by the clerk of the
886 chancery court of the county or counties in which the real estate
887 is located and also approved by the tax collector of the county or
888 counties where the property is situated as being free from any
889 delinquent tax liens. Such bond shall be conditioned for payments
890 in amounts and under the same circumstances as would be required
891 in a motor vehicle liability policy, and shall not be cancellable
892 except after five (5) days' written notice is received by the
893 department. However, cancellation shall not prevent recovery with
894 respect to any right or cause of action arising prior to the date
895 of cancellation. Such bond shall constitute a lien in favor of
896 the state upon the real estate so scheduled of any surety, which
897 lien shall exist in favor of any holder of a final judgment
898 against the person who has filed such bond. Notice to that



899 effect, which shall include a description of the real estate
900 scheduled in the bond, shall be filed by the department in the
901 office of the chancery clerk of the county where such real estate
902 is situated. Such notice shall be accompanied by the statutory
903 fee for the services of the chancery clerk in connection with the
904 recordation of such notice, and the chancery clerk or his deputy,
905 upon receipt of such notice, shall acknowledge and cause the same
906 to be recorded in the lien records. Recordation shall constitute
907 notice as provided by the statutes governing the recordation of
908 liens on real estate.

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

919 **SECTION 28.** Section 63-15-51, Mississippi Code of 1972, is
920 amended as follows:

921 63-15-51. (1) Proof of financial responsibility may be
922 evidenced by the certificate of the State Treasurer that the
923 person named therein has deposited with him Fifteen Thousand



924 Dollars (\$15,000.00) in cash, or securities * * * as may legally
925 be purchased by savings banks or for trust funds of a market value
926 of Fifteen Thousand Dollars (\$15,000.00). The State Treasurer
927 shall not accept any such deposit and issue a certificate therefor
928 and the department shall not accept such certificate unless
929 accompanied by evidence that there are no unsatisfied judgments of
930 any character against the depositor in the county where the
931 depositor resides.

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

943 **SECTION 29.** Section 63-15-53, Mississippi Code of 1972, is
944 amended as follows:

945 63-15-53. (1) Any person in whose name more than twenty-
946 five (25) motor vehicles are licensed may qualify as a
947 self-insurer by obtaining a certificate of self-insurance issued
948 by the department as provided in subsection (2) of this section.



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

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

960 **SECTION 30.** Section 63-19-3, Mississippi Code of 1972, is
961 brought forward as follows:

962 63-19-3. The following words and phrases, when used in this
963 chapter, shall have the meanings respectively ascribed to them in
964 this section, except where the context or subject matter otherwise
965 requires:

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



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

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

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

988 (e) The "holder" of a retail installment contract means
989 the retail seller of the motor vehicle or commercial vehicle under
990 or subject to the contract or if the contract is purchased by a
991 sales finance company or other assignee, the sales finance company
992 or other assignee.

993 (f) "Retail installment transaction" means any
994 transaction evidenced by a retail installment contract entered
995 into between a retail buyer and a retail seller wherein the retail
996 buyer buys a motor vehicle or commercial vehicle from the retail
997 seller at a time price payable in one or more deferred



998 installments. The cash sale price of the motor vehicle or
999 commercial vehicle, the amount included for insurance and other
1000 benefits if a separate charge is made therefor, official fees and
1001 the finance charge shall together constitute the time price.

1002 (g) "Retail installment contract" or "contract" means
1003 an agreement entered into in this state pursuant to which the
1004 title to or a lien upon the motor vehicle or commercial vehicle
1005 which is the subject matter of a retail installment transaction is
1006 retained or taken by a retail seller from a retail buyer as
1007 security for the buyer's obligation. The term includes a chattel
1008 mortgage, a conditional sales contract and a contract for the
1009 bailment or leasing of a motor vehicle or commercial vehicle by
1010 which the bailee or lessee contracts to pay as compensation for
1011 its use a sum substantially equivalent to or in excess of its
1012 value and by which it is agreed that the bailee or lessee is bound
1013 to become, or has the option of becoming, the owner of the motor
1014 vehicle upon full compliance with the provisions of the contract.

1015 (h) "Cash sale price" means the price stated in a
1016 retail installment contract for which the seller would have sold
1017 to the buyer, and the buyer would have bought from the seller, the
1018 motor vehicle or commercial vehicle which is the subject matter of
1019 the retail installment contract, if such sale had been a sale for
1020 cash instead of a retail installment transaction. The cash sale
1021 price may include any taxes, registration, certificate of title,
1022 if any, license and other fees and charges for accessories and



1023 their installation and for delivery, servicing, repairing or
1024 improving the motor vehicle or commercial vehicle.

1025 (i) "Official fees" means the fees prescribed by law
1026 for filing, recording or otherwise perfecting and releasing or
1027 satisfying a retained title or a lien created by a retail
1028 installment contract, if recorded.

1029 (j) "Finance charge" means the amount agreed upon
1030 between the buyer and the seller, as limited in this chapter, to
1031 be added to the aggregate of the cash sale price, the amount, if
1032 any, included for insurance and other benefits and official fees,
1033 in determining the time price.

1034 (k) "Sales finance company" means a person engaged, in
1035 whole or in part, in the business of purchasing retail installment
1036 contracts from one or more retail sellers. The term includes, but
1037 is not limited to, a bank, trust company, private banker,
1038 industrial bank or investment company, if so engaged. The term
1039 also includes a retail seller engaged, in whole or in part, in the
1040 business of creating and holding retail installment contracts
1041 which exceed a total aggregate outstanding indebtedness of Five
1042 Hundred Thousand Dollars (\$500,000.00). The term does not include
1043 the pledgee to whom is pledged one or more of such contracts to
1044 secure a bona fide loan thereon.

1045 (l) "Person" means an individual, partnership,
1046 corporation, association and any other group however organized.



1047 (m) "Administrator" means the Commissioner of Banking
1048 and Consumer Finance or his duly authorized representative.

1049 (n) "Commissioner" means the Commissioner of Banking
1050 and Consumer Finance.

1051 (o) "Records" or "documents" means any item in hard
1052 copy or produced in a format of storage commonly described as
1053 electronic, imaged, magnetic, microphotographic or otherwise, and
1054 any reproduction so made shall have the same force and effect as
1055 the original thereof and be admitted in evidence equally with the
1056 original.

1057 Words in the singular include the plural and vice versa.

1058 **SECTION 31.** Section 63-21-3, Mississippi Code of 1972, is
1059 amended as follows:

1060 63-21-3. The terms and provisions of this chapter shall be
1061 administered by the Department of Revenue. The Department of
1062 Revenue shall have charge of all the affairs of administering the
1063 laws of the state relative to vehicle registration and titling,
1064 including fully autonomous vehicles, and manufactured housing
1065 titling as hereinafter provided and may employ such administrative
1066 and clerical assistance, material and equipment as may be
1067 necessary to enable it to speedily, completely and efficiently
1068 perform the duties as outlined in this chapter.

1069 **SECTION 32.** Section 63-21-9, Mississippi Code of 1972, is
1070 amended as follows:



1071 63-21-9. (1) Except as provided in Section 63-21-11, every
1072 owner of a motor vehicle as defined in this chapter, which is in
1073 this state and which is manufactured or assembled after July 1,
1074 1969, or which is the subject of first sale for use after July 1,
1075 1969, * * * every owner of a manufactured home as defined in this
1076 chapter, which is in this state and which is manufactured or
1077 assembled after July 1, 1999, or which is the subject of first
1078 sale for use after July 1, 1999, and every owner of a fully
1079 autonomous vehicle as defined in Section 3 of this act, which is
1080 in this state and which is manufactured or assembled after July 1,
1081 2023, or which is the subject of first sale for use after July 1,
1082 2023, shall make application to the * * * Department of Revenue
1083 for a certificate of title with the following exceptions:

1084 (a) Voluntary application for title may be made for any
1085 model motor vehicle which is in this state after July 1,
1086 1969, * * * for any model manufactured home or mobile home which
1087 is in this state after July 1, 1999, and for any model fully
1088 autonomous vehicles which is in this state after July 1, 2023, and
1089 any person bringing a motor vehicle, manufactured home * * *,
1090 mobile home or fully autonomous vehicle into this state from a
1091 state which requires titling shall make application for title to
1092 the * * * Department of Revenue within thirty (30) days
1093 thereafter.

1094 (b) After July 1, 1969, any dealer, acting for himself,
1095 or another, who sells, trades or otherwise transfers any new or



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

1113 (2) (a) Voluntary application for title may be made for any
1114 model all-terrain vehicle which is in this state.

1115 (b) A dealer who sells, trades or otherwise transfers
1116 any new or used all-terrain vehicles as defined in this chapter,
1117 may furnish to the purchaser or transferee, without charge for
1118 either application or certificate of title, an application for
1119 title of said vehicle, and cause to be forwarded to the State Tax



1120 Commission any and all documents required by the commission to
1121 issue certificate of title to the purchaser or transferee.

1122 (3) Any dealer, acting for himself or another who sells,
1123 trades or otherwise transfers any vehicle, manufactured
1124 home * * *, mobile home or fully autonomous vehicle required to be
1125 titled under this chapter who does not comply with the provisions
1126 of this chapter shall be guilty of a misdemeanor and upon
1127 conviction shall be fined a sum not exceeding Five Hundred Dollars
1128 (\$500.00).

1129 **SECTION 33.** Section 63-21-11, Mississippi Code of 1972, is
1130 brought forward as follows:

1131 63-21-11. (1) No certificate of title need be obtained for:

1132 (a) A vehicle, manufactured home or mobile home owned
1133 by the United States or any agency thereof;

1134 (b) A vehicle, manufactured home or mobile home owned
1135 by a manufacturer or dealer and held for sale, even though
1136 incidentally moved on the highway or used for purposes of testing
1137 or demonstration, or a vehicle used by a manufacturer solely for
1138 testing;

1139 (c) A vehicle, manufactured home or mobile home owned
1140 by a nonresident of this state and not required by law to be
1141 registered in this state;

1142 (d) A vehicle regularly engaged in the interstate
1143 transportation of persons or property for which a currently
1144 effective certificate of title has been issued in another state;



1145 (e) A vehicle moved solely by animal power;
1146 (f) An implement of husbandry;
1147 (g) Special mobile equipment;
1148 (h) A pole trailer;
1149 (i) Utility trailers of less than five thousand (5,000)
1150 pounds gross vehicle weight;

1151 (j) A manufactured home with respect to which the
1152 requirements of subsections (1) through (5) of Section 63-21-30,
1153 as applicable, have been satisfied unless with respect to the same
1154 manufactured home or mobile home there has been recorded an
1155 affidavit of severance pursuant to subsection (6) of Section
1156 63-21-30.

1157 (2) Nothing in this section shall prohibit the issuance of a
1158 certificate of title to the nonresident owner of an all-terrain
1159 vehicle that is purchased in this state.

1160 **SECTION 34.** Section 63-21-15, Mississippi Code of 1972, is
1161 brought forward as follows:

1162 63-21-15. (1) The application for the certificate of title
1163 of a vehicle, manufactured home or mobile home in this state shall
1164 be made by the owner to a designated agent, on the form the
1165 Department of Revenue prescribes, and shall contain or be
1166 accompanied by the following, if applicable:

1167 (a) The name, driver's license number, if the owner has
1168 been issued a driver's license, current residence and mailing
1169 address of the owner;



1170 (b) (i) If a vehicle, a description of the vehicle,
1171 including the following data: year, make, model, vehicle
1172 identification number, type of body, the number of cylinders,
1173 odometer reading at the time of application, and whether new or
1174 used; and

1175 (ii) If a manufactured home or mobile home, a
1176 description of the manufactured home or mobile home, including the
1177 following data: year, make, model number, serial number and
1178 whether new or used;

1179 (c) The date of purchase by applicant, the name and
1180 address of the person from whom the vehicle, manufactured home or
1181 mobile home was acquired, and the names and addresses of any
1182 lienholders in the order of their priority and the dates of their
1183 security agreements;

1184 (d) In connection with the transfer of ownership of a
1185 manufactured home or mobile home sold by a sheriff's bill of sale,
1186 a copy of the sheriff's bill of sale;

1187 (e) (i) An odometer disclosure statement made by the
1188 transferor of a motor vehicle. The statement shall read:

1189 "Federal and state law requires that you state the mileage in
1190 connection with the transfer of ownership. Failure to complete or
1191 providing a false statement may result in fine and/or
1192 imprisonment.

1193 I state that the odometer now reads _____ (no tenths)
1194 miles and to the best of my knowledge that it reflects the actual



1195 mileage of the vehicle described herein, unless one (1) of the
1196 following statements is checked:

1197 _____ (1) I hereby certify that to the best of my knowledge
1198 the odometer reading reflects the amount of mileage in excess of
1199 its mechanical limits.

1200 _____ (2) I hereby certify that the odometer reading is not
1201 the actual mileage. WARNING-ODOMETER DISCREPANCY!"

1202 (ii) In connection with the transfer of ownership
1203 of a motor vehicle, each transferor shall disclose the mileage to
1204 the transferee in writing on the title or on the document being
1205 used to reassign the title, which form shall be prescribed and
1206 furnished by the Department of Revenue. This written disclosure
1207 must be signed by the transferor and transferee, including the
1208 printed name of both parties.

1209 Notwithstanding the requirements above, the following
1210 exemptions as to odometer disclosure shall be in effect:

1211 1. A vehicle having a gross vehicle weight
1212 rating of more than sixteen thousand (16,000) pounds.

1213 2. A vehicle that is not self-propelled.

1214 3. A vehicle that is twenty (20) years old or
1215 older.

1216 4. A vehicle sold directly by the
1217 manufacturer to any agency of the United States in conformity with
1218 contractual specifications.



1219 5. A transferor of a new vehicle prior to its
1220 first transfer for purposes other than resale need not disclose
1221 the vehicle's odometer mileage.

1222 (iii) Any person who knowingly gives a false
1223 statement concerning the odometer reading on an odometer
1224 disclosure statement shall be guilty of a misdemeanor and, upon
1225 conviction, shall be subject to a fine of up to One Thousand
1226 Dollars (\$1,000.00) or imprisonment of up to one (1) year, or
1227 both, at the discretion of the court. These penalties shall be
1228 cumulative, supplemental and in addition to the penalties provided
1229 by any other law; and

1230 (f) For previously used manufactured homes and mobile
1231 homes that previously have not been titled in this state or any
1232 other state, a disclosure statement shall be made by the owner of
1233 the manufactured home or mobile home applying for the certificate
1234 of title. That statement shall read:

1235 "I state that the previously used manufactured home or mobile
1236 home owned by me for which I am applying for a certificate of
1237 title, to the best of my knowledge:

1238 _____ (1) Has never been declared a total loss due to
1239 flood damage, fire damage, wind damage or other damage; or

1240 _____ (2) Has previously been declared a total loss due
1241 to:

1242 _____ (a) Collision;

1243 _____ (b) Flood;



1244 _____ (c) Fire;
1245 _____ (d) Wind;
1246 _____ (e) Other (please describe): _____
1247 _____."

1248 (2) The application shall be accompanied by such evidence as
1249 the Department of Revenue reasonably requires to identify the
1250 vehicle, manufactured home or mobile home and to enable the
1251 Department of Revenue to determine whether the owner is entitled
1252 to a certificate of title and the existence or nonexistence of
1253 security interests in the vehicle, manufactured home or mobile
1254 home and whether the applicant is liable for a use tax as provided
1255 by Sections 27-67-1 through 27-67-33.

1256 (3) If the application is for a vehicle, manufactured home
1257 or mobile home purchased from a dealer, it shall contain the name
1258 and address of any lienholder holding a security interest created
1259 or reserved at the time of the sale and the date of his security
1260 agreement and it shall be signed by the dealer as well as the
1261 owner. The designated agent shall promptly mail or deliver the
1262 application to the Department of Revenue.

1263 (4) If the application is for a new vehicle, manufactured
1264 home or mobile home, it shall contain the certified manufacturer's
1265 statement of origin showing proper assignments to the applicant
1266 and a copy of each security interest document.

1267 (5) Each application shall contain or be accompanied by the
1268 certificate of a designated agent that the vehicle, manufactured



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

1280 (6) (a) If the application is for a first certificate of
1281 title on a vehicle, manufactured home or mobile home other than a
1282 new vehicle, manufactured home or mobile home, then the
1283 application shall conform with the requirements of this section
1284 except that in lieu of the manufacturer's statement of origin, the
1285 application shall be accompanied by a copy of the bill of sale of
1286 said motor vehicle, manufactured home or mobile home whereby the
1287 applicant claims title or in lieu thereof, in the case of a motor
1288 vehicle, certified copies of the last two (2) years' tag and tax
1289 receipts or in lieu thereof, in any case, such other information
1290 the Department of Revenue may reasonably require to identify the
1291 vehicle, manufactured home or mobile home and to enable the
1292 Department of Revenue to determine ownership of the vehicle,
1293 manufactured home or mobile home and the existence or nonexistence



1294 of security interest in it. If the application is for a vehicle,
1295 manufactured home or mobile home last previously registered in
1296 another state or country, the application shall also be
1297 accompanied by the certificate of title issued by the other state
1298 or country, if any, properly assigned.

1299 (b) A person may apply for a certificate of title to a
1300 vehicle lacking proper documentation if the vehicle is at least
1301 thirty (30) years old and the person submits a certificate of
1302 ownership signed under penalty of perjury on a form prescribed by
1303 the Department of Revenue.

1304 (7) If the application is for a vehicle the owner does not
1305 intend to drive, the owner need not purchase a license tag in
1306 order to receive a certificate of title, so long as the
1307 application contains an affidavit attesting to the owner's intent
1308 that the vehicle not be operated on the highways of this state
1309 until and unless the owner applies for a license tag.

1310 (8) Every designated agent within this state shall, no later
1311 than the next business day after they are received by him, forward
1312 to the Department of Revenue by mail, postage prepaid, the
1313 originals of all applications received by him, together with such
1314 evidence of title as may have been delivered to him by the
1315 applicants.

1316 (9) An application for certificate of title and information
1317 to be placed on an application for certificate of title may be
1318 transferred electronically as provided in Section 63-21-16.



1319 (10) The Department of Revenue shall issue a certificate of
1320 title or any other document applied for under this chapter to the
1321 designated agent, owner or lienholder of the motor vehicle or of
1322 the manufactured home or mobile home, as appropriate, not more
1323 than thirty (30) days after the application and required fee
1324 prescribed under Section 63-21-63 or Section 63-21-64 are received
1325 unless the applicant requests expedited processing under
1326 subsection (11) of this section.

1327 (11) (a) The Department of Revenue shall establish an
1328 expedited processing procedure for the receipt of applications and
1329 the issuance of certificates of title and any other documents
1330 issued under this chapter, except a replacement certificate of
1331 title as provided under Section 63-21-27(2), for motor vehicles
1332 and for manufactured homes or mobile homes. Any designated agent,
1333 lienholder or owner requesting the issuance of any such document,
1334 at his or her option, shall receive such expedited processing upon
1335 payment of a fee in the amount of Thirty Dollars (\$30.00). Such
1336 fee shall be in addition to the fees applicable to the issuance of
1337 any such documents under Section 63-21-63 and Section 63-21-64.

1338 (b) When expedited title processing is requested, the
1339 applicable fees are paid and all documents and information
1340 necessary for the Department of Revenue to issue the certificate
1341 of title or other documents applied for are received by the
1342 department, then the department shall complete processing of the
1343 application and issue the title or document applied for within



1344 seventy-two (72) hours of the time of receipt, excluding weekends
1345 and holidays.

1346 **SECTION 35.** Section 63-21-17, Mississippi Code of 1972, is
1347 brought forward as follows:

1348 63-21-17. (1) The Department of Revenue shall examine each
1349 application received and, when satisfied as to its genuineness and
1350 regularity and that the applicant is entitled to the issuance of a
1351 certificate of title, shall issue a certificate of title of the
1352 vehicle, manufactured home or mobile home on the form prescribed
1353 by the department.

1354 (2) The Department of Revenue shall maintain a record of all
1355 certificates of title issued for fifteen (15) years from the date
1356 of issuance, pursuant to the provisions of this chapter:

1357 (a) Under a distinctive title number assigned to the
1358 vehicle, manufactured home or mobile home;

1359 (b) Under the vehicle identification number;

1360 (c) Under the name of the owner; and

1361 (d) In the discretion of the Department of Revenue, by
1362 any other method the department determines.

1363 (3) The Department of Revenue shall maintain a record of
1364 each affidavit of affixation filed in accordance with subsections
1365 (3), (4) and (5) of Section 63-21-30. The record shall state the
1366 name and mailing address of each owner of the related manufactured
1367 home, the county of recordation, the date of recordation, and the
1368 book and page number of each book of records in which there has



1369 been recorded an affidavit of affixation under subsections (1) and
1370 (2) of Section 63-21-30, the name of the manufacturer, the make,
1371 the model name, the model year, the dimensions, and the
1372 manufacturer's serial number or VIN of the manufactured home or
1373 mobile home, to the extent that such data exists, and any other
1374 information the Department of Revenue prescribes.

1375 (4) The Department of Revenue shall maintain a record of
1376 each manufacturer's certificate of origin submitted for the
1377 purpose of effectuating the retirement of title as provided in
1378 Section 63-21-30. The record shall state the name and mailing
1379 address of each owner of the manufactured home, the date the
1380 manufacturer's certificate of origin was submitted, the county of
1381 recordation, the date of recordation, and the book and page number
1382 of each book of records in which there has been recorded an
1383 affidavit of affixation under subsections (1) and (2) of Section
1384 63-21-30, the name of the manufacturer, the make, the model name,
1385 the model year, the dimensions, and the manufacturer's serial
1386 number or VIN of the manufactured home or mobile home, to the
1387 extent that such data exists, and any other information the
1388 Department of Revenue prescribes.

1389 (5) The Department of Revenue shall maintain a record of
1390 each certificate of title accepted for surrender as provided in
1391 subsection (5) of Section 63-21-30. The record shall state the
1392 name and mailing address of each owner of the manufactured home,
1393 the date the certificate of title was accepted for surrender, the



1394 county of recordation, the date of recordation, and the book and
1395 page number of each book of records in which there has been
1396 recorded an affidavit of affixation under subsections (1) and (2)
1397 of Section 63-21-30, the name of the manufacturer, the make, the
1398 model name, the model year, the dimensions, and the manufacturer's
1399 serial number or VIN of the manufactured home or mobile home, to
1400 the extent that such data exists, and any other information the
1401 Department of Revenue prescribes.

1402 (6) The Department of Revenue shall maintain a record of
1403 each affidavit of severance filed in accordance with subsection
1404 (6) of Section 63-21-30. The record shall state the name and
1405 mailing address of each owner of the related manufactured home,
1406 the county of recordation, the date of recordation, and the book
1407 and page number of each book of records in which there has been
1408 recorded an affidavit of severance under subsection (6) of Section
1409 63-21-30, the name of the manufacturer, the make, the model name,
1410 the model year, the dimensions, and the manufacturer's serial
1411 number or VIN of the manufactured home or mobile home, to the
1412 extent that such data exists, and any other information the
1413 Department of Revenue prescribes.

1414 (7) Records of affidavits of affixation, submitted
1415 manufacturer's certificates of origin, surrendered certificates of
1416 title, and affidavits of severance shall be maintained permanently
1417 and be subject to public records request. The records of
1418 affidavits of affixation, submitted manufacturer's certificates of



1419 origin, and surrendered certificates of title shall include a
1420 statement that the manufactured home is real property as provided
1421 in subsections (13) and (14) of Section 63-21-30.

1422 **SECTION 36.** This act shall take effect and be in force from
1423 and after July 1, 2023.

