

By: Representatives Busby, Deweese

To: Transportation

HOUSE BILL NO. 1003
(As Sent to Governor)

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 or
103 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, and/or
111 the requisite presence or absence of certain traffic or roadway
112 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;

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; and

159 (e) Other elements determined to be necessary by the
160 Department of Public Safety and made publicly available on the
161 Department of Public Safety's website by July 1, 2023.



162 (2) If a person fails to submit a law enforcement
163 interaction plan prescribed by subsection (1) of this section, the
164 Department of Public Safety may immediately issue a
165 cease-and-desist letter prohibiting the operation of the person's
166 fully autonomous vehicle on public roads of this state until the
167 person submits the law enforcement interaction plan.

168 (3) This section shall stand repealed on July 1, 2026.

169 **SECTION 5.** When an automated driving system installed on a
170 motor vehicle is engaged the automated driving system is
171 considered the driver or operator, for the purpose of assessing
172 compliance with applicable traffic or motor vehicle laws and shall
173 be deemed to satisfy electronically all physical acts required by
174 a driver or operator of the vehicle. The automated driving system
175 is considered to be licensed to operate the vehicle as required
176 under Section 63-1-5.

177 **SECTION 6.** Before operating a fully autonomous vehicle on
178 public roads in this state without a human driver, a person shall
179 file proof of financial responsibility satisfactory to the
180 Department of Public Safety that the fully autonomous vehicle is
181 covered by insurance or proof of self-insurance that satisfies the
182 requirements of Section 63-15-37, 63-15-39, 63-15-41, 63-15-43,
183 63-15-49, 63-15-51 or 63-15-53.

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

185 (a) The fully autonomous vehicle shall remain on the
186 scene of the crash when required by Article 9, Chapter 3, Title



187 63, Mississippi Code of 1972, consistent with its capability under
188 Section 3 of this act.

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

193 **SECTION 8.** An on-demand autonomous vehicle network shall be
194 permitted to operate pursuant to state laws governing the
195 operation of transportation network companies, taxis or any other
196 ground transportation for-hire of passengers, with the exception
197 that any provision of law that reasonably applies only to a human
198 driver would not apply to the operation of fully autonomous
199 vehicles with the automated driving system engaged on an on-demand
200 autonomous vehicle network.

201 **SECTION 9.** (1) A fully autonomous vehicle shall be properly
202 registered with the Department of Revenue in accordance with
203 Section 63-5-39. If a fully autonomous vehicle is registered in
204 this state, the vehicle shall be identified on the registration as
205 a fully autonomous vehicle.

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



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

213 (a) The automated driving system will issue a request
214 to intervene whenever the automated driving system is not capable
215 of performing the entire dynamic driving task with the expectation
216 that the person will respond appropriately to the request; and

217 (b) The automated driving system is capable of being
218 operated in compliance with rules of the road governed by Title
219 63, Mississippi Code of 1972, when reasonable to do so unless an
220 exemption has been granted by the Department of Public Safety.

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

225 **SECTION 11.** A fully autonomous vehicle that is also a
226 commercial motor vehicle as defined in Sections 63-1-203 and
227 63-19-3 may operate pursuant to the provisions of Title 63,
228 Mississippi Code of 1972, which govern the operation of commercial
229 motor vehicles, except that any provision that by its nature
230 reasonably applies only to a human driver does not apply to such a
231 vehicle operating with the automated driving system engaged.

232 **SECTION 12.** A fully autonomous vehicle that is designed to
233 be operated exclusively by the automated driving system for all
234 trips is not subject to motor vehicle equipment and identification



235 laws prescribed under Chapter 7, Title 63, Mississippi Code of
236 1972, or any regulations administratively promulgated therefrom
237 that:

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

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

241 **SECTION 13.** (1) Unless otherwise provided in this act, and
242 notwithstanding any other provision of law, fully autonomous
243 vehicles and automated driving systems are governed exclusively by
244 this act. The Department of Public Safety, in conjunction with
245 the Department of Revenue, with regard to DOR's specific functions
246 related to the registration and titling of motor vehicles, shall
247 implement and enforce the provisions of this act.

248 (2) No state agency, political subdivision, municipality or
249 local entity may prohibit the operation of fully autonomous
250 vehicles, automated driving systems or on-demand autonomous
251 vehicle networks, or otherwise enact or enforce rules or
252 ordinances that would impose taxes, fees or other requirements,
253 including performance standards, specific to the operation of
254 fully autonomous vehicles, automated driving systems or
255 on-demand autonomous vehicle networks in addition to the
256 requirements of this act.

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



259 63-1-5. (1) (a) No person shall drive or operate a motor
260 vehicle or an autocycle as defined in Section 63-3-103 upon the
261 highways of the State of Mississippi without first securing an
262 operator's license to drive on the highways of the state, unless
263 specifically exempted by Section 63-1-7.

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

265 (i) Class R;

266 (ii) Class D;

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

269 (iv) Interlock-restricted license as prescribed in
270 Section 63-11-31.

271 (2) (a) Every person who makes application for an original
272 license or a renewal license to operate any single vehicle with a
273 gross weight rating of less than twenty-six thousand one (26,001)
274 pounds or any vehicle towing a vehicle with a gross vehicle weight
275 rating not in excess of ten thousand (10,000) pounds other than
276 vehicles included in Class C, vehicles which require a special
277 endorsement, or to operate a vehicle as a common carrier by motor
278 vehicle, taxicab, passenger coach, dray, contract carrier or
279 private commercial carrier as defined in Section 27-19-3, other
280 than those vehicles for which a Class A, B or C license is
281 required under Article 5 of this chapter, may, in lieu of the
282 Class R regular driver's license, apply for and obtain a Class D
283 driver's license. The fee for the issuance of a Class D driver's



284 license shall be as set forth in Section 63-1-43 and the Class D
285 license shall be valid for the term prescribed in Section 63-1-47.
286 Except as required under Article 5 of this chapter, no driver of a
287 pickup truck shall be required to have a Class D or a commercial
288 license regardless of the purpose for which the pickup truck is
289 used.

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

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

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

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

302 63-1-203. As used in this article:

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

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



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

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

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

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

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

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

327 (i) Has a gross combination weight rating of
328 eleven thousand seven hundred ninety-four (11,794) kilograms or
329 more (twenty-six thousand one (26,001) pounds or more) inclusive
330 of a towed unit(s) with a gross vehicle weight rating of more than
331 four thousand five hundred thirty-six (4,536) kilograms (ten
332 thousand (10,000) pounds);



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

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

338 (iv) Is of any size and is used in the
339 transportation of hazardous materials as defined in this section;
340 or

341 (v) The term shall not include:

342 1. Authorized emergency vehicles as defined
343 in Section 63-3-103;

344 2. Motor homes as defined in Section
345 63-3-103; however, this exemption shall only apply to vehicles
346 used strictly for recreational, noncommercial purposes;

347 3. Military and commercial equipment owned or
348 operated by the United States Department of Defense, including the
349 National Guard and Mississippi Military Department, and operated
350 by: active duty military personnel; members of the military
351 reserves; members of the National Guard on active duty, including
352 personnel on full-time National Guard duty; personnel on part-time
353 National Guard training; National Guard military technicians
354 (civilians who are required to wear military uniforms); employees
355 of the Mississippi Military Department; and active duty United
356 States Coast Guard personnel. This exception is not applicable to
357 United States Reserve technicians;



358 4. Farm vehicles, which are vehicles:
359 a. Controlled and operated by a farmer;
360 b. Used to transport either agricultural
361 products, farm machinery, farm supplies, or both, to or from a
362 farm;
363 c. Not used in the operations of a
364 common or contract motor carrier; and
365 d. Used within one hundred fifty (150)
366 miles of the farm.

367 (g) "Controlled substance" means any substance so
368 classified under Section 102(6) of the Controlled Substances Act,
369 21 USCS 802(6), and includes all substances listed on Schedules I
370 through V of 21 Code of Federal Regulations, Part 1308, as they
371 may be revised from time to time, any substance so classified
372 under Sections 41-29-113 through 41-29-121, Mississippi Code of
373 1972, and any other substance which would impair a person's
374 ability to operate a motor vehicle.

375 (h) "Conviction" means an unvacated adjudication of
376 guilt, or a determination by a judge or hearing officer that a
377 person has violated or failed to comply with the law in a court of
378 original jurisdiction or an authorized administrative tribunal, an
379 unvacated forfeiture of bail or collateral deposited to secure the
380 person's appearance in court, the payment of a fine or court cost,
381 or violation of a condition of release without bail, regardless of
382 whether or not the penalty is rebated, suspended or probated.



383 Conviction shall also mean a plea of guilty or nolo contendere
384 which has been accepted by the court.

385 (i) "Disqualification" means any of the following three
386 (3) actions:

387 (i) The suspension, revocation or cancellation of
388 a commercial driver's license by the state or jurisdiction of
389 issuance;

390 (ii) Any withdrawal of a person's privilege to
391 drive a commercial motor vehicle by a state or other jurisdiction
392 as the result of a violation of state or local law relating to
393 motor vehicle traffic control, other than parking, vehicle weight
394 or vehicle defect violations; or

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

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

401 (k) "Employer" means any person, including the United
402 States, a state, the District of Columbia or a political
403 subdivision of a state, who owns or leases a commercial motor
404 vehicle or assigns employees to operate a commercial motor
405 vehicle.

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



408 (m) "Gross combination weight rating" or "GCWR" means
409 the value specified by the manufacturer as the loaded weight of a
410 combination (articulated) vehicle. In the absence of a value
411 specified by the manufacturer, gross combination weight rating
412 will be determined by adding the gross vehicle weight rating of
413 the power unit and the total weight of the towed unit and any load
414 thereon.

415 (n) "Gross vehicle weight rating" or "GVWR" means the
416 value specified by the manufacturer as the loaded weight of a
417 single vehicle.

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

423 (p) "Imminent hazard" means the existence of a
424 condition that presents a substantial likelihood that death,
425 serious illness, severe personal injury, or a substantial
426 endangerment to health, property, or the environment may occur
427 before the reasonably foreseeable completion date of a formal
428 proceeding begun to lessen the risk of that death, illness,
429 injury, or endangerment.

430 (q) "Nonresident commercial driver's license" or
431 "nonresident CDL" means a commercial driver's license issued by a



432 state to an individual under either of the following two (2)
433 conditions:

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

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

438 (r) "Serious traffic violation" means conviction at any
439 time when operating a commercial motor vehicle or at those times
440 when operating a noncommercial motor vehicle when the conviction
441 results in the revocation, cancellation, or suspension of the
442 operator's license or operating privilege, of:

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

446 (ii) Reckless driving, as defined under state or
447 local law;

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

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

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



456 (vi) Operating a commercial motor vehicle without
457 obtaining a commercial driver's license;

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

460 (viii) Operating a commercial motor vehicle
461 without the proper class of commercial driver's license or
462 endorsements, or both.

463 (s) "Out-of-service order" means a declaration by an
464 authorized enforcement officer of a federal, state, Canadian,
465 Mexican, or local jurisdiction, that a driver, or a commercial
466 motor vehicle, or a motor carrier operation, is out of service
467 pursuant to 49 CFR, Part 386.72, 392.5, 395.13, 396.9 or
468 compatible laws, or the North American Uniform Out-of-Service
469 Criteria.

470 (t) "State of domicile" means that state where a person
471 has a true, fixed and permanent home and principal residence and
472 to which the person has the intention of returning whenever the
473 person is absent.

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



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

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

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

489 63-3-103. (a) "Vehicle" means every device in, upon or by
490 which any person or property is or may be transported or drawn
491 upon a highway, except devices used exclusively upon stationary
492 rails or tracks.

493 (b) "Motor vehicle" means every vehicle which is
494 self-propelled and every vehicle which is propelled by electric
495 power obtained from overhead trolley wires, but not operated upon
496 rails. The term "motor vehicle" shall not include electric
497 personal assistive mobility devices, personal delivery devices or
498 electric bicycles.

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



505 (d) "Authorized emergency vehicle" means every vehicle of
506 the fire department (fire patrol), every police vehicle, every 911
507 Emergency Communications District vehicle, every such ambulance
508 and special use EMS vehicle as defined in Section 41-59-3, every
509 Mississippi Emergency Management Agency vehicle as is designated
510 or authorized by the Executive Director of MEMA and every
511 emergency vehicle of municipal departments or public service
512 corporations as is designated or authorized by the commission or
513 the chief of police of an incorporated city.

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

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

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

528 (h) "Electric assistive mobility device" means a
529 self-balancing two-tandem wheeled device, designed to transport



530 only one (1) person, with an electric propulsion system that
531 limits the maximum speed of the device to fifteen (15) miles per
532 hour.

533 (i) "Autocycle" means a three-wheel motorcycle with a
534 steering wheel, nonstraddle seating, rollover protection and seat
535 belts.

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

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

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

553 (i) "Class 1 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 (20) miles per hour.

557 (ii) "Class 2 electric bicycle" means an electric
558 bicycle equipped with a motor that may be used exclusively to
559 propel the bicycle, and that is not capable of providing
560 assistance when the bicycle reaches the speed of twenty (20) miles
561 per hour.

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

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

567 (i) Solely powered by an electric motor;

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

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

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

574 (n) "Personal delivery device operator" means a person or
575 entity that exercises physical control or monitoring over the
576 operation of a personal delivery device, excluding a person or
577 entity that requests or receives the services of a personal
578 delivery device, arranges for or dispatches the requested services



579 of a personal delivery device, or stores, charges or maintains a
580 personal delivery device.

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

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

587 63-3-401. (1) The driver of any vehicle involved in an
588 accident resulting in injury to or death of any person shall
589 immediately stop such vehicle at the scene of such accident or as
590 close thereto as possible but shall then forthwith return to and
591 in every event shall remain at the scene of the accident until he
592 has fulfilled the requirements of Section 63-3-405.

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

596 (3) Except as provided in subsection (4) of this section, if
597 any driver of a vehicle involved in an accident that results in
598 injury to any person willfully fails to stop or to comply with the
599 requirements of subsection (1) of this section, then such person,
600 upon conviction, shall be punished by imprisonment for not less
601 than thirty (30) days nor more than one (1) year, or by fine of
602 not less than One Hundred Dollars (\$100.00) nor more than Five



603 Thousand Dollars (\$5,000.00), or by both such fine and
604 imprisonment.

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

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

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

620 63-3-405. The driver of any vehicle involved in an accident
621 resulting in injury to or death of any person or damage to any
622 vehicle which is driven or attended by any person shall give his
623 name, address and the registration number of the vehicle he is
624 driving and shall, upon request and if available, exhibit his
625 operator's or chauffeur's license to the person struck or the
626 driver or occupant of or person attending any vehicle collided
627 with. Said driver shall render to any person injured in such



628 accident reasonable assistance, including the carrying, or the
629 making of arrangements for the carrying, of such person to a
630 physician, surgeon or hospital for medical or surgical treatment
631 if it is apparent that such treatment is necessary or if such
632 carrying is requested by the injured person. No such driver who,
633 in good faith and in the exercise of reasonable care, renders
634 emergency care to any injured person at the scene of an accident
635 or in transporting said injured person to a point where medical
636 assistance can be reasonably expected, shall be liable for any
637 civil damages to said injured person as a result of any acts
638 committed in good faith and in the exercise of reasonable care or
639 omission in good faith and in the exercise of reasonable care by
640 such driver in rendering the emergency care to said injured
641 person.

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

644 63-3-411. (1) The driver of a vehicle involved in an
645 accident resulting in injury to or death of any person or total
646 property damage to an apparent extent of Five Hundred Dollars
647 (\$500.00) or more shall immediately, by the quickest means of
648 communication, give notice of the collision to the local police
649 department if the collision occurs within an incorporated
650 municipality, or if the collision occurs outside of an
651 incorporated municipality to the nearest sheriff's office or
652 highway patrol station.



653 (2) The department may require any driver of a vehicle
654 involved in an accident, of which report must be made as provided
655 in this section, to file supplemental reports whenever the
656 original report is insufficient in the opinion of the department.
657 Additionally, the department may require witnesses of accidents to
658 render reports to the department.

659 (3) It shall be the duty of the highway patrol or the
660 sheriff's office to investigate all accidents required to be
661 reported by this section when the accident occurs outside the
662 corporate limits of a municipality, and it shall be the duty of
663 the police department of each municipality to investigate all
664 accidents required to be reported by this section when the
665 accidents occur within the corporate limits of the municipality.

666 Every law enforcement officer who investigates an accident as
667 required by this subsection, whether the investigation is made at
668 the scene of the accident or by subsequent investigation and
669 interviews, shall forward within six (6) days after completing the
670 investigation a written report of the accident to the department
671 if the accident occurred outside the corporate limits of a
672 municipality, or to the police department of the municipality if
673 the accident occurred within the corporate limits of such
674 municipality. Police departments shall forward such reports to
675 the department within six (6) days of the date of the accident.

676 (4) Whenever an engineer of a railroad locomotive, or other
677 person in charge of a train, is required to show proof of his



678 identity under the provisions of this article, in connection with
679 operation of such locomotive, to any law enforcement officer, such
680 person shall not be required to display his operator's or
681 chauffeur's license but shall display his railroad employee
682 number.

683 (5) In addition to the information required on the
684 "statewide uniform traffic accident report" forms provided by
685 Section 63-3-415, the department shall require the parties
686 involved in an accident and the witnesses of such accident to
687 furnish their phone numbers in order to assist the investigation
688 by law enforcement officers.

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

691 63-3-413. Whenever the driver of a vehicle is physically
692 incapable of making a required accident report and there was
693 another occupant in the vehicle at the time of the accident
694 capable of making a report, such occupant shall make or cause to
695 be made said report.

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

698 63-3-619. (1) The driver of a motor vehicle shall not
699 follow another vehicle more closely than is reasonable and
700 prudent, having due regard for the speed of such vehicles and the
701 traffic upon and the condition of the highway.



702 (2) The driver of any motor truck or motor truck drawing
703 another vehicle when traveling upon a roadway outside of a
704 business or residence district shall not follow within three
705 hundred (300) feet of another motor truck or motor truck drawing
706 another vehicle. The provisions of this subsection shall not be
707 construed to prevent overtaking and passing nor shall the same
708 apply upon any lane specially designated for use by motor trucks.

709 (3) (a) Subject to the provisions of paragraph (b) of this
710 subsection, subsections (1) and (2) of this section shall not
711 apply to the operator of a nonlead vehicle in a platoon, as
712 defined in Section 63-3-103(k), as long as the platoon is
713 operating on a limited access divided highway with more than one
714 (1) lane in each direction and the platoon consists of not more
715 than two (2) motor vehicles.

716 (b) A platoon may be operated in this state only after
717 an operator files a plan for approval of general platoon
718 operations with the Department of Transportation. If that
719 department approves the submission, it shall forward the plan to
720 the Department of Public Safety for approval. The plan shall be
721 reviewed and either approved or disapproved by the Department of
722 Transportation and the Department of Public Safety within thirty
723 (30) days after it is filed. If approved by both departments, the
724 operator shall be allowed to operate the platoon five (5) working
725 days after plan approval. The Motor Carrier Division of the



726 Department of Public Safety shall develop the acceptable standards
727 required for each portion of the plan.

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

730 63-5-53. (1) Any person driving any vehicle, object, or
731 contrivance upon any highway or highway structure shall be liable
732 for all damage which said highway or structure may sustain as a
733 result of any illegal operation, driving, or moving of such
734 vehicle, object, or contrivance, or as a result of operation,
735 driving, or moving any vehicle, object or contrivance weighing in
736 excess of the maximum weight in this chapter but authorized by a
737 special permit issued as provided in this chapter.

738 (2) Whenever such driver is not the owner of such vehicle,
739 object or contrivance, but is so operating, driving, or moving the
740 same with the express or implied permission of said owner, then
741 said owner and driver shall be jointly and severally liable for
742 any such damage.

743 (3) Such damage may be recovered in a civil action brought
744 by the authorities in control of such highway or highway
745 structure.

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

748 63-7-9. Except as may otherwise be provided in this chapter,
749 the provisions of this chapter with respect to equipment on



750 vehicles shall not apply to implements of husbandry, road
751 machinery, road rollers, or farm tractors.

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

754 63-15-37. Proof of financial responsibility when required
755 under this chapter with respect to a motor vehicle or with respect
756 to a person who is not the owner of a motor vehicle may be given
757 by filing:

758 1. A certificate of insurance as provided in Section
759 63-15-39 or Section 63-15-41; or

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

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

763 4. A certificate of self-insurance as provided in
764 Section 63-15-53, supplemented by an agreement by the self-insurer
765 that, with respect to accidents occurring while the certificate is
766 in force, he will pay the same judgments and in the same amounts
767 that an insurer would have been obligated to pay under an owner's
768 motor vehicle liability policy if it had issued such a policy to
769 said self-insurer.

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

772 63-15-39. Proof of financial responsibility may be furnished
773 by filing with the department the written certificate of any
774 insurance company duly authorized to write motor vehicle liability



775 insurance in this state certifying that there is in effect a motor
776 vehicle liability policy for the benefit of the person required to
777 furnish proof of financial responsibility. Such certificate shall
778 give the effective date of such motor vehicle liability policy,
779 which date shall be the same as the effective date of the
780 certificate, and shall designate by explicit description or by
781 appropriate reference all motor vehicles covered thereby, unless
782 the policy is issued to a person who is not the owner of a motor
783 vehicle.

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

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

798 (a) Said insurance company shall execute a power of
799 attorney authorizing the department to accept service on its



800 behalf of notice or process in any action arising out of a motor
801 vehicle accident in this state;

802 (b) Said insurance company shall agree in writing that
803 such policies shall be deemed to conform with the laws of this
804 state relating to the terms of motor vehicle liability policies
805 issued herein.

806 (2) If any insurance company not authorized to transact
807 business in this state, which has qualified to furnish proof of
808 financial responsibility, defaults in any said undertakings or
809 agreements, the department shall not thereafter accept as proof
810 any certificate of said company whether theretofore filed or
811 thereafter tendered as proof, so long as such default continues.

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

814 63-15-43. (1) A "motor vehicle liability policy" as said
815 term is used in this chapter shall mean an owner's or an
816 operator's motor vehicle liability policy, that has been certified
817 as provided in Section 63-15-39 or Section 63-15-41, as proof of
818 financial responsibility, and issued, except as otherwise provided
819 in Section 63-15-41, by an insurance company duly authorized to
820 write motor vehicle liability insurance in this state, to or for
821 the benefit of the person named therein as insured.

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

823 (a) May be any motor vehicle liability policy form that
824 has been filed with and approved by the Commissioner of Insurance



825 and may contain exclusions and limitations on coverage as long as
826 the exclusions and limitations language has been filed with and
827 approved by the Commissioner of Insurance.

828 (b) Shall have limits of liability no less than:
829 Twenty-five Thousand Dollars (\$25,000.00) because of bodily injury
830 to or death of one (1) person in any one (1) accident and, subject
831 to said limit for one (1) person, Fifty Thousand Dollars
832 (\$50,000.00) because of bodily injury to or death of two (2) or
833 more persons in any one (1) accident, and Twenty-five Thousand
834 Dollars (\$25,000.00) because of injury to or destruction of
835 property of others in any one (1) accident.

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

839 (a) The liability of the insurance company with respect
840 to the insurance required by this chapter shall become absolute
841 whenever injury or damage covered by said motor vehicle liability
842 policy occurs; said policy may not be cancelled or annulled as to
843 such liability by any agreement between the insurance company and
844 the insured after the occurrence of the injury or damage; no
845 statement made by the insured or on his behalf and no violation of
846 said policy shall defeat or void said policy;

847 (b) The satisfaction by the insured of a judgment for
848 such injury or damage shall not be a condition precedent to the



849 right or duty of the insurance company to make payment on account
850 of such injury or damage;

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

856 (d) The policy, the written application therefor, if
857 any, and any rider or endorsement which does not conflict with the
858 provisions of the chapter shall constitute the entire contract
859 between the parties.

860 (4) Any policy which grants the coverage required for a
861 motor vehicle liability policy may also grant any lawful coverage
862 in excess of or in addition to the coverage specified for a motor
863 vehicle liability policy, and such excess or additional coverage
864 shall not be subject to the provisions of this chapter. With
865 respect to a policy which grants such excess or additional
866 coverage, the term "motor vehicle liability policy" shall apply
867 only to that part of the coverage which is required by this
868 section.

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



873 (6) Any motor vehicle liability policy may provide for the
874 prorating of the insurance thereunder with other valid and
875 collectible insurance.

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

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

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

884 63-15-49. (1) Proof of financial responsibility may be
885 furnished by filing a bond with the department, accompanied by the
886 statutory recording fee of the chancery clerk to cover the cost of
887 recordation of the notice provided for herein. The bond may be
888 either a surety bond with a surety company authorized to do
889 business within the state or a bond with at least two (2)
890 individual sureties each owning real estate within the state not
891 exempt under the constitution or laws of the State of Mississippi
892 and together having equities equal in value to at least twice the
893 amount of such bond. In cases of a bond with two (2) individual
894 sureties, such real estate shall be scheduled and a description
895 thereof shall appear in the bond approved by the clerk of the
896 chancery court of the county or counties in which the real estate
897 is located and also approved by the tax collector of the county or



898 counties where the property is situated as being free from any
899 delinquent tax liens. Such bond shall be conditioned for payments
900 in amounts and under the same circumstances as would be required
901 in a motor vehicle liability policy, and shall not be cancellable
902 except after five (5) days' written notice is received by the
903 department. However, cancellation shall not prevent recovery with
904 respect to any right or cause of action arising prior to the date
905 of cancellation. Such bond shall constitute a lien in favor of
906 the state upon the real estate so scheduled of any surety, which
907 lien shall exist in favor of any holder of a final judgment
908 against the person who has filed such bond. Notice to that
909 effect, which shall include a description of the real estate
910 scheduled in the bond, shall be filed by the department in the
911 office of the chancery clerk of the county where such real estate
912 is situated. Such notice shall be accompanied by the statutory
913 fee for the services of the chancery clerk in connection with the
914 recordation of such notice, and the chancery clerk or his deputy,
915 upon receipt of such notice, shall acknowledge and cause the same
916 to be recorded in the lien records. Recordation shall constitute
917 notice as provided by the statutes governing the recordation of
918 liens on real estate.

919 (2) If a judgment rendered against the principal on such
920 surety or real estate bond shall not be satisfied within sixty
921 (60) days after it has become final, the judgment creditor may,
922 for his own use and benefit and at his sole expense, bring an



923 action or actions in the name of the state against the persons who
924 executed such bond, including an action or proceeding to foreclose
925 any lien that may exist upon the real estate of a person who has
926 executed such real estate bond, which foreclosure action shall be
927 brought in like manner and subject to all the provisions of law
928 applicable to an action to foreclose a mortgage on real estate.

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

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

942 (2) Such deposit shall be held by the State Treasurer to
943 satisfy, in accordance with the provisions of this chapter, any
944 execution on a judgment issued against * * * the person making the
945 deposit, for damages, including damages for care and loss of
946 services, because of bodily injury to or death of any person, or
947 for damages because of injury to or destruction of property,



948 including the loss of use thereof, resulting from the ownership,
949 maintenance, use or operation of a motor vehicle after * * * the
950 deposit was made. Money or securities so deposited shall not be
951 subject to attachment or execution unless * * * the attachment or
952 execution shall arise out of a suit for damages as aforesaid.

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

955 63-15-53. (1) Any person in whose name more than
956 twenty-five (25) motor vehicles are licensed may qualify as a
957 self-insurer by obtaining a certificate of self-insurance issued
958 by the department as provided in subsection (2) of this section.

959 (2) The department may, in its discretion, upon the
960 application of a person, issue a certificate of self-insurance
961 when it is satisfied that such person is possessed and will
962 continue to be possessed of ability to pay judgments obtained
963 against such person.

964 (3) Upon not less than five (5) days notice and a hearing
965 pursuant to such notice, the department may upon reasonable
966 grounds cancel a certificate of self-insurance. Failure to pay
967 any judgment within thirty (30) days after such judgment shall
968 have become final shall constitute a reasonable ground for the
969 cancellation of a certificate of self-insurance.

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



972 63-19-3. The following words and phrases, when used in this
973 chapter, shall have the meanings respectively ascribed to them in
974 this section, except where the context or subject matter otherwise
975 requires:

976 (a) "Motor vehicle" means any self-propelled or motored
977 device designed to be used or used primarily for the
978 transportation of passengers or property, or both, and having a
979 gross vehicular weight rating of less than fifteen thousand
980 (15,000) pounds, but shall not include electric personal assistive
981 mobility devices, personal delivery devices or electric bicycles
982 as defined in Section 63-3-103.

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

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



995 (d) "Retail seller" or "seller" means a person who
996 sells a motor vehicle or commercial vehicle to a retail buyer
997 under or subject to a retail installment contract.

998 (e) The "holder" of a retail installment contract means
999 the retail seller of the motor vehicle or commercial vehicle under
1000 or subject to the contract or if the contract is purchased by a
1001 sales finance company or other assignee, the sales finance company
1002 or other assignee.

1003 (f) "Retail installment transaction" means any
1004 transaction evidenced by a retail installment contract entered
1005 into between a retail buyer and a retail seller wherein the retail
1006 buyer buys a motor vehicle or commercial vehicle from the retail
1007 seller at a time price payable in one or more deferred
1008 installments. The cash sale price of the motor vehicle or
1009 commercial vehicle, the amount included for insurance and other
1010 benefits if a separate charge is made therefor, official fees and
1011 the finance charge shall together constitute the time price.

1012 (g) "Retail installment contract" or "contract" means
1013 an agreement entered into in this state pursuant to which the
1014 title to or a lien upon the motor vehicle or commercial vehicle
1015 which is the subject matter of a retail installment transaction is
1016 retained or taken by a retail seller from a retail buyer as
1017 security for the buyer's obligation. The term includes a chattel
1018 mortgage, a conditional sales contract and a contract for the
1019 bailment or leasing of a motor vehicle or commercial vehicle by



1020 which the bailee or lessee contracts to pay as compensation for
1021 its use a sum substantially equivalent to or in excess of its
1022 value and by which it is agreed that the bailee or lessee is bound
1023 to become, or has the option of becoming, the owner of the motor
1024 vehicle upon full compliance with the provisions of the contract.

1025 (h) "Cash sale price" means the price stated in a
1026 retail installment contract for which the seller would have sold
1027 to the buyer, and the buyer would have bought from the seller, the
1028 motor vehicle or commercial vehicle which is the subject matter of
1029 the retail installment contract, if such sale had been a sale for
1030 cash instead of a retail installment transaction. The cash sale
1031 price may include any taxes, registration, certificate of title,
1032 if any, license and other fees and charges for accessories and
1033 their installation and for delivery, servicing, repairing or
1034 improving the motor vehicle or commercial vehicle.

1035 (i) "Official fees" means the fees prescribed by law
1036 for filing, recording or otherwise perfecting and releasing or
1037 satisfying a retained title or a lien created by a retail
1038 installment contract, if recorded.

1039 (j) "Finance charge" means the amount agreed upon
1040 between the buyer and the seller, as limited in this chapter, to
1041 be added to the aggregate of the cash sale price, the amount, if
1042 any, included for insurance and other benefits and official fees,
1043 in determining the time price.



1044 (k) "Sales finance company" means a person engaged, in
1045 whole or in part, in the business of purchasing retail installment
1046 contracts from one or more retail sellers. The term includes, but
1047 is not limited to, a bank, trust company, private banker,
1048 industrial bank or investment company, if so engaged. The term
1049 also includes a retail seller engaged, in whole or in part, in the
1050 business of creating and holding retail installment contracts
1051 which exceed a total aggregate outstanding indebtedness of Five
1052 Hundred Thousand Dollars (\$500,000.00). The term does not include
1053 the pledgee to whom is pledged one or more of such contracts to
1054 secure a bona fide loan thereon.

1055 (l) "Person" means an individual, partnership,
1056 corporation, association and any other group however organized.

1057 (m) "Administrator" means the Commissioner of Banking
1058 and Consumer Finance or his duly authorized representative.

1059 (n) "Commissioner" means the Commissioner of Banking
1060 and Consumer Finance.

1061 (o) "Records" or "documents" means any item in hard
1062 copy or produced in a format of storage commonly described as
1063 electronic, imaged, magnetic, microphotographic or otherwise, and
1064 any reproduction so made shall have the same force and effect as
1065 the original thereof and be admitted in evidence equally with the
1066 original.

1067 Words in the singular include the plural and vice versa.



1068 **SECTION 32.** Section 63-21-3, Mississippi Code of 1972, is
1069 amended as follows:

1070 63-21-3. The terms and provisions of this chapter shall be
1071 administered by the Department of Revenue. The Department of
1072 Revenue shall have charge of all the affairs of administering the
1073 laws of the state relative to vehicle registration and titling,
1074 including fully autonomous vehicles, and manufactured housing
1075 titling as hereinafter provided and may employ such administrative
1076 and clerical assistance, material and equipment as may be
1077 necessary to enable it to speedily, completely and efficiently
1078 perform the duties as outlined in this chapter.

1079 **SECTION 33.** Section 63-21-9, Mississippi Code of 1972, is
1080 amended as follows:

1081 63-21-9. (1) Except as provided in Section 63-21-11, every
1082 owner of a motor vehicle as defined in this chapter, which is in
1083 this state and which is manufactured or assembled after July 1,
1084 1969, or which is the subject of first sale for use after July 1,
1085 1969, * * * every owner of a manufactured home as defined in this
1086 chapter, which is in this state and which is manufactured or
1087 assembled after July 1, 1999, or which is the subject of first
1088 sale for use after July 1, 1999, and every owner of a fully
1089 autonomous vehicle as defined in Section 3 of this act, which is
1090 in this state and which is manufactured or assembled after July 1,
1091 2023, or which is the subject of first sale for use after July 1,



1092 2023, shall make application to the * * * Department of Revenue
1093 for a certificate of title with the following exceptions:

1094 (a) Voluntary application for title may be made for any
1095 model motor vehicle which is in this state after July 1,
1096 1969, * * * for any model manufactured home or mobile home which
1097 is in this state after July 1, 1999, and for any model fully
1098 autonomous vehicles which is in this state after July 1, 2023, and
1099 any person bringing a motor vehicle, manufactured home * * *,
1100 mobile home or fully autonomous vehicle into this state from a
1101 state which requires titling shall make application for title to
1102 the * * * Department of Revenue within thirty (30) days
1103 thereafter.

1104 (b) After July 1, 1969, any dealer, acting for himself,
1105 or another, who sells, trades or otherwise transfers any new or
1106 used vehicle as defined in this chapter, * * * after July 1, 1999,
1107 any dealer, acting for himself, or another, who sells, trades or
1108 otherwise transfers any new or used manufactured home or mobile
1109 home as defined in this chapter, and after July 1, 2023, any
1110 dealer, acting for himself, or another, who sells, trades or
1111 otherwise transfers any new or used fully autonomous vehicle as
1112 defined in Section 3 of this act, or any designated agent, shall
1113 furnish to the purchaser or transferee, without charge for either
1114 application or certificate of title, an application for title of
1115 said vehicle, manufactured home * * *, mobile home or fully
1116 autonomous vehicle and cause to be forwarded to the * * *



1117 Department of Revenue any and all documents required by the * * *
1118 department to issue certificate of title to the purchaser or
1119 transferee. The purchaser or transferee may then use the
1120 duplicate application for title as a permit to operate vehicle as
1121 provided in Section 63-21-67, until certificate of title is
1122 received.

1123 (2) (a) Voluntary application for title may be made for any
1124 model all-terrain vehicle which is in this state.

1125 (b) A dealer who sells, trades or otherwise transfers
1126 any new or used all-terrain vehicles as defined in this chapter,
1127 may furnish to the purchaser or transferee, without charge for
1128 either application or certificate of title, an application for
1129 title of said vehicle, and cause to be forwarded to the State Tax
1130 Commission any and all documents required by the commission to
1131 issue certificate of title to the purchaser or transferee.

1132 (3) Any dealer, acting for himself or another who sells,
1133 trades or otherwise transfers any vehicle, manufactured
1134 home * * *, mobile home or fully autonomous vehicle required to be
1135 titled under this chapter who does not comply with the provisions
1136 of this chapter shall be guilty of a misdemeanor and upon
1137 conviction shall be fined a sum not exceeding Five Hundred Dollars
1138 (\$500.00).

1139 **SECTION 34.** Section 63-21-11, Mississippi Code of 1972, is
1140 brought forward as follows:

1141 63-21-11. (1) No certificate of title need be obtained for:



1142 (a) A vehicle, manufactured home or mobile home owned
1143 by the United States or any agency thereof;

1144 (b) A vehicle, manufactured home or mobile home owned
1145 by a manufacturer or dealer and held for sale, even though
1146 incidentally moved on the highway or used for purposes of testing
1147 or demonstration, or a vehicle used by a manufacturer solely for
1148 testing;

1149 (c) A vehicle, manufactured home or mobile home owned
1150 by a nonresident of this state and not required by law to be
1151 registered in this state;

1152 (d) A vehicle regularly engaged in the interstate
1153 transportation of persons or property for which a currently
1154 effective certificate of title has been issued in another state;

1155 (e) A vehicle moved solely by animal power;

1156 (f) An implement of husbandry;

1157 (g) Special mobile equipment;

1158 (h) A pole trailer;

1159 (i) Utility trailers of less than five thousand (5,000)
1160 pounds gross vehicle weight;

1161 (j) A manufactured home with respect to which the
1162 requirements of subsections (1) through (5) of Section 63-21-30,
1163 as applicable, have been satisfied unless with respect to the same
1164 manufactured home or mobile home there has been recorded an
1165 affidavit of severance pursuant to subsection (6) of Section
1166 63-21-30.



1167 (2) Nothing in this section shall prohibit the issuance of a
1168 certificate of title to the nonresident owner of an all-terrain
1169 vehicle that is purchased in this state.

1170 **SECTION 35.** Section 63-21-15, Mississippi Code of 1972, is
1171 brought forward as follows:

1172 63-21-15. (1) The application for the certificate of title
1173 of a vehicle, manufactured home or mobile home in this state shall
1174 be made by the owner to a designated agent, on the form the
1175 Department of Revenue prescribes, and shall contain or be
1176 accompanied by the following, if applicable:

1177 (a) The name, driver's license number, if the owner has
1178 been issued a driver's license, current residence and mailing
1179 address of the owner;

1180 (b) (i) If a vehicle, a description of the vehicle,
1181 including the following data: year, make, model, vehicle
1182 identification number, type of body, the number of cylinders,
1183 odometer reading at the time of application, and whether new or
1184 used; and

1185 (ii) If a manufactured home or mobile home, a
1186 description of the manufactured home or mobile home, including the
1187 following data: year, make, model number, serial number and
1188 whether new or used;

1189 (c) The date of purchase by applicant, the name and
1190 address of the person from whom the vehicle, manufactured home or
1191 mobile home was acquired, and the names and addresses of any



1192 lienholders in the order of their priority and the dates of their
1193 security agreements;

1194 (d) In connection with the transfer of ownership of a
1195 manufactured home or mobile home sold by a sheriff's bill of sale,
1196 a copy of the sheriff's bill of sale;

1197 (e) (i) An odometer disclosure statement made by the
1198 transferor of a motor vehicle. The statement shall read:

1199 "Federal and state law requires that you state the mileage in
1200 connection with the transfer of ownership. Failure to complete or
1201 providing a false statement may result in fine and/or
1202 imprisonment.

1203 I state that the odometer now reads _____ (no tenths)
1204 miles and to the best of my knowledge that it reflects the actual
1205 mileage of the vehicle described herein, unless one (1) of the
1206 following statements is checked:

1207 _____ (1) I hereby certify that to the best of my knowledge
1208 the odometer reading reflects the amount of mileage in excess of
1209 its mechanical limits.

1210 _____ (2) I hereby certify that the odometer reading is not
1211 the actual mileage. WARNING-ODOMETER DISCREPANCY!"

1212 (ii) In connection with the transfer of ownership
1213 of a motor vehicle, each transferor shall disclose the mileage to
1214 the transferee in writing on the title or on the document being
1215 used to reassign the title, which form shall be prescribed and
1216 furnished by the Department of Revenue. This written disclosure



1217 must be signed by the transferor and transferee, including the
1218 printed name of both parties.

1219 Notwithstanding the requirements above, the following
1220 exemptions as to odometer disclosure shall be in effect:

1221 1. A vehicle having a gross vehicle weight
1222 rating of more than sixteen thousand (16,000) pounds.

1223 2. A vehicle that is not self-propelled.

1224 3. A vehicle that is twenty (20) years old or
1225 older.

1226 4. A vehicle sold directly by the
1227 manufacturer to any agency of the United States in conformity with
1228 contractual specifications.

1229 5. A transferor of a new vehicle prior to its
1230 first transfer for purposes other than resale need not disclose
1231 the vehicle's odometer mileage.

1232 (iii) Any person who knowingly gives a false
1233 statement concerning the odometer reading on an odometer
1234 disclosure statement shall be guilty of a misdemeanor and, upon
1235 conviction, shall be subject to a fine of up to One Thousand
1236 Dollars (\$1,000.00) or imprisonment of up to one (1) year, or
1237 both, at the discretion of the court. These penalties shall be
1238 cumulative, supplemental and in addition to the penalties provided
1239 by any other law; and

1240 (f) For previously used manufactured homes and mobile
1241 homes that previously have not been titled in this state or any



1242 other state, a disclosure statement shall be made by the owner of
1243 the manufactured home or mobile home applying for the certificate
1244 of title. That statement shall read:

1245 "I state that the previously used manufactured home or mobile
1246 home owned by me for which I am applying for a certificate of
1247 title, to the best of my knowledge:

1248 _____ (1) Has never been declared a total loss due to
1249 flood damage, fire damage, wind damage or other damage; or

1250 _____ (2) Has previously been declared a total loss due
1251 to:

1252 _____ (a) Collision;

1253 _____ (b) Flood;

1254 _____ (c) Fire;

1255 _____ (d) Wind;

1256 _____ (e) Other (please describe): _____

1257 _____."

1258 (2) The application shall be accompanied by such evidence as
1259 the Department of Revenue reasonably requires to identify the
1260 vehicle, manufactured home or mobile home and to enable the
1261 Department of Revenue to determine whether the owner is entitled
1262 to a certificate of title and the existence or nonexistence of
1263 security interests in the vehicle, manufactured home or mobile
1264 home and whether the applicant is liable for a use tax as provided
1265 by Sections 27-67-1 through 27-67-33.



1266 (3) If the application is for a vehicle, manufactured home
1267 or mobile home purchased from a dealer, it shall contain the name
1268 and address of any lienholder holding a security interest created
1269 or reserved at the time of the sale and the date of his security
1270 agreement and it shall be signed by the dealer as well as the
1271 owner. The designated agent shall promptly mail or deliver the
1272 application to the Department of Revenue.

1273 (4) If the application is for a new vehicle, manufactured
1274 home or mobile home, it shall contain the certified manufacturer's
1275 statement of origin showing proper assignments to the applicant
1276 and a copy of each security interest document.

1277 (5) Each application shall contain or be accompanied by the
1278 certificate of a designated agent that the vehicle, manufactured
1279 home or mobile home has been physically inspected by him and that
1280 the vehicle identification number and descriptive data shown on
1281 the application, pursuant to the requirements of subsection (1)(b)
1282 of this section, are correct, and also that he has identified the
1283 person signing the application and witnessed the signature. If
1284 the application is to receive a branded title for a vehicle for
1285 which a salvage certificate of title has been issued, the
1286 application shall be accompanied by a sworn affidavit that the
1287 vehicle complies with the requirements of this section, Section
1288 63-21-39 and the regulations promulgated by the Department of
1289 Revenue under Section 63-21-39.



1290 (6) (a) If the application is for a first certificate of
1291 title on a vehicle, manufactured home or mobile home other than a
1292 new vehicle, manufactured home or mobile home, then the
1293 application shall conform with the requirements of this section
1294 except that in lieu of the manufacturer's statement of origin, the
1295 application shall be accompanied by a copy of the bill of sale of
1296 said motor vehicle, manufactured home or mobile home whereby the
1297 applicant claims title or in lieu thereof, in the case of a motor
1298 vehicle, certified copies of the last two (2) years' tag and tax
1299 receipts or in lieu thereof, in any case, such other information
1300 the Department of Revenue may reasonably require to identify the
1301 vehicle, manufactured home or mobile home and to enable the
1302 Department of Revenue to determine ownership of the vehicle,
1303 manufactured home or mobile home and the existence or nonexistence
1304 of security interest in it. If the application is for a vehicle,
1305 manufactured home or mobile home last previously registered in
1306 another state or country, the application shall also be
1307 accompanied by the certificate of title issued by the other state
1308 or country, if any, properly assigned.

1309 (b) A person may apply for a certificate of title to a
1310 vehicle lacking proper documentation if the vehicle is at least
1311 thirty (30) years old and the person submits a certificate of
1312 ownership signed under penalty of perjury on a form prescribed by
1313 the Department of Revenue.



1314 (7) If the application is for a vehicle the owner does not
1315 intend to drive, the owner need not purchase a license tag in
1316 order to receive a certificate of title, so long as the
1317 application contains an affidavit attesting to the owner's intent
1318 that the vehicle not be operated on the highways of this state
1319 until and unless the owner applies for a license tag.

1320 (8) Every designated agent within this state shall, no later
1321 than the next business day after they are received by him, forward
1322 to the Department of Revenue by mail, postage prepaid, the
1323 originals of all applications received by him, together with such
1324 evidence of title as may have been delivered to him by the
1325 applicants.

1326 (9) An application for certificate of title and information
1327 to be placed on an application for certificate of title may be
1328 transferred electronically as provided in Section 63-21-16.

1329 (10) The Department of Revenue shall issue a certificate of
1330 title or any other document applied for under this chapter to the
1331 designated agent, owner or lienholder of the motor vehicle or of
1332 the manufactured home or mobile home, as appropriate, not more
1333 than thirty (30) days after the application and required fee
1334 prescribed under Section 63-21-63 or Section 63-21-64 are received
1335 unless the applicant requests expedited processing under
1336 subsection (11) of this section.

1337 (11) (a) The Department of Revenue shall establish an
1338 expedited processing procedure for the receipt of applications and



1339 the issuance of certificates of title and any other documents
1340 issued under this chapter, except a replacement certificate of
1341 title as provided under Section 63-21-27(2), for motor vehicles
1342 and for manufactured homes or mobile homes. Any designated agent,
1343 lienholder or owner requesting the issuance of any such document,
1344 at his or her option, shall receive such expedited processing upon
1345 payment of a fee in the amount of Thirty Dollars (\$30.00). Such
1346 fee shall be in addition to the fees applicable to the issuance of
1347 any such documents under Section 63-21-63 and Section 63-21-64.

1348 (b) When expedited title processing is requested, the
1349 applicable fees are paid and all documents and information
1350 necessary for the Department of Revenue to issue the certificate
1351 of title or other documents applied for are received by the
1352 department, then the department shall complete processing of the
1353 application and issue the title or document applied for within
1354 seventy-two (72) hours of the time of receipt, excluding weekends
1355 and holidays.

1356 **SECTION 36.** Section 63-21-17, Mississippi Code of 1972, is
1357 brought forward as follows:

1358 63-21-17. (1) The Department of Revenue shall examine each
1359 application received and, when satisfied as to its genuineness and
1360 regularity and that the applicant is entitled to the issuance of a
1361 certificate of title, shall issue a certificate of title of the
1362 vehicle, manufactured home or mobile home on the form prescribed
1363 by the department.



1364 (2) The Department of Revenue shall maintain a record of all
1365 certificates of title issued for fifteen (15) years from the date
1366 of issuance, pursuant to the provisions of this chapter:

1367 (a) Under a distinctive title number assigned to the
1368 vehicle, manufactured home or mobile home;

1369 (b) Under the vehicle identification number;

1370 (c) Under the name of the owner; and

1371 (d) In the discretion of the Department of Revenue, by
1372 any other method the department determines.

1373 (3) The Department of Revenue shall maintain a record of
1374 each affidavit of affixation filed in accordance with subsections
1375 (3), (4) and (5) of Section 63-21-30. The record shall state the
1376 name and mailing address of each owner of the related manufactured
1377 home, the county of recordation, the date of recordation, and the
1378 book and page number of each book of records in which there has
1379 been recorded an affidavit of affixation under subsections (1) and
1380 (2) of Section 63-21-30, the name of the manufacturer, the make,
1381 the model name, the model year, the dimensions, and the
1382 manufacturer's serial number or VIN of the manufactured home or
1383 mobile home, to the extent that such data exists, and any other
1384 information the Department of Revenue prescribes.

1385 (4) The Department of Revenue shall maintain a record of
1386 each manufacturer's certificate of origin submitted for the
1387 purpose of effectuating the retirement of title as provided in
1388 Section 63-21-30. The record shall state the name and mailing



1389 address of each owner of the manufactured home, the date the
1390 manufacturer's certificate of origin was submitted, the county of
1391 recordation, the date of recordation, and the book and page number
1392 of each book of records in which there has been recorded an
1393 affidavit of affixation under subsections (1) and (2) of Section
1394 63-21-30, the name of the manufacturer, the make, the model name,
1395 the model year, the dimensions, and the manufacturer's serial
1396 number or VIN of the manufactured home or mobile home, to the
1397 extent that such data exists, and any other information the
1398 Department of Revenue prescribes.

1399 (5) The Department of Revenue shall maintain a record of
1400 each certificate of title accepted for surrender as provided in
1401 subsection (5) of Section 63-21-30. The record shall state the
1402 name and mailing address of each owner of the manufactured home,
1403 the date the certificate of title was accepted for surrender, the
1404 county of recordation, the date of recordation, and the book and
1405 page number of each book of records in which there has been
1406 recorded an affidavit of affixation under subsections (1) and (2)
1407 of Section 63-21-30, the name of the manufacturer, the make, the
1408 model name, the model year, the dimensions, and the manufacturer's
1409 serial number or VIN of the manufactured home or mobile home, to
1410 the extent that such data exists, and any other information the
1411 Department of Revenue prescribes.

1412 (6) The Department of Revenue shall maintain a record of
1413 each affidavit of severance filed in accordance with subsection



1414 (6) of Section 63-21-30. The record shall state the name and
1415 mailing address of each owner of the related manufactured home,
1416 the county of recordation, the date of recordation, and the book
1417 and page number of each book of records in which there has been
1418 recorded an affidavit of severance under subsection (6) of Section
1419 63-21-30, the name of the manufacturer, the make, the model name,
1420 the model year, the dimensions, and the manufacturer's serial
1421 number or VIN of the manufactured home or mobile home, to the
1422 extent that such data exists, and any other information the
1423 Department of Revenue prescribes.

1424 (7) Records of affidavits of affixation, submitted
1425 manufacturer's certificates of origin, surrendered certificates of
1426 title, and affidavits of severance shall be maintained permanently
1427 and be subject to public records request. The records of
1428 affidavits of affixation, submitted manufacturer's certificates of
1429 origin, and surrendered certificates of title shall include a
1430 statement that the manufactured home is real property as provided
1431 in subsections (13) and (14) of Section 63-21-30.

1432 **SECTION 37.** This act shall take effect and be in force from
1433 and after July 1, 2023.

