

By: Senator(s) Michel

To: Judiciary, Division B

SENATE BILL NO. 2238

1 AN ACT TO AMEND SECTION 63-7-20, MISSISSIPPI CODE OF 1972, TO  
 2 ENHANCE THE PENALTY FOR VIOLATION OF THE PROVISION PROHIBITING THE  
 3 DISPLAY OF CERTAIN LIGHTS ON A MOTOR VEHICLE; TO AMEND SECTION  
 4 63-7-59, MISSISSIPPI CODE OF 1972, TO ENHANCE THE PENALTY FOR  
 5 VIOLATION OF THE PROVISION REGULATING THE AMOUNT OF WINDOW TINT  
 6 ALLOWED ON THE WINDOWS OF A MOTOR VEHICLE; TO PENALIZE A PERSON  
 7 WHO INSTALLS TINTED FILM, DARKENING MATERIAL OR ANY OTHER MATERIAL  
 8 UPON THE WINDOWS OF A MOTOR VEHICLE IN VIOLATION OF THE LEGAL  
 9 LIMITS; TO AMEND SECTION 27-19-31, MISSISSIPPI CODE OF 1972, TO  
 10 ENHANCE THE PENALTY FOR OBSCURING A LICENSE VEHICLE TAG; TO  
 11 PROVIDE FURTER PENALTIES FOR PERSONS WHO OBSCURE A LICENSE VEHICLE  
 12 TAG WITH THE INTENT TO EVADE LAW ENFORCEMENT; AND FOR RELATED  
 13 PURPOSES.

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

15 **SECTION 1.** Section 63-7-20, Mississippi Code of 1972, is  
 16 amended as follows:

17 63-7-20. (1) It is unlawful for any person, other than a  
 18 law enforcement officer on duty, to use or display blue lights on  
 19 a motor vehicle as provided for in Section 63-7-19.

20 (2) It is unlawful for any person to use or display red  
 21 lights on a motor vehicle except as provided for in Section  
 22 63-7-19. It is not unlawful for the red lights authorized for  
 23 private or department-owned vehicles used by firemen of volunteer



24 fire departments, as provided in Section 63-7-19, to remain  
25 mounted on such vehicles when the lights are not in use.

26 (3) It is unlawful for any vehicle to use alternating  
27 flashing headlights except an emergency vehicle as provided in  
28 Section 63-7-19.

29 (4) A person \* \* \* who purposefully, knowingly, recklessly  
30 or negligently violates this section \* \* \* shall be guilty of a  
31 misdemeanor \* \* \* . Upon conviction, for a first conviction, the  
32 defendant shall be punished by a fine of not more than Two Hundred  
33 Dollars (\$200.00) or by imprisonment for not more than twenty (20)  
34 days; for a second conviction within one (1) year thereafter, the  
35 defendant shall be punished by a fine of not less than Two Hundred  
36 Dollars (\$200.00) and not more than Four Hundred Dollars (\$400.00)  
37 or by imprisonment for not more than forty (40) days or by both  
38 such fine and imprisonment; for a third or subsequent conviction  
39 within one (1) year after the second conviction, the defendant  
40 shall be punished by a fine of not less than Four Hundred Dollars  
41 (\$400.00) and not more than One Thousand Dollars (\$1,000.00) or by  
42 imprisonment for not more than nine (9) months or by both such  
43 fine and imprisonment.

44 **SECTION 2.** Section 63-7-59, Mississippi Code of 1972, is  
45 amended as follows:

46 63-7-59. (1) No person shall drive any motor vehicle  
47 required to be registered in this state upon the public roads,  
48 streets or highways in this state with any sign or poster, or with



49 any glazing material which causes a mirrored effect, upon the  
50 front windshield, side wings or side or rear windows of the  
51 vehicle, other than a certificate or other paper required or  
52 authorized to be so displayed by law. No person shall drive any  
53 motor vehicle required to be registered in this state upon the  
54 public roads, streets or highways in this state with any tinted  
55 film, glazing material or darkening material of any kind on the  
56 windshield of a motor vehicle except material designed to replace  
57 or provide a sun shield in the uppermost area as authorized to be  
58 installed by manufacturers of vehicles under federal law.

59 (2) (a) From and after July 1, 2006, no person shall drive  
60 any motor vehicle required to be registered in this state upon the  
61 public roads, streets or highways in this state with any window  
62 tinted or darkened, by tinted film or otherwise, after delivery of  
63 the vehicle from the manufacturer, unless:

64 ( \* \* \*i) The windshield of the vehicle has  
65 affixed to it a label as provided under subsection (6) of this  
66 section certifying that all the windows of the vehicle have a  
67 light transmittance of twenty-eight percent (28%) or more; or

68 ( \* \* \*ii) The owner or operator of the vehicle  
69 has a certificate of medical exemption issued under subsection (4)  
70 of this section.

71 (b) A person who purposefully, knowingly, recklessly or  
72 negligently violates this subsection shall be guilty of a  
73 misdemeanor. Upon conviction, for a first conviction, the



74 defendant shall be punished by a fine of not more than Two Hundred  
75 Dollars (\$200.00) or by imprisonment for not more than twenty (20)  
76 days; for a second conviction within one (1) year thereafter, the  
77 defendant shall be punished by a fine of not less than Two Hundred  
78 Dollars (\$200.00) and not more than Four Hundred Dollars (\$400.00)  
79 or by imprisonment for not more than forty (40) days or by both  
80 such fine and imprisonment; for a third or subsequent conviction  
81 within one (1) year after the second conviction, the defendant  
82 shall be punished by a fine of not less than Four Hundred Dollars  
83 (\$400.00) and not more than One Thousand Dollars (\$1,000.00) or by  
84 imprisonment for not more than nine (9) months or by both such  
85 fine and imprisonment.

86 (3) The prohibitions of subsection (2) of this section shall  
87 not apply to:

88 (a) School buses, other buses used for public  
89 transportation, any bus or van owned or leased by a nonprofit  
90 organization duly incorporated under the laws of this state or any  
91 funeral home services vehicle, any limousine owned or leased by a  
92 private or public entity, or any government-owned law enforcement  
93 or fire department vehicle or any volunteer fire department  
94 vehicle;

95 (b) Any window behind the front two (2) side windows,  
96 including the rear window, of any pickup truck, van, motor home,  
97 recreational vehicle, sport utility vehicle or multipurpose  
98 vehicle that has been tinted or darkened after factory delivery to



99 the extent that the light transmittance of the window meets the  
100 minimum light transmittance requirements authorized to be  
101 installed for that window and for that vehicle under federal law  
102 or regulations before factory delivery; or

103 (c) Any other motor vehicle the windows of which have  
104 been tinted or darkened before factory delivery as permitted by  
105 federal law or federal regulations.

106 (4) Notwithstanding the provisions of subsection (2) of this  
107 section, it shall be lawful for any person who has been diagnosed  
108 by a physician licensed to practice medicine in the State of  
109 Mississippi as having a physical condition or disease that is  
110 seriously aggravated by minimum exposure to sunlight to place or  
111 have placed upon the windshield or windows of any motor vehicle  
112 which he owns or operates or within which he regularly travels as  
113 a passenger tinted film or other darkening material that would  
114 otherwise be in violation of this section. However, any vehicle,  
115 in order to be exempt under this subsection (4), shall have  
116 prominently displayed on the vehicle dashboard a certificate of  
117 medical exemption on a form prepared by the Commissioner of Public  
118 Safety and signed by the person on whose behalf the certificate is  
119 issued. The special certificate authorized by this subsection (4)  
120 shall be issued free of charge to the applicants through the  
121 offices of the tax collectors of the counties. Each applicant  
122 shall present to the issuing official:



123           (a) An affidavit signed personally by the applicant and  
124 signed and attested by a physician which states the applicant's  
125 physical condition or disease which entitles him to an exemption  
126 under this subsection (4); and

127           (b) Proof of ownership of the motor vehicle by the  
128 applicant, or a signed affidavit by the owner of a motor vehicle  
129 operated for the use of the applicant, for which he is obtaining  
130 the certificate.

131           (5) The windshield on every motor vehicle shall be equipped  
132 with a device for cleaning rain, snow or other moisture from the  
133 windshield, which device shall be so constructed as to be  
134 controlled or operated by the driver of the vehicle.

135           (6) The Department of Public Safety shall issue labels to  
136 official tint inspection stations for affixing to the windshield  
137 of every motor vehicle required to be inspected in this state with  
138 a window therein which has been tinted or darkened with any tinted  
139 film or other darkening material after factory delivery. The  
140 label shall be affixed to the lower left corner of the windshield,  
141 shall be legible from outside the vehicle, and shall indicate the  
142 label registration number, a certification of compliance with  
143 Mississippi law, and such other information as the Commissioner of  
144 Public Safety deems appropriate. The labels shall be of a type  
145 which is pressure-sensitive, self-destructive upon removal, and no  
146 larger than one (1) inch square in size. Before affixing the  
147 label, the inspection station shall conduct a test to determine



148 that the window complies with the light transmittance requirements  
149 prescribed under subsection (2) of this section. The test shall  
150 be conducted using such methods or devices as may be approved and  
151 certified not less often than annually by the Department of Public  
152 Safety. For conducting such tests, tint inspection stations shall  
153 charge and collect a fee of Five Dollars (\$5.00). Two Dollars  
154 (\$2.00) of the fee shall be retained by the inspection station,  
155 and Three Dollars (\$3.00) of the fee shall be remitted to the  
156 Department of Public Safety and may be expended, upon legislative  
157 appropriation, for the operational expenses of the department. No  
158 fee shall be charged unless a test is actually performed under  
159 this subsection (6). The presence of a label upon the windshield  
160 of a motor vehicle shall indicate that the person who affixed the  
161 label certifies that the windows of the vehicle meet the  
162 restrictions of subsection (2) of this section as to light  
163 transmittance.

164 (7) (a) No person shall install any tinted film, darkening  
165 material, glazing material or any other material upon the  
166 windshield or any window of a motor vehicle which, after the  
167 installation thereof, would result in such vehicle being in  
168 violation of subsection (2) of this section.

169 (b) A person who purposefully, knowingly, recklessly or  
170 negligently violates this subsection shall be guilty of a  
171 misdemeanor. Upon conviction, for a first conviction, the  
172 defendant shall be punished by a fine of not more than Two Hundred



173 Dollars (\$200.00) or by imprisonment for not more than twenty (20)  
174 days; for a second conviction, the defendant shall be punished by  
175 a fine of not less than Two Hundred Dollars (\$200.00) and not more  
176 than Four Hundred Dollars (\$400.00) or by imprisonment for not  
177 more than forty (40) days or by both such fine and imprisonment;  
178 for a third or subsequent conviction, the defendant shall be  
179 punished by a fine of not less than Four Hundred Dollars (\$400.00)  
180 and not more than One Thousand Dollars (\$1,000.00) or by  
181 imprisonment for not more than nine (9) months or by both such  
182 fine and imprisonment.

183 (8) No label shall be issued for a vehicle on which the  
184 windshield or any window of the vehicle has been darkened by the  
185 installation of tinted film or by other means, except as  
186 authorized under this section.

187 (9) It shall be unlawful for any person to alter or  
188 reproduce any label or certificate of medical exemption approved  
189 by the Commissioner of Public Safety under this section for the  
190 purpose of misleading law enforcement officers or motor vehicle  
191 inspection stations, or to knowingly use any approved label or  
192 certificate except as authorized by this section.

193 (10) Any person violating subsection (7), (8) or (9) of this  
194 section, upon conviction, shall be punished by a fine of not more  
195 than One Thousand Dollars (\$1,000.00), or imprisonment in the  
196 county jail for not more than three (3) months, or by both such  
197 fine and imprisonment.





198 (11) Any violation of this section other than a violation of  
199 subsection (7), (8) or (9) of this section shall be punishable  
200 upon conviction as provided in Section 63-7-7.

201 (12) Violations of this section shall be enforced only by  
202 law enforcement officers of the Mississippi Department of Public  
203 Safety and municipal law enforcement officers of municipalities  
204 having a population of two thousand (2,000) or more on the public  
205 roads, streets and highways under their jurisdiction.

206 (13) The Department of Public Safety shall initiate a public  
207 awareness program designed to inform and educate persons of the  
208 provisions of this section. Funds for such public awareness  
209 program shall be available through the office of the Governor's  
210 representative for highway safety programs.

211 **SECTION 3.** Section 27-19-31, Mississippi Code of 1972, is  
212 amended as follows:

213 27-19-31. (1) The Department of Revenue is authorized and  
214 directed to establish and maintain a vehicle registration renewal  
215 system whereby the license tag attached upon a motor vehicle or  
216 trailer may be issued for five (5) years with the approval of the  
217 License Tag Commission, except for motor vehicles registered in  
218 excess of ten thousand (10,000) pounds gross vehicle weight, and  
219 motor vehicles in a fleet registered under Section 27-19-66,  
220 apportioned vehicles, rental and commercial trailers and buses,  
221 which shall be issued for a period of time determined by the  
222 Department of Revenue. During each intervening year of the period



223 for which license tags are issued, the Department of Revenue shall  
224 issue up to two (2) license decals, in lieu of the license tags,  
225 the month and year in which the license tag expires shall be  
226 specified on one (1) of the decals so issued. Motor vehicles in a  
227 corporate fleet registered under Section 27-19-66, trailers in a  
228 fleet registered under Section 27-19-66.1, and apportioned  
229 vehicles shall not be issued decals specifying the month and year  
230 of expiration.

231 Any series of tags may be cancelled by the commissioner with  
232 the approval of the License Tag Commission and a new series of  
233 tags issued.

234 (2) The license decals issued in lieu of the license tags  
235 shall indicate the month and the last two (2) figures of the year  
236 for which such license shall expire. The license decals shall be  
237 attached to the license tag of the motor vehicle or trailer, and  
238 when so attached shall be deemed to be the license tag for the  
239 ensuing registration year. The month and year decal shall be  
240 attached in an upright position in the lower right corner of the  
241 license tag. Decals specifying the month and year of expiration  
242 shall not be required to be attached to license tags on motor  
243 vehicles in a corporate fleet registered under Section 27-19-66,  
244 trailers in a fleet registered under Section 27-19-66.1, or  
245 apportioned vehicles.

246 Except as otherwise provided in this paragraph, the  
247 registration year shall be a period of one (1) year commencing on



248 the first day of the month following the month in which the  
249 vehicle was acquired. Beginning October 1, 1982, original  
250 registrations of motor vehicles, except motor vehicles registered  
251 in excess of ten thousand (10,000) pounds gross vehicle weight,  
252 apportioned vehicles and buses, may be made and shall be prorated  
253 for a period of from six (6) to eleven (11) months according to  
254 regulations established by the Department of Revenue to reduce a  
255 disproportionate number of registrations for a particular month.  
256 Beginning July 1, 1995, original registrations and renewal  
257 registrations of motor vehicles in corporate fleets registered  
258 under Section 27-19-66, shall be prorated according to regulations  
259 established by the Department of Revenue so as to cause the  
260 registration of such fleet motor vehicles to coincide with the  
261 anniversary month for corporate fleets established by the  
262 Department of Revenue. Beginning July 1, 2011, original  
263 registrations and renewal registrations of trailers in trailer  
264 fleets registered under Section 27-19-66.1 shall be prorated  
265 according to regulations established by the Department of Revenue  
266 so as to cause the registration of such trailers to coincide with  
267 the anniversary month for trailer fleets established by the  
268 Department of Revenue. Where a vehicle is registered for a period  
269 less than twelve (12) months, the anniversary month shall be the  
270 month of the expiration of the original license tag.

271 Beginning July 1, 1996, original registrations and renewal  
272 registrations of motor vehicles in individual fleets registered



273 under Section 27-19-66 shall be prorated according to regulations  
274 established by the Department of Revenue so as to cause the  
275 registration of such fleet motor vehicles to coincide with the  
276 anniversary month for individual fleets established by the county  
277 tax collector. Where a vehicle is registered for a period less  
278 than twelve (12) months, the anniversary month shall be the month  
279 of the expiration of the original license tag.

280 The Department of Revenue, with the approval of the License  
281 Tag Commission, shall so specify the area or areas on the license  
282 tag where the license decals shall be attached. The number of the  
283 license tag shall be written across its face, and the number of  
284 the tag shall represent the registration number; and upon all the  
285 tags for private passenger vehicles the word "MISSISSIPPI" shall  
286 be written across the top of the tag in capital letters  
287 sufficiently large to be easily read, but upon all other tags such  
288 word may be abbreviated. The number of the license tag shall not  
289 exceed seven (7) letters, numbers or a combination of such letters  
290 and numbers. Also, on all tags sold and issued, an appropriate  
291 place will be provided thereon to place license decals indicating  
292 the expiration date of the tag. For the purposes of this section  
293 and Section 27-19-32, Mississippi Code of 1972, the term "decal,"  
294 "decals" or "license decal" shall mean a tab, sticker or other  
295 similar device attached to a license tag which validates same for  
296 a stated period of time. One (1) license tag and up to two (2)  
297 license decals shall be furnished for all vehicles and shall be



298 fastened immovably twelve (12) inches or more above the ground, at  
299 the rear of the vehicle under or over the rear light, with the  
300 number in upright position so that it will be plainly visible and  
301 legible at all times, and at night at a distance of sixty (60)  
302 feet. In the case of tractors or other motor vehicles drawing or  
303 pulling trailers, semitrailers or farm implements, the tag shall  
304 be fastened upon such vehicle twelve (12) inches or more above the  
305 ground, upon the front or back of such vehicle, with the number in  
306 an upright position. Such license plate, all characters and any  
307 legally affixed decals shall not be defaced, covered or obstructed  
308 from view by any object, decal, sticker, paint, marking or license  
309 plate bracket or holder. Any person who defaces, covers or  
310 obstructs any portion of a license tag with any sticker,  
311 decoration, paint, marking, license plate bracket or holder or any  
312 other thing or device, in such a manner that the characters and  
313 any legally affixed decals on the tag cannot be read, shall be  
314 guilty of a misdemeanor and, upon conviction, shall be punished by  
315 a fine of not more than \* \* \* One Hundred Dollars (\$100.00).  
316 However, it shall not be unlawful for the county name to be  
317 partially or completely obstructed from view by any object, decal,  
318 sticker or license plate bracket or holder. Unless the license  
319 tag with current decals is fastened to the vehicle as herein  
320 provided, the said vehicle shall be regarded as operating without  
321 a license tag, and the owner or operator shall be liable for the  
322 penalties herein provided. Any person who defaces, covers or



323 obstructs any portion of a license tag with any sticker,  
324 decoration, paint, marking, license plate bracket or holder or any  
325 other thing or device, in such a manner that the characters and  
326 any legally affixed decals on the tag cannot be read, with the  
327 intent of evading law enforcement shall be guilty of a misdemeanor  
328 and, upon conviction, shall be punished by a fine of not more than  
329 Five Hundred Dollars (\$500.00) or by imprisonment for not more  
330 than one (1) year in the county jail, or both.

331 In addition to the above requirements, license tags for  
332 private passenger vehicles shall have a county designation thereon  
333 referencing the name of the county in which such vehicle is  
334 registered.

335 Law enforcement officers of this state shall remove from a  
336 motor vehicle or trailer any license tag and/or decals which are  
337 so defaced that proper identification cannot be reasonably made.  
338 The officer shall issue to the driver of such vehicle a tag permit  
339 which shall be valid for a period of five (5) days. Each person  
340 receiving such tag permit shall purchase, within five (5) days  
341 from the date of the issuance of the permit, a new tag and/or  
342 decals for the fee set forth in Section 27-19-37, Mississippi Code  
343 of 1972, for a substitute tag.

344 Any person who has a license tag or decals on a vehicle which  
345 may be so defaced that proper identification cannot be reasonably  
346 made may remove such and purchase another license tag and/or  
347 decals for the same fee required for a substitute tag. If any



348 license tag shall deteriorate due to age so that identification  
349 cannot be reasonably made, the owner may surrender such tag to the  
350 issuing authority and be issued a new tag and like decals at no  
351 cost.

352 (3) The Department of Revenue is authorized to promulgate  
353 appropriate rules and regulations to govern the use and display of  
354 license decals and to publish a summary thereof which shall be  
355 available to state officials and the public upon request.

356 **SECTION 4.** This act shall take effect and be in force from  
357 and after July 1, 2023.

