

By: Senator(s) Williams, Boyd

To: Highways and  
Transportation

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2569

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,  
34 63-21-9, 63-21-11, 63-21-15 AND 63-21-17, MISSISSIPPI CODE OF



35 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING FORWARD  
36 SECTIONS 63-1-5, 63-3-401, 63-3-405, 63-3-411, 63-3-413, 63-3-619,  
37 63-5-53, 63-7-9, 63-15-37, 63-15-39, 63-15-41, 63-15-43 AND  
38 63-19-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE  
39 AMENDMENTS; 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 (j) "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 (k) "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 (l) "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 (m) "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 (n) "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 (o) "Society of Automotive Engineers (SAE) J3016" means  
122 the "Taxonomy and Definitions for Terms Related to Driving  
123 Automation Systems for On-Road Motor Vehicles" as revised and  
124 published by SAE International in April 2021.

125 **SECTION 3.** (1) A person may operate a fully autonomous  
126 vehicle on the public roads of this state without a human driver  
127 provided that the automated driving system is engaged and the  
128 vehicle meets the following conditions:

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

134 (b) The fully autonomous vehicle is capable of  
135 operating in compliance with the applicable traffic and motor  
136 vehicle safety laws and regulations of this state when reasonable



137 to do so, unless an exemption has been granted by the Department  
138 of Public Safety; and

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

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

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

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

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

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

159 **SECTION 4.** Prior to operating a fully autonomous vehicle on  
160 the public roads of this state without a human driver, a person



161 shall submit a law enforcement interaction plan to the Department  
162 of Public Safety that describes:

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

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

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

169 (d) Any additional information the manufacturer or  
170 owner deems necessary regarding hazardous conditions or public  
171 safety risks associated with the operation of the fully autonomous  
172 vehicle.

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

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

182 **SECTION 6.** Before operating a fully autonomous vehicle on  
183 public roads in this state without a human driver, a person shall  
184 file proof of financial responsibility satisfactory to the  
185 Department of Public Safety that the fully autonomous vehicle is



186 covered by insurance or proof of self-insurance that satisfies the  
187 requirements of Section 63-15-37, 63-15-39, 63-15-41, 63-15-43,  
188 63-15-49, 63-15-51 or 63-15-53.

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

190 (a) The fully autonomous vehicle shall remain on the  
191 scene of the crash when required by Article 9, Title 63, Chapter  
192 3, Mississippi Code of 1972, consistent with its capability under  
193 Section 3 of this act.

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

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

206 **SECTION 9.** (1) A fully autonomous vehicle shall be properly  
207 registered with the Department of Revenue in accordance with  
208 Section 63-5-39. If a fully autonomous vehicle is registered in  
209 this state, the vehicle shall be identified on the registration as  
210 a fully autonomous vehicle.





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

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

218 (a) The automated driving system will issue a request  
219 to intervene whenever the automated driving system is not capable  
220 of performing the entire dynamic driving task with the expectation  
221 that the person will respond appropriately to the request; and

222 (b) The automated driving system is capable of being  
223 operated in compliance with rules of the road governed by Title  
224 63, Mississippi Code of 1972, when reasonable to do so unless an  
225 exemption has been granted by the Department of Public Safety.

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

230 **SECTION 11.** A fully autonomous vehicle that is also a  
231 commercial motor vehicle as defined in Sections 63-1-203 and  
232 63-19-3 may operate pursuant to the provisions of Title 63,  
233 Mississippi Code of 1972, which govern the operation of commercial  
234 motor vehicles, except that any provision that by its nature



235 reasonably applies only to a human driver does not apply to such a  
236 vehicle operating with the automated driving system engaged.

237 **SECTION 12.** A fully autonomous vehicle that is designed to  
238 be operated exclusively by the automated driving system for all  
239 trips is not subject to motor vehicle equipment and identification  
240 laws prescribed under Title 63, Chapter 7, Mississippi Code of  
241 1972, or any regulations administratively promulgated therefrom  
242 that:

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

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

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

253 (2) No state agency, political subdivision, municipality or  
254 local entity may prohibit the operation of fully autonomous  
255 vehicles, automated driving systems or on-demand autonomous  
256 vehicle networks, or otherwise enact or enforce rules or  
257 ordinances that would impose taxes, fees or other requirements,  
258 including performance standards, specific to the operation of  
259 fully autonomous vehicles, automated driving systems or on-demand



260 autonomous vehicle networks in addition to the requirements of  
261 this act.

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

264 63-1-5. (1) (a) No person shall drive or operate a motor  
265 vehicle or an autocycle as defined in Section 63-3-103 upon the  
266 highways of the State of Mississippi without first securing an  
267 operator's license to drive on the highways of the state, unless  
268 specifically exempted by Section 63-1-7.

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

270 (i) Class R;

271 (ii) Class D;

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

274 (iv) Interlock-restricted license as prescribed in  
275 Section 63-11-31.

276 (2) (a) Every person who makes application for an original  
277 license or a renewal license to operate any single vehicle with a  
278 gross weight rating of less than twenty-six thousand one (26,001)  
279 pounds or any vehicle towing a vehicle with a gross vehicle weight  
280 rating not in excess of ten thousand (10,000) pounds other than  
281 vehicles included in Class C, vehicles which require a special  
282 endorsement, or to operate a vehicle as a common carrier by motor  
283 vehicle, taxicab, passenger coach, dray, contract carrier or  
284 private commercial carrier as defined in Section 27-19-3, other



285 than those vehicles for which a Class A, B or C license is  
286 required under Article 5 of this chapter, may, in lieu of the  
287 Class R regular driver's license, apply for and obtain a Class D  
288 driver's license. The fee for the issuance of a Class D driver's  
289 license shall be as set forth in Section 63-1-43 and the Class D  
290 license shall be valid for the term prescribed in Section 63-1-47.  
291 Except as required under Article 5 of this chapter, no driver of a  
292 pickup truck shall be required to have a Class D or a commercial  
293 license regardless of the purpose for which the pickup truck is  
294 used.

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

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

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

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

307 63-1-203. As used in this article:



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

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

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

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

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

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

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

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



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

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

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

343 (iv) Is of any size and is used in the  
344 transportation of hazardous materials as defined in this section;  
345 or

346 (v) The term shall not include:

347 1. Authorized emergency vehicles as defined  
348 in Section 63-3-103;

349 2. Motor homes as defined in Section  
350 63-3-103; however, this exemption shall only apply to vehicles  
351 used strictly for recreational, noncommercial purposes;

352 3. Military and commercial equipment owned or  
353 operated by the United States Department of Defense, including the  
354 National Guard and Mississippi Military Department, and operated  
355 by: active duty military personnel; members of the military  
356 reserves; members of the National Guard on active duty, including



357 personnel on full-time National Guard duty; personnel on part-time  
358 National Guard training; National Guard military technicians  
359 (civilians who are required to wear military uniforms); employees  
360 of the Mississippi Military Department; and active duty United  
361 States Coast Guard personnel. This exception is not applicable to  
362 United States Reserve technicians;

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

372 (g) "Controlled substance" means any substance so  
373 classified under Section 102(6) of the Controlled Substances Act,  
374 21 USCS 802(6), and includes all substances listed on Schedules I  
375 through V of 21 Code of Federal Regulations, Part 1308, as they  
376 may be revised from time to time, any substance so classified  
377 under Sections 41-29-113 through 41-29-121, Mississippi Code of  
378 1972, and any other substance which would impair a person's  
379 ability to operate a motor vehicle.

380 (h) "Conviction" means an unvacated adjudication of  
381 guilt, or a determination by a judge or hearing officer that a



382 person has violated or failed to comply with the law in a court of  
383 original jurisdiction or an authorized administrative tribunal, an  
384 unvacated forfeiture of bail or collateral deposited to secure the  
385 person's appearance in court, the payment of a fine or court cost,  
386 or violation of a condition of release without bail, regardless of  
387 whether or not the penalty is rebated, suspended or probated.  
388 Conviction shall also mean a plea of guilty or nolo contendere  
389 which has been accepted by the court.

390 (i) "Disqualification" means any of the following three  
391 (3) actions:

392 (i) The suspension, revocation or cancellation of  
393 a commercial driver's license by the state or jurisdiction of  
394 issuance;

395 (ii) Any withdrawal of a person's privilege to  
396 drive a commercial motor vehicle by a state or other jurisdiction  
397 as the result of a violation of state or local law relating to  
398 motor vehicle traffic control, other than parking, vehicle weight  
399 or vehicle defect violations; or

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

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





406 (k) "Employer" means any person, including the United  
407 States, a state, the District of Columbia or a political  
408 subdivision of a state, who owns or leases a commercial motor  
409 vehicle or assigns employees to operate a commercial motor  
410 vehicle.

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

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

420 (n) "Gross vehicle weight rating" or "GVWR" means the  
421 value specified by the manufacturer as the loaded weight of a  
422 single vehicle.

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

428 (p) "Imminent hazard" means the existence of a  
429 condition that presents a substantial likelihood that death,  
430 serious illness, severe personal injury, or a substantial



431 endangerment to health, property, or the environment may occur  
432 before the reasonably foreseeable completion date of a formal  
433 proceeding begun to lessen the risk of that death, illness,  
434 injury, or endangerment.

435 (q) "Nonresident commercial driver's license" or  
436 "nonresident CDL" means a commercial driver's license issued by a  
437 state to an individual under either of the following two (2)  
438 conditions:

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

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

443 (r) "Serious traffic violation" means conviction at any  
444 time when operating a commercial motor vehicle or at those times  
445 when operating a noncommercial motor vehicle when the conviction  
446 results in the revocation, cancellation, or suspension of the  
447 operator's license or operating privilege, of:

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

451 (ii) Reckless driving, as defined under state or  
452 local law;

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



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

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

461 (vi) Operating a commercial motor vehicle without  
462 obtaining a commercial driver's license;

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

465 (viii) Operating a commercial motor vehicle  
466 without the proper class of commercial driver's license or  
467 endorsements, or both.

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

475 (t) "State of domicile" means that state where a person  
476 has a true, fixed and permanent home and principal residence and  
477 to which the person has the intention of returning whenever the  
478 person is absent.



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

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

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

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

494 63-3-103. (a) "Vehicle" means every device in, upon or by  
495 which any person or property is or may be transported or drawn  
496 upon a highway, except devices used exclusively upon stationary  
497 rails or tracks.

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



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

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

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

524 (f) "Recreational vehicle" means a vehicular type unit  
525 primarily designed as temporary living quarters for recreational,  
526 camping or travel use, which either has its own motive power or is  
527 mounted on or drawn by another vehicle and includes travel



528 trailers, fifth-wheel trailers, camping trailers, truck campers  
529 and motor homes.

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

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

538 (i) "Autocycle" means a three-wheel motorcycle with a  
539 steering wheel, nonstraddle seating, rollover protection and seat  
540 belts.

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

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



553 (1) "Electric bicycle" means a bicycle or tricycle equipped  
554 with fully operable pedals, a saddle or seat for the rider, and an  
555 electric motor of less than seven hundred fifty (750) watts that  
556 meets the requirements of one (1) of the following three (3)  
557 classes:

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

562 (ii) "Class 2 electric bicycle" means an electric  
563 bicycle equipped with a motor that may be used exclusively to  
564 propel the bicycle, and that is not capable of providing  
565 assistance when the bicycle reaches the speed of twenty (20) miles  
566 per hour.

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

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

572 (i) Solely powered by an electric motor;

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

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



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

579 (n) "Personal delivery device operator" means a person or  
580 entity that exercises physical control or monitoring over the  
581 operation of a personal delivery device, excluding a person or  
582 entity that requests or receives the services of a personal  
583 delivery device, arranges for or dispatches the requested services  
584 of a personal delivery device, or stores, charges or maintains a  
585 personal delivery device.

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

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

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

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





601           (3) Except as provided in subsection (4) of this section, if  
602 any driver of a vehicle involved in an accident that results in  
603 injury to any person willfully fails to stop or to comply with the  
604 requirements of subsection (1) of this section, then such person,  
605 upon conviction, shall be punished by imprisonment for not less  
606 than thirty (30) days nor more than one (1) year, or by fine of  
607 not less than One Hundred Dollars (\$100.00) nor more than Five  
608 Thousand Dollars (\$5,000.00), or by both such fine and  
609 imprisonment.

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

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

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



625           63-3-405. The driver of any vehicle involved in an accident  
626 resulting in injury to or death of any person or damage to any  
627 vehicle which is driven or attended by any person shall give his  
628 name, address and the registration number of the vehicle he is  
629 driving and shall, upon request and if available, exhibit his  
630 operator's or chauffeur's license to the person struck or the  
631 driver or occupant of or person attending any vehicle collided  
632 with. Said driver shall render to any person injured in such  
633 accident reasonable assistance, including the carrying, or the  
634 making of arrangements for the carrying, of such person to a  
635 physician, surgeon or hospital for medical or surgical treatment  
636 if it is apparent that such treatment is necessary or if such  
637 carrying is requested by the injured person. No such driver who,  
638 in good faith and in the exercise of reasonable care, renders  
639 emergency care to any injured person at the scene of an accident  
640 or in transporting said injured person to a point where medical  
641 assistance can be reasonably expected, shall be liable for any  
642 civil damages to said injured person as a result of any acts  
643 committed in good faith and in the exercise of reasonable care or  
644 omission in good faith and in the exercise of reasonable care by  
645 such driver in rendering the emergency care to said injured  
646 person.

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

649           63-3-411. (1) The driver of a vehicle involved in an



650 accident resulting in injury to or death of any person or total  
651 property damage to an apparent extent of Five Hundred Dollars  
652 (\$500.00) or more shall immediately, by the quickest means of  
653 communication, give notice of the collision to the local police  
654 department if the collision occurs within an incorporated  
655 municipality, or if the collision occurs outside of an  
656 incorporated municipality to the nearest sheriff's office or  
657 highway patrol station.

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

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

671 Every law enforcement officer who investigates an accident as  
672 required by this subsection, whether the investigation is made at  
673 the scene of the accident or by subsequent investigation and  
674 interviews, shall forward within six (6) days after completing the



675 investigation a written report of the accident to the department  
676 if the accident occurred outside the corporate limits of a  
677 municipality, or to the police department of the municipality if  
678 the accident occurred within the corporate limits of such  
679 municipality. Police departments shall forward such reports to  
680 the department within six (6) days of the date of the accident.

681 (4) Whenever an engineer of a railroad locomotive, or other  
682 person in charge of a train, is required to show proof of his  
683 identity under the provisions of this article, in connection with  
684 operation of such locomotive, to any law enforcement officer, such  
685 person shall not be required to display his operator's or  
686 chauffeur's license but shall display his railroad employee  
687 number.

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

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

696 63-3-413. Whenever the driver of a vehicle is physically  
697 incapable of making a required accident report and there was  
698 another occupant in the vehicle at the time of the accident



699 capable of making a report, such occupant shall make or cause to  
700 be made said report.

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

703           63-3-619. (1) The driver of a motor vehicle shall not  
704 follow another vehicle more closely than is reasonable and  
705 prudent, having due regard for the speed of such vehicles and the  
706 traffic upon and the condition of the highway.

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

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

721           (b) A platoon may be operated in this state only after  
722 an operator files a plan for approval of general platoon  
723 operations with the Department of Transportation. If that



724 department approves the submission, it shall forward the plan to  
725 the Department of Public Safety for approval. The plan shall be  
726 reviewed and either approved or disapproved by the Department of  
727 Transportation and the Department of Public Safety within thirty  
728 (30) days after it is filed. If approved by both departments, the  
729 operator shall be allowed to operate the platoon five (5) working  
730 days after plan approval. The Motor Carrier Division of the  
731 Department of Public Safety shall develop the acceptable standards  
732 required for each portion of the plan.

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

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

743       (2) Whenever such driver is not the owner of such vehicle,  
744 object or contrivance, but is so operating, driving, or moving the  
745 same with the express or implied permission of said owner, then  
746 said owner and driver shall be jointly and severally liable for  
747 any such damage.



748 (3) Such damage may be recovered in a civil action brought  
749 by the authorities in control of such highway or highway  
750 structure.

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

753 63-7-9. Except as may otherwise be provided in this chapter,  
754 the provisions of this chapter with respect to equipment on  
755 vehicles shall not apply to implements of husbandry, road  
756 machinery, road rollers, or farm tractors.

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

759 63-15-37. Proof of financial responsibility when required  
760 under this chapter with respect to a motor vehicle or with respect  
761 to a person who is not the owner of a motor vehicle may be given  
762 by filing:

763 1. A certificate of insurance as provided in Section  
764 63-15-39 or Section 63-15-41; or

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

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

768 4. A certificate of self-insurance as provided in  
769 section 63-15-53, supplemented by an agreement by the self-insurer  
770 that, with respect to accidents occurring while the certificate is  
771 in force, he will pay the same judgments and in the same amounts  
772 that an insurer would have been obligated to pay under an owner's



773 motor vehicle liability policy if it had issued such a policy to  
774 said self-insurer.

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

777         63-15-39. Proof of financial responsibility may be furnished  
778 by filing with the department the written certificate of any  
779 insurance company duly authorized to write motor vehicle liability  
780 insurance in this state certifying that there is in effect a motor  
781 vehicle liability policy for the benefit of the person required to  
782 furnish proof of financial responsibility. Such certificate shall  
783 give the effective date of such motor vehicle liability policy,  
784 which date shall be the same as the effective date of the  
785 certificate, and shall designate by explicit description or by  
786 appropriate reference all motor vehicles covered thereby, unless  
787 the policy is issued to a person who is not the owner of a motor  
788 vehicle.

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

791         63-15-41. (1) The nonresident owner of a motor vehicle, the  
792 owner or operator of which is not licensed in this state, may give  
793 proof of financial responsibility by filing with the department a  
794 written certificate or certificates of an insurance company  
795 authorized to transact business in the state in which the motor  
796 vehicle or motor vehicles described in such certificate or  
797 certificates are registered, or if such nonresident does not own a





798 motor vehicle, then in the state in which the insured resides,  
799 provided such certificate otherwise conforms to the provisions of  
800 this chapter. The department shall accept the same upon condition  
801 that said insurance company complies with the following provisions  
802 with respect to the policies so certified:

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

807 (b) Said insurance company shall agree in writing that  
808 such policies shall be deemed to conform with the laws of this  
809 state relating to the terms of motor vehicle liability policies  
810 issued herein.

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

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

819 63-15-43. (1) A "motor vehicle liability policy" as said  
820 term is used in this chapter shall mean an owner's or an  
821 operator's motor vehicle liability policy, that has been certified  
822 as provided in Section 63-15-39 or Section 63-15-41, as proof of



823 financial responsibility, and issued, except as otherwise provided  
824 in Section 63-15-41, by an insurance company duly authorized to  
825 write motor vehicle liability insurance in this state, to or for  
826 the benefit of the person named therein as insured.

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

828 (a) May be any motor vehicle liability policy form that  
829 has been filed with and approved by the Commissioner of Insurance  
830 and may contain exclusions and limitations on coverage as long as  
831 the exclusions and limitations language has been filed with and  
832 approved by the Commissioner of Insurance.

833 (b) Shall have limits of liability no less than:  
834 Twenty-five Thousand Dollars (\$25,000.00) because of bodily injury  
835 to or death of one (1) person in any one (1) accident and, subject  
836 to said limit for one (1) person, Fifty Thousand Dollars  
837 (\$50,000.00) because of bodily injury to or death of two (2) or  
838 more persons in any one (1) accident, and Twenty-five Thousand  
839 Dollars (\$25,000.00) because of injury to or destruction of  
840 property of others in any one (1) accident.

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

844 (a) The liability of the insurance company with respect  
845 to the insurance required by this chapter shall become absolute  
846 whenever injury or damage covered by said motor vehicle liability  
847 policy occurs; said policy may not be cancelled or annulled as to



848 such liability by any agreement between the insurance company and  
849 the insured after the occurrence of the injury or damage; no  
850 statement made by the insured or on his behalf and no violation of  
851 said policy shall defeat or void said policy;

852 (b) The satisfaction by the insured of a judgment for  
853 such injury or damage shall not be a condition precedent to the  
854 right or duty of the insurance company to make payment on account  
855 of such injury or damage;

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

861 (d) The policy, the written application therefor, if  
862 any, and any rider or endorsement which does not conflict with the  
863 provisions of the chapter shall constitute the entire contract  
864 between the parties.

865 (4) Any policy which grants the coverage required for a  
866 motor vehicle liability policy may also grant any lawful coverage  
867 in excess of or in addition to the coverage specified for a motor  
868 vehicle liability policy, and such excess or additional coverage  
869 shall not be subject to the provisions of this chapter. With  
870 respect to a policy which grants such excess or additional  
871 coverage, the term "motor vehicle liability policy" shall apply



872 only to that part of the coverage which is required by this  
873 section.

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

878 (6) Any motor vehicle liability policy may provide for the  
879 prorating of the insurance thereunder with other valid and  
880 collectible insurance.

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

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

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

889 63-15-49. (1) Proof of financial responsibility may be  
890 furnished by filing a bond with the department, accompanied by the  
891 statutory recording fee of the chancery clerk to cover the cost of  
892 recordation of the notice provided for herein. The bond may be  
893 either a surety bond with a surety company authorized to do  
894 business within the state or a bond with at least two (2)  
895 individual sureties each owning real estate within the state not  
896 exempt under the constitution or laws of the State of Mississippi



897 and together having equities equal in value to at least twice the  
898 amount of such bond. In cases of a bond with two (2) individual  
899 sureties, such real estate shall be scheduled and a description  
900 thereof shall appear in the bond approved by the clerk of the  
901 chancery court of the county or counties in which the real estate  
902 is located and also approved by the tax collector of the county or  
903 counties where the property is situated as being free from any  
904 delinquent tax liens. Such bond shall be conditioned for payments  
905 in amounts and under the same circumstances as would be required  
906 in a motor vehicle liability policy, and shall not be cancellable  
907 except after five (5) days' written notice is received by the  
908 department. However, cancellation shall not prevent recovery with  
909 respect to any right or cause of action arising prior to the date  
910 of cancellation. Such bond shall constitute a lien in favor of  
911 the state upon the real estate so scheduled of any surety, which  
912 lien shall exist in favor of any holder of a final judgment  
913 against the person who has filed such bond. Notice to that  
914 effect, which shall include a description of the real estate  
915 scheduled in the bond, shall be filed by the department in the  
916 office of the chancery clerk of the county where such real estate  
917 is situated. Such notice shall be accompanied by the statutory  
918 fee for the services of the chancery clerk in connection with the  
919 recordation of such notice, and the chancery clerk or his deputy,  
920 upon receipt of such notice, shall acknowledge and cause the same  
921 to be recorded in the lien records. Recordation shall constitute



922 notice as provided by the statutes governing the recordation of  
923 liens on real estate.

924 (2) If a judgment rendered against the principal on such  
925 surety or real estate bond shall not be satisfied within sixty  
926 (60) days after it has become final, the judgment creditor may,  
927 for his own use and benefit and at his sole expense, bring an  
928 action or actions in the name of the state against the persons who  
929 executed such bond, including an action or proceeding to foreclose  
930 any lien that may exist upon the real estate of a person who has  
931 executed such real estate bond, which foreclosure action shall be  
932 brought in like manner and subject to all the provisions of law  
933 applicable to an action to foreclose a mortgage on real estate.

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

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



947           (2) Such deposit shall be held by the State Treasurer to  
948 satisfy, in accordance with the provisions of this chapter, any  
949 execution on a judgment issued against \* \* \* the person making the  
950 deposit, for damages, including damages for care and loss of  
951 services, because of bodily injury to or death of any person, or  
952 for damages because of injury to or destruction of property,  
953 including the loss of use thereof, resulting from the ownership,  
954 maintenance, use or operation of a motor vehicle after \* \* \* the  
955 deposit was made. Money or securities so deposited shall not be  
956 subject to attachment or execution unless \* \* \* the attachment or  
957 execution shall arise out of a suit for damages as aforesaid.

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

960           63-15-53. (1) Any person in whose name more than  
961 twenty-five (25) motor vehicles are licensed may qualify as a  
962 self-insurer by obtaining a certificate of self-insurance issued  
963 by the department as provided in subsection (2) of this section.

964           (2) The department may, in its discretion, upon the  
965 application of a person, issue a certificate of self-insurance  
966 when it is satisfied that such person is possessed and will  
967 continue to be possessed of ability to pay judgments obtained  
968 against such person.

969           (3) Upon not less than five (5) days notice and a hearing  
970 pursuant to such notice, the department may upon reasonable  
971 grounds cancel a certificate of self-insurance. Failure to pay



972 any judgment within thirty (30) days after such judgment shall  
973 have become final shall constitute a reasonable ground for the  
974 cancellation of a certificate of self-insurance.

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

977 63-19-3. The following words and phrases, when used in this  
978 chapter, shall have the meanings respectively ascribed to them in  
979 this section, except where the context or subject matter otherwise  
980 requires:

981 (a) "Motor vehicle" means any self-propelled or motored  
982 device designed to be used or used primarily for the  
983 transportation of passengers or property, or both, and having a  
984 gross vehicular weight rating of less than fifteen thousand  
985 (15,000) pounds, but shall not include electric personal assistive  
986 mobility devices, personal delivery devices or electric bicycles  
987 as defined in Section 63-3-103.

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





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

1000 (d) "Retail seller" or "seller" means a person who  
1001 sells a motor vehicle or commercial vehicle to a retail buyer  
1002 under or subject to a retail installment contract.

1003 (e) The "holder" of a retail installment contract means  
1004 the retail seller of the motor vehicle or commercial vehicle under  
1005 or subject to the contract or if the contract is purchased by a  
1006 sales finance company or other assignee, the sales finance company  
1007 or other assignee.

1008 (f) "Retail installment transaction" means any  
1009 transaction evidenced by a retail installment contract entered  
1010 into between a retail buyer and a retail seller wherein the retail  
1011 buyer buys a motor vehicle or commercial vehicle from the retail  
1012 seller at a time price payable in one or more deferred  
1013 installments. The cash sale price of the motor vehicle or  
1014 commercial vehicle, the amount included for insurance and other  
1015 benefits if a separate charge is made therefor, official fees and  
1016 the finance charge shall together constitute the time price.

1017 (g) "Retail installment contract" or "contract" means  
1018 an agreement entered into in this state pursuant to which the  
1019 title to or a lien upon the motor vehicle or commercial vehicle  
1020 which is the subject matter of a retail installment transaction is



1021 retained or taken by a retail seller from a retail buyer as  
1022 security for the buyer's obligation. The term includes a chattel  
1023 mortgage, a conditional sales contract and a contract for the  
1024 bailment or leasing of a motor vehicle or commercial vehicle by  
1025 which the bailee or lessee contracts to pay as compensation for  
1026 its use a sum substantially equivalent to or in excess of its  
1027 value and by which it is agreed that the bailee or lessee is bound  
1028 to become, or has the option of becoming, the owner of the motor  
1029 vehicle upon full compliance with the provisions of the contract.

1030 (h) "Cash sale price" means the price stated in a  
1031 retail installment contract for which the seller would have sold  
1032 to the buyer, and the buyer would have bought from the seller, the  
1033 motor vehicle or commercial vehicle which is the subject matter of  
1034 the retail installment contract, if such sale had been a sale for  
1035 cash instead of a retail installment transaction. The cash sale  
1036 price may include any taxes, registration, certificate of title,  
1037 if any, license and other fees and charges for accessories and  
1038 their installation and for delivery, servicing, repairing or  
1039 improving the motor vehicle or commercial vehicle.

1040 (i) "Official fees" means the fees prescribed by law  
1041 for filing, recording or otherwise perfecting and releasing or  
1042 satisfying a retained title or a lien created by a retail  
1043 installment contract, if recorded.

1044 (j) "Finance charge" means the amount agreed upon  
1045 between the buyer and the seller, as limited in this chapter, to



1046 be added to the aggregate of the cash sale price, the amount, if  
1047 any, included for insurance and other benefits and official fees,  
1048 in determining the time price.

1049 (k) "Sales finance company" means a person engaged, in  
1050 whole or in part, in the business of purchasing retail installment  
1051 contracts from one or more retail sellers. The term includes, but  
1052 is not limited to, a bank, trust company, private banker,  
1053 industrial bank or investment company, if so engaged. The term  
1054 also includes a retail seller engaged, in whole or in part, in the  
1055 business of creating and holding retail installment contracts  
1056 which exceed a total aggregate outstanding indebtedness of Five  
1057 Hundred Thousand Dollars (\$500,000.00). The term does not include  
1058 the pledgee to whom is pledged one or more of such contracts to  
1059 secure a bona fide loan thereon.

1060 (l) "Person" means an individual, partnership,  
1061 corporation, association and any other group however organized.

1062 (m) "Administrator" means the Commissioner of Banking  
1063 and Consumer Finance or his duly authorized representative.

1064 (n) "Commissioner" means the Commissioner of Banking  
1065 and Consumer Finance.

1066 (o) "Records" or "documents" means any item in hard  
1067 copy or produced in a format of storage commonly described as  
1068 electronic, imaged, magnetic, microphotographic or otherwise, and  
1069 any reproduction so made shall have the same force and effect as



1070 the original thereof and be admitted in evidence equally with the  
1071 original.

1072 Words in the singular include the plural and vice versa.

1073 **SECTION 32.** Section 63-21-3, Mississippi Code of 1972, is  
1074 amended as follows:

1075 63-21-3. The terms and provisions of this chapter shall be  
1076 administered by the Department of Revenue. The Department of  
1077 Revenue shall have charge of all the affairs of administering the  
1078 laws of the state relative to vehicle registration and titling,  
1079 including fully autonomous vehicles, and manufactured housing  
1080 titling as hereinafter provided and may employ such administrative  
1081 and clerical assistance, material and equipment as may be  
1082 necessary to enable it to speedily, completely and efficiently  
1083 perform the duties as outlined in this chapter.

1084 **SECTION 33.** Section 63-21-9, Mississippi Code of 1972, is  
1085 amended as follows:

1086 63-21-9. (1) Except as provided in Section 63-21-11, every  
1087 owner of a motor vehicle as defined in this chapter, which is in  
1088 this state and which is manufactured or assembled after July 1,  
1089 1969, or which is the subject of first sale for use after July 1,  
1090 1969, \* \* \* every owner of a manufactured home as defined in this  
1091 chapter, which is in this state and which is manufactured or  
1092 assembled after July 1, 1999, or which is the subject of first  
1093 sale for use after July 1, 1999, and every owner of a fully  
1094 autonomous vehicle as defined in Section 3 of this act, which is



1095 in this state and which is manufactured or assembled after July 1,  
1096 2023, or which is the subject of first sale for use after July 1,  
1097 2023, shall make application to the \* \* \* Department of Revenue  
1098 for a certificate of title with the following exceptions:

1099 (a) Voluntary application for title may be made for any  
1100 model motor vehicle which is in this state after July 1, 1969, and  
1101 for any model manufactured home or mobile home which is in this  
1102 state after July 1, 1999, and for any model fully autonomous  
1103 vehicle which is in this state after July 1, 2023, and any person  
1104 bringing a motor vehicle, manufactured home \* \* \* mobile home or  
1105 fully autonomous vehicle into this state from a state which  
1106 requires titling shall make application for title to the \* \* \*  
1107 Department of Revenue within thirty (30) days thereafter.

1108 (b) After July 1, 1969, any dealer, acting for himself,  
1109 or another, who sells, trades or otherwise transfers any new or  
1110 used vehicle as defined in this chapter, \* \* \* after July 1, 1999,  
1111 any dealer, acting for himself, or another, who sells, trades or  
1112 otherwise transfers any new or used manufactured home or mobile  
1113 home as defined in this chapter, and after July 1, 2023, any  
1114 dealer, acting for himself, or another, who sells, trades or  
1115 otherwise transfers any new or used fully autonomous vehicle as  
1116 defined in Section 3 of this act, or any designated agent, shall  
1117 furnish to the purchaser or transferee, without charge for either  
1118 application or certificate of title, an application for title of  
1119 said vehicle, manufactured home \* \* \*, mobile home or fully



1120 autonomous vehicle and cause to be forwarded to the \* \* \*  
1121 Department of Revenue any and all documents required by the \* \* \*  
1122 department to issue certificate of title to the purchaser or  
1123 transferee. The purchaser or transferee may then use the  
1124 duplicate application for title as a permit to operate vehicle as  
1125 provided in Section 63-21-67, until certificate of title is  
1126 received.

1127 (2) (a) Voluntary application for title may be made for any  
1128 model all-terrain vehicle which is in this state.

1129 (b) A dealer who sells, trades or otherwise transfers  
1130 any new or used all-terrain vehicles as defined in this chapter,  
1131 may furnish to the purchaser or transferee, without charge for  
1132 either application or certificate of title, an application for  
1133 title of said vehicle, and cause to be forwarded to the \* \* \*  
1134 Department of Revenue any and all documents required by the \* \* \*  
1135 department to issue certificate of title to the purchaser or  
1136 transferee.

1137 (3) Any dealer, acting for himself or another who sells,  
1138 trades or otherwise transfers any vehicle, manufactured  
1139 home \* \* \*, mobile home required to be titled under this chapter  
1140 who does not comply with the provisions of this chapter shall be  
1141 guilty of a misdemeanor and upon conviction shall be fined a sum  
1142 not exceeding Five Hundred Dollars (\$500.00).

1143 **SECTION 34.** Section 63-21-11, Mississippi Code of 1972, is  
1144 amended as follows:



1145           63-21-11. (1) No certificate of title need be obtained for:

1146                   (a) A vehicle, manufactured home \* \* \*l, mobile home  
1147 owned by the United States or any agency thereof;

1148                   (b) A vehicle, manufactured home \* \* \*l, mobile home  
1149 owned by a manufacturer or dealer and held for sale, even though  
1150 incidentally moved on the highway or used for purposes of testing  
1151 or demonstration, or a vehicle used by a manufacturer solely for  
1152 testing;

1153                   (c) A vehicle, manufactured home \* \* \*l, mobile home  
1154 owned by a nonresident of this state and not required by law to be  
1155 registered in this state;

1156                   (d) A vehicle regularly engaged in the interstate  
1157 transportation of persons or property for which a currently  
1158 effective certificate of title has been issued in another state;

1159                   (e) A vehicle moved solely by animal power;

1160                   (f) An implement of husbandry;

1161                   (g) Special mobile equipment;

1162                   (h) A pole trailer;

1163                   (i) Utility trailers of less than five thousand (5,000)  
1164 pounds gross vehicle weight;

1165                   (j) A manufactured home with respect to which the  
1166 requirements of subsections (1) through (5) of Section 63-21-30,  
1167 as applicable, have been satisfied unless with respect to the same  
1168 manufactured home or mobile home there has been recorded an



1169 affidavit of severance pursuant to subsection (6) of Section  
1170 63-21-30.

1171 (2) Nothing in this section shall prohibit the issuance of a  
1172 certificate of title to the nonresident owner of an all-terrain  
1173 vehicle that is purchased in this state.

1174 **SECTION 35.** Section 63-21-15, Mississippi Code of 1972, is  
1175 amended as follows:

1176 63-21-15. (1) The application for the certificate of title  
1177 of a vehicle, manufactured home \* \* \*, mobile home in this state  
1178 shall be made by the owner to a designated agent, on the form the  
1179 Department of Revenue prescribes, and shall contain or be  
1180 accompanied by the following, if applicable:

1181 (a) The name, driver's license number, if the owner has  
1182 been issued a driver's license, current residence and mailing  
1183 address of the owner;

1184 (b) (i) If a vehicle, a description of the vehicle,  
1185 including the following data: year, make, model, vehicle  
1186 identification number, type of body, the number of cylinders,  
1187 odometer reading at the time of application, and whether new or  
1188 used; and

1189 (ii) If a manufactured home or mobile home, a  
1190 description of the manufactured home or mobile home, including the  
1191 following data: year, make, model number, serial number and  
1192 whether new or used;





1193 (c) The date of purchase by applicant, the name and  
1194 address of the person from whom the vehicle, manufactured  
1195 home \* \* \*, mobile home was acquired, and the names and addresses  
1196 of any lienholders in the order of their priority and the dates of  
1197 their security agreements;

1198 (d) In connection with the transfer of ownership of a  
1199 manufactured home or mobile home sold by a sheriff's bill of sale,  
1200 a copy of the sheriff's bill of sale;

1201 (e) (i) An odometer disclosure statement made by the  
1202 transferor of a motor vehicle. The statement shall read:

1203 "Federal and state law requires that you state the mileage in  
1204 connection with the transfer of ownership. Failure to complete or  
1205 providing a false statement may result in fine and/or  
1206 imprisonment.

1207 I state that the odometer now reads \_\_\_\_\_ (no tenths)  
1208 miles and to the best of my knowledge that it reflects the actual  
1209 mileage of the vehicle described herein, unless one (1) of the  
1210 following statements is checked:

1211 \_\_\_\_\_ (1) I hereby certify that to the best of my knowledge  
1212 the odometer reading reflects the amount of mileage in excess of  
1213 its mechanical limits.

1214 \_\_\_\_\_ (2) I hereby certify that the odometer reading is not  
1215 the actual mileage. WARNING-ODOMETER DISCREPANCY!"

1216 (ii) In connection with the transfer of ownership  
1217 of a motor vehicle, each transferor shall disclose the mileage to



1218 the transferee in writing on the title or on the document being  
1219 used to reassign the title, which form shall be prescribed and  
1220 furnished by the Department of Revenue. This written disclosure  
1221 must be signed by the transferor and transferee, including the  
1222 printed name of both parties.

1223 Notwithstanding the requirements above, the following  
1224 exemptions as to odometer disclosure shall be in effect:

1225 1. A vehicle having a gross vehicle weight  
1226 rating of more than sixteen thousand (16,000) pounds.

1227 2. A vehicle that is not self-propelled.

1228 3. A vehicle that is twenty (20) years old or  
1229 older.

1230 4. A vehicle sold directly by the  
1231 manufacturer to any agency of the United States in conformity with  
1232 contractual specifications.

1233 5. A transferor of a new vehicle prior to its  
1234 first transfer for purposes other than resale need not disclose  
1235 the vehicle's odometer mileage.

1236 (iii) Any person who knowingly gives a false  
1237 statement concerning the odometer reading on an odometer  
1238 disclosure statement shall be guilty of a misdemeanor and, upon  
1239 conviction, shall be subject to a fine of up to One Thousand  
1240 Dollars (\$1,000.00) or imprisonment of up to one (1) year, or  
1241 both, at the discretion of the court. These penalties shall be



1242 cumulative, supplemental and in addition to the penalties provided  
1243 by any other law; and

1244 (f) For previously used manufactured homes and mobile  
1245 homes that previously have not been titled in this state or any  
1246 other state, a disclosure statement shall be made by the owner of  
1247 the manufactured home or mobile home applying for the certificate  
1248 of title. That statement shall read:

1249 "I state that the previously used manufactured home or mobile  
1250 home owned by me for which I am applying for a certificate of  
1251 title, to the best of my knowledge:

1252 \_\_\_\_\_ (1) Has never been declared a total loss due to  
1253 flood damage, fire damage, wind damage or other damage; or

1254 \_\_\_\_\_ (2) Has previously been declared a total loss due  
1255 to:

1256 \_\_\_\_\_ (a) Collision;

1257 \_\_\_\_\_ (b) Flood;

1258 \_\_\_\_\_ (c) Fire;

1259 \_\_\_\_\_ (d) Wind;

1260 \_\_\_\_\_ (e) Other (please describe): \_\_\_\_\_

1261 \_\_\_\_\_."

1262 (2) The application shall be accompanied by such evidence as  
1263 the Department of Revenue reasonably requires to identify the  
1264 vehicle, manufactured home or mobile home and to enable the  
1265 Department of Revenue to determine whether the owner is entitled  
1266 to a certificate of title and the existence or nonexistence of



1267 security interests in the vehicle, manufactured home or mobile  
1268 home and whether the applicant is liable for a use tax as provided  
1269 by Sections 27-67-1 through 27-67-33.

1270 (3) If the application is for a vehicle, manufactured home  
1271 or mobile home purchased from a dealer, it shall contain the name  
1272 and address of any lienholder holding a security interest created  
1273 or reserved at the time of the sale and the date of his security  
1274 agreement and it shall be signed by the dealer as well as the  
1275 owner. The designated agent shall promptly mail or deliver the  
1276 application to the Department of Revenue.

1277 (4) If the application is for a new vehicle, manufactured  
1278 home or mobile home, it shall contain the certified manufacturer's  
1279 statement of origin showing proper assignments to the applicant  
1280 and a copy of each security interest document.

1281 (5) Each application shall contain or be accompanied by the  
1282 certificate of a designated agent that the vehicle, manufactured  
1283 home \* \* \*, mobile home has been physically inspected by him and  
1284 that the vehicle identification number and descriptive data shown  
1285 on the application, pursuant to the requirements of subsection  
1286 (1)(b) of this section, are correct, and also that he has  
1287 identified the person signing the application and witnessed the  
1288 signature. If the application is to receive a branded title for a  
1289 vehicle for which a salvage certificate of title has been issued,  
1290 the application shall be accompanied by a sworn affidavit that the  
1291 vehicle complies with the requirements of this section, Section



1292 63-21-39 and the regulations promulgated by the Department of  
1293 Revenue under Section 63-21-39.

1294 (6) (a) If the application is for a first certificate of  
1295 title on a vehicle, manufactured home \* \* \*, mobile home other  
1296 than a new vehicle, manufactured home \* \* \*, mobile home, then the  
1297 application shall conform with the requirements of this section  
1298 except that in lieu of the manufacturer's statement of origin, the  
1299 application shall be accompanied by a copy of the bill of sale of  
1300 said motor vehicle, manufactured home \* \* \*, mobile home whereby  
1301 the applicant claims title or in lieu thereof, in the case of a  
1302 motor vehicle, certified copies of the last two (2) years' tag and  
1303 tax receipts or in lieu thereof, in any case, such other  
1304 information the Department of Revenue may reasonably require to  
1305 identify the vehicle, manufactured home \* \* \*, mobile home and to  
1306 enable the Department of Revenue to determine ownership of the  
1307 vehicle, manufactured home \* \* \*, mobile home and the existence or  
1308 nonexistence of security interest in it. If the application is  
1309 for a vehicle, manufactured home \* \* \*, mobile home last  
1310 previously registered in another state or country, the application  
1311 shall also be accompanied by the certificate of title issued by  
1312 the other state or country, if any, properly assigned.

1313 (b) A person may apply for a certificate of title to a  
1314 vehicle lacking proper documentation if the vehicle is at least  
1315 thirty (30) years old and the person submits a certificate of



1316 ownership signed under penalty of perjury on a form prescribed by  
1317 the Department of Revenue.

1318 (7) If the application is for a vehicle the owner does not  
1319 intend to drive, the owner need not purchase a license tag in  
1320 order to receive a certificate of title, so long as the  
1321 application contains an affidavit attesting to the owner's intent  
1322 that the vehicle not be operated on the highways of this state  
1323 until and unless the owner applies for a license tag.

1324 (8) Every designated agent within this state shall, no later  
1325 than the next business day after they are received by him, forward  
1326 to the Department of Revenue by mail, postage prepaid, the  
1327 originals of all applications received by him, together with such  
1328 evidence of title as may have been delivered to him by the  
1329 applicants.

1330 (9) An application for certificate of title and information  
1331 to be placed on an application for certificate of title may be  
1332 transferred electronically as provided in Section 63-21-16.

1333 (10) The Department of Revenue shall issue a certificate of  
1334 title or any other document applied for under this chapter to the  
1335 designated agent, owner or lienholder of the motor vehicle or of  
1336 the manufactured home \* \* \*, mobile home, as appropriate, not more  
1337 than thirty (30) days after the application and required fee  
1338 prescribed under Section 63-21-63 or Section 63-21-64 are received  
1339 unless the applicant requests expedited processing under  
1340 subsection (11) of this section.



1341           (11) (a) The Department of Revenue shall establish an  
1342 expedited processing procedure for the receipt of applications and  
1343 the issuance of certificates of title and any other documents  
1344 issued under this chapter, except a replacement certificate of  
1345 title as provided under Section 63-21-27(2), for motor vehicles,  
1346 and for manufactured homes or mobile homes. Any designated agent,  
1347 lienholder or owner requesting the issuance of any such document,  
1348 at his or her option, shall receive such expedited processing upon  
1349 payment of a fee in the amount of Thirty Dollars (\$30.00). Such  
1350 fee shall be in addition to the fees applicable to the issuance of  
1351 any such documents under Section 63-21-63 and Section 63-21-64.

1352           (b) When expedited title processing is requested, the  
1353 applicable fees are paid and all documents and information  
1354 necessary for the Department of Revenue to issue the certificate  
1355 of title or other documents applied for are received by the  
1356 department, then the department shall complete processing of the  
1357 application and issue the title or document applied for within  
1358 seventy-two (72) hours of the time of receipt, excluding weekends  
1359 and holidays.

1360           **SECTION 36.** Section 63-21-17, Mississippi Code of 1972, is  
1361 amended as follows:

1362           63-21-17. (1) The Department of Revenue shall examine each  
1363 application received and, when satisfied as to its genuineness and  
1364 regularity and that the applicant is entitled to the issuance of a  
1365 certificate of title, shall issue a certificate of title of the



1366 vehicle, manufactured home \* \* \*, mobile home on the form  
1367 prescribed by the department.

1368 (2) The Department of Revenue shall maintain a record of all  
1369 certificates of title issued for fifteen (15) years from the date  
1370 of issuance, pursuant to the provisions of this chapter:

1371 (a) Under a distinctive title number assigned to the  
1372 vehicle, manufactured home \* \* \*, mobile home;

1373 (b) Under the vehicle identification number;

1374 (c) Under the name of the owner; and

1375 (d) In the discretion of the Department of Revenue, by  
1376 any other method the department determines.

1377 (3) The Department of Revenue shall maintain a record of  
1378 each affidavit of affixation filed in accordance with subsections  
1379 (3), (4) and (5) of Section 63-21-30. The record shall state the  
1380 name and mailing address of each owner of the related manufactured  
1381 home, the county of recordation, the date of recordation, and the  
1382 book and page number of each book of records in which there has  
1383 been recorded an affidavit of affixation under subsections (1) and  
1384 (2) of Section 63-21-30, the name of the manufacturer, the make,  
1385 the model name, the model year, the dimensions, and the  
1386 manufacturer's serial number or VIN of the manufactured home or  
1387 mobile home, to the extent that such data exists, and any other  
1388 information the Department of Revenue prescribes.

1389 (4) The Department of Revenue shall maintain a record of  
1390 each manufacturer's certificate of origin submitted for the





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

1403 (5) The Department of Revenue shall maintain a record of  
1404 each certificate of title accepted for surrender as provided in  
1405 subsection (5) of Section 63-21-30. The record shall state the  
1406 name and mailing address of each owner of the manufactured home,  
1407 the date the certificate of title was accepted for surrender, the  
1408 county of recordation, the date of recordation, and the book and  
1409 page number of each book of records in which there has been  
1410 recorded an affidavit of affixation under subsections (1) and (2)  
1411 of Section 63-21-30, the name of the manufacturer, the make, the  
1412 model name, the model year, the dimensions, and the manufacturer's  
1413 serial number or VIN of the manufactured home or mobile home, to  
1414 the extent that such data exists, and any other information the  
1415 Department of Revenue prescribes.



1416 (6) The Department of Revenue shall maintain a record of  
1417 each affidavit of severance filed in accordance with subsection  
1418 (6) of Section 63-21-30. The record shall state the name and  
1419 mailing address of each owner of the related manufactured home,  
1420 the county of recordation, the date of recordation, and the book  
1421 and page number of each book of records in which there has been  
1422 recorded an affidavit of severance under subsection (6) of Section  
1423 63-21-30, the name of the manufacturer, the make, the model name,  
1424 the model year, the dimensions, and the manufacturer's serial  
1425 number or VIN of the manufactured home or mobile home, to the  
1426 extent that such data exists, and any other information the  
1427 Department of Revenue prescribes.

1428 (7) Records of affidavits of affixation, submitted  
1429 manufacturer's certificates of origin, surrendered certificates of  
1430 title, and affidavits of severance shall be maintained permanently  
1431 and be subject to public records request. The records of  
1432 affidavits of affixation, submitted manufacturer's certificates of  
1433 origin, and surrendered certificates of title shall include a  
1434 statement that the manufactured home is real property as provided  
1435 in subsections (13) and (14) of Section 63-21-30.

1436 **SECTION 37.** This act shall take effect and be in force from  
1437 and after July 1, 2023.

