

By: Senator(s) Williams, Boyd

To: Highways and  
Transportation

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,  
111 and/or the requisite presence or absence of certain traffic or  
112 roadway 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.** When an automated driving system installed on a  
160 motor vehicle is engaged the automated driving system is



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

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

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

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

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

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



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

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

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

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

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

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





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

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

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

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

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

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



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

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

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

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

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

255 (i) Class R;

256 (ii) Class D;

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

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



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

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

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



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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

330 or

331 (v) The term shall not include:

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



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

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

348                   4. Farm vehicles, which are vehicles:

349                   a. Controlled and operated by a farmer;

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

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

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

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



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

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

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

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

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



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

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

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

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

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

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

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





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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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



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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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

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



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

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

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

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





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

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

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



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

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

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

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

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



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

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

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

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



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

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

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

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

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

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



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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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

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

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



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

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

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

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





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

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

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

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

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



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

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

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

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

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



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

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

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

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

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

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



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



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

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

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

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



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

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

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

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



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

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

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

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

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



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

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

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

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

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





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

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

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



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

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

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

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

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



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

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

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

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

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

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

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



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

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

1093           (b) After July 1, 1969, any dealer, acting for himself,  
1094 or another, who sells, trades or otherwise transfers any new or  
1095 used vehicle as defined in this chapter, \* \* \* after July 1, 1999,



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

1112 (2) (a) Voluntary application for title may be made for any  
1113 model all-terrain vehicle which is in this state.

1114 (b) A dealer who sells, trades or otherwise transfers  
1115 any new or used all-terrain vehicles as defined in this chapter,  
1116 may furnish to the purchaser or transferee, without charge for  
1117 either application or certificate of title, an application for  
1118 title of said vehicle, and cause to be forwarded to the \* \* \*  
1119 Department of Revenue any and all documents required by the \* \* \*



1120 department to issue certificate of title to the purchaser or  
1121 transferee.

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

1128 **SECTION 33.** Section 63-21-11, Mississippi Code of 1972, is  
1129 amended as follows:

1130 63-21-11. (1) No certificate of title need be obtained for:

1131 (a) A vehicle, manufactured home \* \* \*l mobile home  
1132 owned by the United States or any agency thereof;

1133 (b) A vehicle, manufactured home \* \* \*l mobile home  
1134 owned by a manufacturer or dealer and held for sale, even though  
1135 incidentally moved on the highway or used for purposes of testing  
1136 or demonstration, or a vehicle used by a manufacturer solely for  
1137 testing;

1138 (c) A vehicle, manufactured home \* \* \*l mobile home  
1139 owned by a nonresident of this state and not required by law to be  
1140 registered in this state;

1141 (d) A vehicle regularly engaged in the interstate  
1142 transportation of persons or property for which a currently  
1143 effective certificate of title has been issued in another state;

1144 (e) A vehicle moved solely by animal power;



1145 (f) An implement of husbandry;  
1146 (g) Special mobile equipment;  
1147 (h) A pole trailer;  
1148 (i) Utility trailers of less than five thousand (5,000)  
1149 pounds gross vehicle weight;  
1150 (j) A manufactured home with respect to which the  
1151 requirements of subsections (1) through (5) of Section 63-21-30,  
1152 as applicable, have been satisfied unless with respect to the same  
1153 manufactured home or mobile home there has been recorded an  
1154 affidavit of severance pursuant to subsection (6) of Section  
1155 63-21-30.

1156 (2) Nothing in this section shall prohibit the issuance of a  
1157 certificate of title to the nonresident owner of an all-terrain  
1158 vehicle that is purchased in this state.

1159 **SECTION 34.** Section 63-21-15, Mississippi Code of 1972, is  
1160 amended as follows:

1161 63-21-15. (1) The application for the certificate of title  
1162 of a vehicle, manufactured home \* \* \*, mobile home in this state  
1163 shall be made by the owner to a designated agent, on the form the  
1164 Department of Revenue prescribes, and shall contain or be  
1165 accompanied by the following, if applicable:

1166 (a) The name, driver's license number, if the owner has  
1167 been issued a driver's license, current residence and mailing  
1168 address of the owner;



1169 (b) (i) If a vehicle, a description of the vehicle,  
1170 including the following data: year, make, model, vehicle  
1171 identification number, type of body, the number of cylinders,  
1172 odometer reading at the time of application, and whether new or  
1173 used; and

1174 (ii) If a manufactured home or mobile home, a  
1175 description of the manufactured home or mobile home, including the  
1176 following data: year, make, model number, serial number and  
1177 whether new or used;

1178 (c) The date of purchase by applicant, the name and  
1179 address of the person from whom the vehicle, manufactured  
1180 home \* \* \*, mobile home was acquired, and the names and addresses  
1181 of any lienholders in the order of their priority and the dates of  
1182 their security agreements;

1183 (d) In connection with the transfer of ownership of a  
1184 manufactured home or mobile home sold by a sheriff's bill of sale,  
1185 a copy of the sheriff's bill of sale;

1186 (e) (i) An odometer disclosure statement made by the  
1187 transferor of a motor vehicle. The statement shall read:

1188 "Federal and state law requires that you state the mileage in  
1189 connection with the transfer of ownership. Failure to complete or  
1190 providing a false statement may result in fine and/or  
1191 imprisonment.

1192 I state that the odometer now reads \_\_\_\_\_ (no tenths)  
1193 miles and to the best of my knowledge that it reflects the actual





1194 mileage of the vehicle described herein, unless one (1) of the  
1195 following statements is checked:

1196 \_\_\_\_\_ (1) I hereby certify that to the best of my knowledge  
1197 the odometer reading reflects the amount of mileage in excess of  
1198 its mechanical limits.

1199 \_\_\_\_\_ (2) I hereby certify that the odometer reading is not  
1200 the actual mileage. WARNING-ODOMETER DISCREPANCY!"

1201 (ii) In connection with the transfer of ownership  
1202 of a motor vehicle, each transferor shall disclose the mileage to  
1203 the transferee in writing on the title or on the document being  
1204 used to reassign the title, which form shall be prescribed and  
1205 furnished by the Department of Revenue. This written disclosure  
1206 must be signed by the transferor and transferee, including the  
1207 printed name of both parties.

1208 Notwithstanding the requirements above, the following  
1209 exemptions as to odometer disclosure shall be in effect:

1210 1. A vehicle having a gross vehicle weight  
1211 rating of more than sixteen thousand (16,000) pounds.

1212 2. A vehicle that is not self-propelled.

1213 3. A vehicle that is twenty (20) years old or  
1214 older.

1215 4. A vehicle sold directly by the  
1216 manufacturer to any agency of the United States in conformity with  
1217 contractual specifications.



1218                   5. A transferor of a new vehicle prior to its  
1219 first transfer for purposes other than resale need not disclose  
1220 the vehicle's odometer mileage.

1221                   (iii) Any person who knowingly gives a false  
1222 statement concerning the odometer reading on an odometer  
1223 disclosure statement shall be guilty of a misdemeanor and, upon  
1224 conviction, shall be subject to a fine of up to One Thousand  
1225 Dollars (\$1,000.00) or imprisonment of up to one (1) year, or  
1226 both, at the discretion of the court. These penalties shall be  
1227 cumulative, supplemental and in addition to the penalties provided  
1228 by any other law; and

1229                   (f) For previously used manufactured homes and mobile  
1230 homes that previously have not been titled in this state or any  
1231 other state, a disclosure statement shall be made by the owner of  
1232 the manufactured home or mobile home applying for the certificate  
1233 of title. That statement shall read:

1234                   "I state that the previously used manufactured home or mobile  
1235 home owned by me for which I am applying for a certificate of  
1236 title, to the best of my knowledge:

1237                   \_\_\_\_\_ (1) Has never been declared a total loss due to  
1238 flood damage, fire damage, wind damage or other damage; or

1239                   \_\_\_\_\_ (2) Has previously been declared a total loss due  
1240 to:

1241                   \_\_\_\_\_ (a) Collision;

1242                   \_\_\_\_\_ (b) Flood;



1243 \_\_\_\_\_ (c) Fire;  
1244 \_\_\_\_\_ (d) Wind;  
1245 \_\_\_\_\_ (e) Other (please describe): \_\_\_\_\_  
1246 \_\_\_\_\_."

1247 (2) The application shall be accompanied by such evidence as  
1248 the Department of Revenue reasonably requires to identify the  
1249 vehicle, manufactured home or mobile home and to enable the  
1250 Department of Revenue to determine whether the owner is entitled  
1251 to a certificate of title and the existence or nonexistence of  
1252 security interests in the vehicle, manufactured home or mobile  
1253 home and whether the applicant is liable for a use tax as provided  
1254 by Sections 27-67-1 through 27-67-33.

1255 (3) If the application is for a vehicle, manufactured home  
1256 or mobile home purchased from a dealer, it shall contain the name  
1257 and address of any lienholder holding a security interest created  
1258 or reserved at the time of the sale and the date of his security  
1259 agreement and it shall be signed by the dealer as well as the  
1260 owner. The designated agent shall promptly mail or deliver the  
1261 application to the Department of Revenue.

1262 (4) If the application is for a new vehicle, manufactured  
1263 home or mobile home, it shall contain the certified manufacturer's  
1264 statement of origin showing proper assignments to the applicant  
1265 and a copy of each security interest document.

1266 (5) Each application shall contain or be accompanied by the  
1267 certificate of a designated agent that the vehicle, manufactured



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

1279 (6) (a) If the application is for a first certificate of  
1280 title on a vehicle, manufactured home \* \* \*, mobile home other  
1281 than a new vehicle, manufactured home \* \* \*, mobile home, then the  
1282 application shall conform with the requirements of this section  
1283 except that in lieu of the manufacturer's statement of origin, the  
1284 application shall be accompanied by a copy of the bill of sale of  
1285 said motor vehicle, manufactured home \* \* \*, mobile home whereby  
1286 the applicant claims title or in lieu thereof, in the case of a  
1287 motor vehicle, certified copies of the last two (2) years' tag and  
1288 tax receipts or in lieu thereof, in any case, such other  
1289 information the Department of Revenue may reasonably require to  
1290 identify the vehicle, manufactured home \* \* \*, mobile home and to  
1291 enable the Department of Revenue to determine ownership of the  
1292 vehicle, manufactured home \* \* \*, mobile home and the existence or



1293 nonexistence of security interest in it. If the application is  
1294 for a vehicle, manufactured home \* \* \*, mobile home last  
1295 previously registered in another state or country, the application  
1296 shall also be accompanied by the certificate of title issued by  
1297 the other state or country, if any, properly assigned.

1298 (b) A person may apply for a certificate of title to a  
1299 vehicle lacking proper documentation if the vehicle is at least  
1300 thirty (30) years old and the person submits a certificate of  
1301 ownership signed under penalty of perjury on a form prescribed by  
1302 the Department of Revenue.

1303 (7) If the application is for a vehicle the owner does not  
1304 intend to drive, the owner need not purchase a license tag in  
1305 order to receive a certificate of title, so long as the  
1306 application contains an affidavit attesting to the owner's intent  
1307 that the vehicle not be operated on the highways of this state  
1308 until and unless the owner applies for a license tag.

1309 (8) Every designated agent within this state shall, no later  
1310 than the next business day after they are received by him, forward  
1311 to the Department of Revenue by mail, postage prepaid, the  
1312 originals of all applications received by him, together with such  
1313 evidence of title as may have been delivered to him by the  
1314 applicants.

1315 (9) An application for certificate of title and information  
1316 to be placed on an application for certificate of title may be  
1317 transferred electronically as provided in Section 63-21-16.



1318 (10) The Department of Revenue shall issue a certificate of  
1319 title or any other document applied for under this chapter to the  
1320 designated agent, owner or lienholder of the motor vehicle or of  
1321 the manufactured home \* \* \*, mobile home, as appropriate, not more  
1322 than thirty (30) days after the application and required fee  
1323 prescribed under Section 63-21-63 or Section 63-21-64 are received  
1324 unless the applicant requests expedited processing under  
1325 subsection (11) of this section.

1326 (11) (a) The Department of Revenue shall establish an  
1327 expedited processing procedure for the receipt of applications and  
1328 the issuance of certificates of title and any other documents  
1329 issued under this chapter, except a replacement certificate of  
1330 title as provided under Section 63-21-27(2), for motor vehicles,  
1331 and for manufactured homes or mobile homes. Any designated agent,  
1332 lienholder or owner requesting the issuance of any such document,  
1333 at his or her option, shall receive such expedited processing upon  
1334 payment of a fee in the amount of Thirty Dollars (\$30.00). Such  
1335 fee shall be in addition to the fees applicable to the issuance of  
1336 any such documents under Section 63-21-63 and Section 63-21-64.

1337 (b) When expedited title processing is requested, the  
1338 applicable fees are paid and all documents and information  
1339 necessary for the Department of Revenue to issue the certificate  
1340 of title or other documents applied for are received by the  
1341 department, then the department shall complete processing of the  
1342 application and issue the title or document applied for within



1343 seventy-two (72) hours of the time of receipt, excluding weekends  
1344 and holidays.

1345 **SECTION 35.** Section 63-21-17, Mississippi Code of 1972, is  
1346 amended as follows:

1347 63-21-17. (1) The Department of Revenue shall examine each  
1348 application received and, when satisfied as to its genuineness and  
1349 regularity and that the applicant is entitled to the issuance of a  
1350 certificate of title, shall issue a certificate of title of the  
1351 vehicle, manufactured home \* \* \*, mobile home on the form  
1352 prescribed by the department.

1353 (2) The Department of Revenue shall maintain a record of all  
1354 certificates of title issued for fifteen (15) years from the date  
1355 of issuance, pursuant to the provisions of this chapter:

1356 (a) Under a distinctive title number assigned to the  
1357 vehicle, manufactured home \* \* \*, mobile home;

1358 (b) Under the vehicle identification number;

1359 (c) Under the name of the owner; and

1360 (d) In the discretion of the Department of Revenue, by  
1361 any other method the department determines.

1362 (3) The Department of Revenue shall maintain a record of  
1363 each affidavit of affixation filed in accordance with subsections  
1364 (3), (4) and (5) of Section 63-21-30. The record shall state the  
1365 name and mailing address of each owner of the related manufactured  
1366 home, the county of recordation, the date of recordation, and the  
1367 book and page number of each book of records in which there has



1368 been recorded an affidavit of affixation under subsections (1) and  
1369 (2) of Section 63-21-30, the name of the manufacturer, the make,  
1370 the model name, the model year, the dimensions, and the  
1371 manufacturer's serial number or VIN of the manufactured home or  
1372 mobile home, to the extent that such data exists, and any other  
1373 information the Department of Revenue prescribes.

1374 (4) The Department of Revenue shall maintain a record of  
1375 each manufacturer's certificate of origin submitted for the  
1376 purpose of effectuating the retirement of title as provided in  
1377 Section 63-21-30. The record shall state the name and mailing  
1378 address of each owner of the manufactured home, the date the  
1379 manufacturer's certificate of origin was submitted, the county of  
1380 recordation, the date of recordation, and the book and page number  
1381 of each book of records in which there has been recorded an  
1382 affidavit of affixation under subsections (1) and (2) of Section  
1383 63-21-30, the name of the manufacturer, the make, the model name,  
1384 the model year, the dimensions, and the manufacturer's serial  
1385 number or VIN of the manufactured home or mobile home, to the  
1386 extent that such data exists, and any other information the  
1387 Department of Revenue prescribes.

1388 (5) The Department of Revenue shall maintain a record of  
1389 each certificate of title accepted for surrender as provided in  
1390 subsection (5) of Section 63-21-30. The record shall state the  
1391 name and mailing address of each owner of the manufactured home,  
1392 the date the certificate of title was accepted for surrender, the





1393 county of recordation, the date of recordation, and the book and  
1394 page number of each book of records in which there has been  
1395 recorded an affidavit of affixation under subsections (1) and (2)  
1396 of Section 63-21-30, the name of the manufacturer, the make, the  
1397 model name, the model year, the dimensions, and the manufacturer's  
1398 serial number or VIN of the manufactured home or mobile home, to  
1399 the extent that such data exists, and any other information the  
1400 Department of Revenue prescribes.

1401 (6) The Department of Revenue shall maintain a record of  
1402 each affidavit of severance filed in accordance with subsection  
1403 (6) of Section 63-21-30. The record shall state the name and  
1404 mailing address of each owner of the related manufactured home,  
1405 the county of recordation, the date of recordation, and the book  
1406 and page number of each book of records in which there has been  
1407 recorded an affidavit of severance under subsection (6) of Section  
1408 63-21-30, the name of the manufacturer, the make, the model name,  
1409 the model year, the dimensions, and the manufacturer's serial  
1410 number or VIN of the manufactured home or mobile home, to the  
1411 extent that such data exists, and any other information the  
1412 Department of Revenue prescribes.

1413 (7) Records of affidavits of affixation, submitted  
1414 manufacturer's certificates of origin, surrendered certificates of  
1415 title, and affidavits of severance shall be maintained permanently  
1416 and be subject to public records request. The records of  
1417 affidavits of affixation, submitted manufacturer's certificates of



1418 origin, and surrendered certificates of title shall include a  
1419 statement that the manufactured home is real property as provided  
1420 in subsections (13) and (14) of Section 63-21-30.

1421           **SECTION 36.** This act shall take effect and be in force from  
1422 and after July 1, 2023.

