

By: Representative Lamar

To: Ways and Means

HOUSE BILL NO. 1589

1 AN ACT TO AMEND SECTION 63-21-16, MISSISSIPPI CODE OF 1972,  
 2 TO PROVIDE THAT A LIENHOLDER MUST ELECTRONICALLY TRANSMIT THE  
 3 SATISFACTION AND RELEASE AND DISCHARGE OF A LIEN ON A MOTOR  
 4 VEHICLE TO THE DEPARTMENT OF REVENUE NOT LATER THAN THIRTY DAYS  
 5 AFTER THE DATE OF SATISFACTION OF THE LIEN; TO AMEND SECTIONS  
 6 63-21-39 AND 63-21-18, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT  
 7 BEFORE A SCRAP METAL PROCESSOR MAY PURCHASE OR RECEIVE A MOTOR  
 8 VEHICLE FROM THE OWNER OR AUTHORIZED AGENT OF THE OWNER OF THE  
 9 MOTOR VEHICLE FOR THE PURPOSE OF SCRAPPING, DISMANTLING OR  
 10 DESTROYING THE MOTOR VEHICLE, THE SCRAP METAL PROCESSOR MUST  
 11 VERIFY THE ABSENCE OF ANY LIEN ON THE MOTOR VEHICLE; TO PROVIDE  
 12 THAT IF A LIEN EXISTS ON THE MOTOR VEHICLE, THE SCRAP METAL  
 13 PROCESSOR MAY NOT PURCHASE OR RECEIVE THE MOTOR VEHICLE FOR THE  
 14 PURPOSE OF SCRAPPING, DISMANTLING OR DESTROYING THE VEHICLE, AND  
 15 IS PROHIBITED FROM PURCHASING OR RECEIVING THE MOTOR VEHICLE FOR  
 16 SUCH PURPOSES DURING ANY TIME FOR WHICH A LIEN EXISTS ON THE MOTOR  
 17 VEHICLE; TO PROVIDE THAT A SCRAP METAL PROCESSOR MUST UTILIZE THE  
 18 DEPARTMENT OF REVENUE'S AUTOMATED STATEWIDE MOTOR VEHICLE  
 19 REGISTRATION SYSTEM FOR THE PURPOSE OF COMPLYING WITH SUCH  
 20 REQUIREMENTS; AND FOR RELATED PURPOSES.

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

22 **SECTION 1.** Section 63-21-16, Mississippi Code of 1972, is  
 23 amended as follows:

24 63-21-16. (1) All designated agents appointed by the  
 25 Department of Revenue under Section 63-21-13, Mississippi Code of  
 26 1972, may electronically transmit to the Department of Revenue  
 27 information entered by them on applications for a certificate of



28 title given in connection with the sale or transfer of a motor  
29 vehicle, manufactured home or mobile home or a loan for which the  
30 owner's motor vehicle, manufactured home or mobile home is pledged  
31 to that institution as collateral for the loan. The format and  
32 the data required to be transmitted shall be established by the  
33 Department of Revenue. Transmission of data shall meet minimum  
34 criteria and edits established by the Department of Revenue equal  
35 to any edit presently existing in the statewide title registration  
36 system, or as may be established, to which the county tax  
37 collectors shall also conform. All data transmitted must  
38 successfully pass edits established by the Department of Revenue,  
39 including lienholder name, mailing address and lienholder account  
40 number assigned to a lienholder by the Department of Revenue to  
41 identify the lienholder, for the purpose of causing the data to  
42 appear in the certificate of title for which the application is  
43 made.

44 (2) It shall be the responsibility of the designated agent  
45 to verify all data before it is electronically transmitted. It  
46 shall also be the responsibility of the designated agent to ensure  
47 that the required certification of designated agent and the  
48 certification of statement of facts that are contained on the  
49 application for certificate of title appear above the signatures  
50 of both the owner and the authorized representative of the  
51 designated agent. Data which cannot be transmitted because of  
52 error shall be corrected by the designated agent when the



53 statewide title registration system indicates that the data is  
54 erroneous or is not valid for the purposes of titling the motor  
55 vehicle, manufactured home or mobile home or for transfer of the  
56 data.

57 (3) When an institution has agreed to loan money for the  
58 purchase of a motor vehicle, manufactured home or mobile home, the  
59 institution shall complete an application for certificate of title  
60 or require the borrower to provide to the institution the copy of  
61 the application for certificate of title contained in the  
62 application packet which is designated "Lienholder's Copy"  
63 according to provisions of the Motor Vehicle and Manufactured  
64 Housing Title Law, which the owner will receive from the county  
65 tax collector or any designated agent upon completion of the  
66 application for title and registration process.

67 (4) An application for certificate of title originating from  
68 a designated agent shall be entered on the statewide title  
69 registration system by the originating lending institution when  
70 the transaction is for the purpose of perfecting the institution's  
71 interest in a vehicle, manufactured home or mobile home currently  
72 owned or purchased by the applicant, in connection with  
73 application for certificate of title or the purchase of a license  
74 tag or both.

75 (5) When an institution in this state adds a second lien on  
76 a certificate of title in possession of a first lienholder



77 institution in this state, the second lienholder institution  
78 seeking to be shown on the certificate of title shall:

79 (a) Prepare the application for certificate of title in  
80 accordance with the requirements of Sections 63-21-15 and  
81 63-21-45(1) (c);

82 (b) Obtain all required signatures; and

83 (c) Forward the completed application for certificate  
84 of title to the first lienholder together with any necessary  
85 remittance advice, a check for the title fee payable to the  
86 Department of Revenue and a cover letter to the first lienholder  
87 requesting that the first lienholder attach the certificate of  
88 title to the required documents sent by the second lienholder and  
89 then forward the application, certificate of title and required  
90 documents to the Department of Revenue.

91 (6) Upon receipt of the application for certificate of title  
92 from the second lienholder institution to record the second lien,  
93 the first lienholder institution shall compare the data contained  
94 in the application for certificate of title to the information  
95 contained in the original certificate of title. If the first  
96 lienholder institution is satisfied as to the ownership, accuracy  
97 and order of priority of liens as shown in the application, it  
98 shall enter the data contained on the application for certificate  
99 of title prepared by the second lienholder on the statewide title  
100 registration system, including the designated agent number of the  
101 second lienholder. After entering the data from the application



102 for certificate of title, the first lienholder institution shall  
103 immediately forward the application for certificate of title with  
104 the certificate of title attached to the application, the  
105 remittance advice and the second lienholder's check for the title  
106 fee to the Department of Revenue within three (3) working days.

107 (7) In an assignment of lien pursuant to Section 63-21-47,  
108 the assignee shall receive the notice of assignment along with the  
109 current title attached and with the assignors interest open. The  
110 assignee lienholder shall prepare an application for certificate  
111 of title according to the notice of assignment, showing the  
112 assignee institution as the lienholder, and then shall  
113 electronically transmit the data to the Department of Revenue.  
114 The completed application shall be forwarded to the Department of  
115 Revenue within three (3) working days.

116 (8) The Department of Revenue, upon receipt of applications  
117 for certificate of title, shall verify the data by accessing it on  
118 the statewide title registration system by the title application  
119 control number appearing on the application for title. After  
120 receiving verification that is satisfactory to the Department of  
121 Revenue that the data necessary for the issuance of a new  
122 certificate of title exists, the Department of Revenue shall issue  
123 a new certificate of title that records the interests of all the  
124 parties named in the application for certificate of title.

125 (9) Designated agents shall be connected to the statewide  
126 title registration system for the purpose of electronic transfer



127 of applications for certificate of title data in the order of  
128 priority established by the Department of Revenue.

129 (10) If a participating designated agent fails to comply  
130 with the provisions of this section or the rules adopted by the  
131 Department of Revenue to implement this section, the Department of  
132 Revenue may impose a penalty of Twenty-five Dollars (\$25.00) for  
133 each instance of noncompliance. Any penalty imposed under this  
134 section not paid within thirty (30) days after a notice is given  
135 shall be subject to collection from the bond of the designated  
136 agent that is required to be provided under the provisions of  
137 Section 63-21-13(3). The penalty provided shall also be  
138 assessable, due and collectible from any licensed motor vehicle  
139 dealer or manufactured home or mobile home dealer for failure to  
140 accept an application for certificate of title for each and every  
141 vehicle, manufactured home or mobile home he sells to a consumer.  
142 These penalties shall be cumulative, supplemental and in addition  
143 to the penalties provided by any other law.

144 (11) This section shall apply to all designated agents  
145 appointed by the Department of Revenue under Section 63-21-13,  
146 that choose to electronically transmit information on applications  
147 for certificates of title to the Department of Revenue. This  
148 section shall not apply to other designated agents.

149 (12) Notwithstanding the foregoing, the Department of  
150 Revenue shall not issue a certificate of title to a manufactured  
151 home or mobile home with respect to which title has been retired



152 to real property under Section 63-21-30 unless with respect to the  
153 same manufactured home or mobile home title has been severed from  
154 real property pursuant to Section 63-21-30.

155 (13) Notwithstanding any requirement in this chapter that a  
156 lien on a motor vehicle or manufactured home shall be noted on the  
157 face of the certificate of title, if there are one or more liens  
158 or encumbrances on the motor vehicle or manufactured home, the  
159 Department of Revenue may electronically transmit the lien to the  
160 first lienholder and notify the first lienholder of any additional  
161 liens. Subsequent lien satisfactions may be electronically  
162 transmitted to the Department of Revenue and shall include the  
163 name and address of the person satisfying the lien. When  
164 electronic transmission of liens and lien satisfactions is used, a  
165 certificate of title need not be issued until the last lien is  
166 satisfied and a clear certificate of title is issued to the owner  
167 of the motor vehicle or manufactured home. When a motor vehicle  
168 is subject to an electronic lien, the certificate of title for the  
169 motor vehicle shall be considered to be physically held by the  
170 lienholder for purposes of compliance with state or federal  
171 odometer disclosure requirements. A duly certified copy of the  
172 Department of Revenue's electronic record of the lien shall be  
173 admissible in any civil, criminal, or administrative proceeding in  
174 this state as evidence of the existence of the lien.

175 (14) A lienholder must electronically transmit the  
176 satisfaction and release and discharge of a lien on a motor



177 vehicle to the Department of Revenue not later than thirty (30)  
178 days after the date of satisfaction of the lien. The failure of a  
179 lienholder to comply with the requirements of this subsection  
180 shall be a violation of this chapter. In addition, a lienholder  
181 shall be liable for any attorney's fees, legal fees and/or other  
182 fees and costs incurred by a person in any action necessary to  
183 discharge and/or release a lien or otherwise affecting a lien for  
184 which the lienholder failed to transmit the required information.

185       **SECTION 2.** Section 63-21-18, Mississippi Code of 1972, is  
186 amended as follows:

187       63-21-18. The Mississippi Department of Information  
188 Technology Services shall provide equipment for the operation and  
189 maintenance of the automated statewide motor vehicle, manufactured  
190 housing and mobile home registration system by the \* \* \*  
191 Department of Revenue.

192       The automated statewide motor vehicle, manufactured housing  
193 and mobile home registration system shall provide for computer  
194 terminals and printers, as authorized by the Mississippi  
195 Department of Information Technology Services, to be located in  
196 the quantity necessary in each county seat tax collector's office  
197 and any other office in which more than fifty percent (50%) of the  
198 motor vehicle registrations in the county are made.

199       All county tax collectors shall participate in such system as  
200 it applies to Chapter 19, Title 27; Chapter 51, Title 27; Chapter  
201 21, Title 63; Mississippi Code of 1972, in accordance with rules





202 and regulations promulgated by the \* \* \* Department of Revenue.  
203 Such rules and regulations shall provide that counties which have  
204 an existing computer system designed to produce registration data  
205 may elect to use such existing system to communicate  
206 title/registration data to the \* \* \* department through the  
207 computer furnished by the state as hereinabove provided in this  
208 section. If the \* \* \* Department of Revenue finds and determines  
209 that a county has failed to successfully establish or update  
210 title/registration data into the statewide vehicle, manufactured  
211 housing and mobile home title/registration system, either through  
212 use of equipment supplied by the \* \* \* Department of Revenue or  
213 through the interfacing between the network system and county  
214 computer equipment, the \* \* \* Department of Revenue shall  
215 thereafter cause to be withheld the county's homestead exemption  
216 reimbursement monies, except for school districts and  
217 municipalities, until such time as the county has complied with  
218 this provision. Such monies as are withheld from a county for  
219 failure to comply with this provision shall be placed into a  
220 special escrow account to be established in the State Treasury.  
221 Once the county achieves compliance by successfully establishing  
222 or updating title/registration data into the statewide vehicle,  
223 manufactured housing and mobile home title/registration system,  
224 then the \* \* \* department shall cause to be released to the county  
225 all funds held in escrow on the county's behalf during the period  
226 of noncompliance. All interest earned shall accrue to the benefit



227 of the county on any funds placed in an escrow account. Any cost  
228 involved in interfacing between existing county computer systems  
229 and the state-provided computer shall be paid by the county.

230 The computer terminals and printers placed in each county tax  
231 collector's office may be utilized to provide additional computer  
232 functions as authorized by the Mississippi Department of  
233 Information Technology Services.

234 The State Fiscal Officer shall issue his warrants to the  
235 State Treasurer for the expenditures for the implementation and  
236 maintenance of the system upon requisitions signed by the \* \* \*  
237 Commissioner of Revenue, as authorized by the Legislature.

238 It is the intent of the Legislature that the operation of the  
239 statewide motor vehicle, manufactured housing and mobile home  
240 title registration system shall be the responsibility of the \* \* \*  
241 Department of Revenue.

242 The \* \* \* Department of Revenue shall provide for the  
243 transfer of motor vehicle, manufactured housing and mobile home  
244 title and lien registration information to the \* \* \* department by  
245 electronic means from banks and other lending institutions as  
246 provided in Section 63-21-18. The Mississippi Department of  
247 Information Technology Services shall cooperate with the \* \* \*  
248 Department of Revenue in implementing the provisions of Section  
249 63-21-18, and shall provide the \* \* \* Department of Revenue with  
250 whatever assistance the \* \* \* department needs to carry out the  
251 provisions of Section 63-21-18.



252 A scrap metal processor must utilize the Department of  
253 Revenue's automated statewide motor vehicle registration system  
254 for the purpose of complying with the requirements of Section  
255 63-21-39(1) (a).

256 **SECTION 3.** Section 63-21-39, Mississippi Code of 1972, is  
257 amended as follows:

258 63-21-39. (1) (a) An owner who scraps, dismantles or  
259 destroys a vehicle and a person who purchases a vehicle as scrap  
260 or to be dismantled or destroyed shall indicate same on the back  
261 of the certificate of title and shall immediately cause the  
262 certificate of title and any other documents required by the  
263 Department of Revenue to be mailed or delivered to the Department  
264 of Revenue for cancellation. A certificate of title of the  
265 vehicle shall not again be issued except upon application  
266 containing the information the Department of Revenue requires,  
267 accompanied by a certificate of inspection in the form and content  
268 specified in Section 63-21-15(5) and proof of payment of a fee as  
269 provided in subsection (2) of this section. Before a scrap metal  
270 processor may purchase or receive a motor vehicle from the owner  
271 or authorized agent of the owner of the motor vehicle for the  
272 purpose of scrapping, dismantling or destroying the motor vehicle,  
273 the scrap metal processor must verify under Section 63-21-18 the  
274 absence of any lien on the motor vehicle. If a lien exists on the  
275 motor vehicle, the scrap metal processor may not purchase or  
276 receive the motor vehicle for the purpose of scrapping,



277 dismantling or destroying the vehicle, and may not purchase or  
278 receive the motor vehicle for such purposes during any time for  
279 which a lien exists on the motor vehicle.

280 (b) Notwithstanding any other provision of this chapter  
281 to the contrary, if the owner or authorized agent of the owner has  
282 not obtained a title in his or her name for the vehicle to be  
283 transferred, has lost the title for the vehicle to be transferred,  
284 or has returned the title to the Department of Revenue in  
285 accordance with paragraph (a) of this subsection, he or she may  
286 sign a statement swearing that, in addition to the foregoing  
287 conditions, the vehicle is at least ten (10) model years old. The  
288 statement described in this paragraph may be used only to transfer  
289 such a vehicle to a licensed used motor vehicle parts dealer or  
290 scrap metal processor. The department shall promulgate a form for  
291 the statement which shall include, but not be limited to:

292 (i) A statement that the vehicle shall never be  
293 titled again; it must be dismantled or scrapped;

294 (ii) A description of the vehicle including the  
295 year, make, model and vehicle identification number;

296 (iii) The name, address, and driver's license  
297 number, nondriver identification card number or tribal  
298 identification card number of the owner;

299 (iv) A certification that the owner:

300 1. Never obtained a title to the vehicle in  
301 his or her name; or



302                   2. Was issued a title for the vehicle, but  
303 the title was lost or stolen;

304                   (v) A certification that the vehicle:

305                   1. Is at least ten (10) model years old; and

306                   2. Is not subject to any security interest or  
307 lien;

308                   (vi) An acknowledgment that the owner and buyer of  
309 the vehicle realizes this form will be filed with the department  
310 and that:

311                   1. It is a misdemeanor, punishable by a fine  
312 of not more than One Thousand Dollars (\$1,000.00) or imprisonment  
313 for not more than six (6) months, or both, for conviction of a  
314 first offense of knowingly falsifying any information on this  
315 statement; and

316                   2. It is a felony, punishable by a fine of  
317 not less than One Thousand Dollars (\$1,000.00) nor more than Five  
318 Thousand Dollars (\$5,000.00) or imprisonment for not less than one  
319 (1) year nor more than five (5) years, or both, for conviction of  
320 a second or subsequent offense of knowingly falsifying any  
321 information on this statement;

322                   (vii) The owner's signature and the date of the  
323 transaction;

324                   (viii) The name and address of the business  
325 acquiring the vehicle;



326 (ix) The National Motor Vehicle Title Information  
327 System identification number; and

328 (x) The business agent's signature and date along  
329 with a printed name and title if the agent is signing on behalf of  
330 a corporation.

331 (c) Until such time as the department makes available  
332 an Internet-based system, the used motor vehicle parts dealer or  
333 scrap metal processor shall mail or otherwise deliver the  
334 statement required under paragraph (b) of this subsection (1) to  
335 the Department of Revenue within three (3) business days of the  
336 completion of the transaction, requesting that the department  
337 cancel the Mississippi certificate of title and registration.  
338 Once the department develops an Internet-based system, the used  
339 motor vehicle parts dealer or scrap metal processor shall utilize  
340 such system and within two (2) business days electronically submit  
341 the information contained in the statement using that system.

342 (d) Within two (2) business days of each day's close of  
343 business, the used motor vehicle parts dealer or scrap metal  
344 processor who purchases or receives motor vehicles for scrap or  
345 for parts shall deliver in a format approved by the department, by  
346 electronic means once developed and made available by the  
347 department, a list of all such vehicles purchased that day for  
348 scrap or for parts. That list shall contain the following  
349 information:



- 350 (i) The name, address and contact information for  
351 the reporting entity;
- 352 (ii) The vehicle identification numbers of such  
353 vehicles;
- 354 (iii) The dates such vehicles were obtained;
- 355 (iv) The names of the individuals or entities from  
356 whom the vehicles were obtained, for use by law enforcement  
357 personnel and appropriate governmental agencies only;
- 358 (v) A statement of whether the vehicles were, or  
359 will be, crushed or disposed of, or offered for sale or other  
360 purposes;
- 361 (vi) A statement of whether the vehicle is  
362 intended for export out of the United States; and
- 363 (vii) The National Motor Vehicle Title Information  
364 System identification number of the business acquiring the  
365 vehicle.

366 In addition, the scrap metal processor must certify  
367 compliance with the requirements of Section 63-21-39(1)(a).

368 (e) (i) For purposes of this subsection, the term  
369 "motor vehicle" shall not include a vehicle which has been crushed  
370 or flattened by mechanical means such that it is no longer the  
371 motor vehicle as described by the certificate of title, or such  
372 that the vehicle identification number is no longer visible or  
373 accessible.



374 (ii) In cases in which crushed or flattened  
375 vehicles are purchased or received, the purchasing or receiving  
376 used motor vehicle parts dealer or scrap metal processor shall  
377 verify that the seller has reported the vehicles in accordance  
378 with this subsection. Such verification may be in the form of a  
379 certification from the seller or a contract between the seller and  
380 the purchasing or receiving used motor vehicle parts dealer or  
381 scrap metal processor attesting to the seller's compliance with  
382 the reporting requirements of this subsection. Such verification  
383 must clearly identify the seller by a government issued photograph  
384 identification card or employer identification number, and the  
385 verification and copy of the identification card or number shall  
386 be maintained by the purchasing or receiving used motor vehicle  
387 parts dealer or scrap metal processor for a period of not less  
388 than two (2) years.

389 (f) The information obtained by the department in  
390 accordance with paragraph (d) of this subsection (1) shall be  
391 reported to the National Motor Vehicle Title Information System,  
392 in a format that will satisfy the requirement for reporting this  
393 information, in accordance with rules adopted by the United States  
394 Department of Justice in 28 CFR 25.56.

395 (g) Until such time as the department develops and  
396 makes available the Internet-based system described in paragraph  
397 (d) of this subsection, the used motor vehicle parts dealer or  
398 scrap metal processor who purchases or receives motor vehicles for





399 scrap or for parts shall deliver the information required by  
400 paragraph (d) to the National Motor Vehicle Title Information  
401 System through any data consolidator approved by such system,  
402 within forty-eight (48) hours of the day the vehicle was purchased  
403 or acquired by such used motor vehicle parts dealer or scrap metal  
404 processor which shall satisfy the requirements of paragraph (d).

405 (h) The information obtained by the department in  
406 accordance with paragraph (d) of this subsection (1) shall be made  
407 available only to law enforcement agencies and for purposes of  
408 canceling certificates of title. The information shall otherwise  
409 be considered to be confidential business information of the  
410 respective reporting entities.

411 (i) All records required under the provisions of this  
412 subsection shall be maintained for a period of two (2) years by  
413 the reporting entity and shall include a scanned or photocopied  
414 copy of the seller's or seller's representative's driver's license  
415 or state-issued identification card or other valid form of  
416 identification.

417 (j) A person who knowingly and willfully violates this  
418 subsection (1), or any person who knowingly and willfully  
419 falsifies or assists another person in falsifying the statement or  
420 information required under paragraph (b) or (d) of this  
421 subsection, or any person who knowingly and willfully sells a  
422 vehicle upon which there is an unsatisfied lien or security  
423 interest, or who purchases a vehicle without complying with either



424 paragraph (a) or (b) of this subsection and who knowingly and  
425 willfully destroys or dismantles a vehicle upon which he knows  
426 that there is an unsatisfied lien or security interest shall:

427           (i) Be guilty of a misdemeanor, punishable by a  
428 fine not more than One Thousand Dollars (\$1,000.00) or  
429 imprisonment for not more than six (6) months, or both, for  
430 conviction of a first offense; or

431           (ii) Upon conviction of a second or subsequent  
432 offense, a felony, punishable by imprisonment for not less than  
433 one (1) year nor more than five (5) years or a fine of not less  
434 than One Thousand Dollars (\$1,000.00) nor more than Five Thousand  
435 Dollars (\$5,000.00), or both.

436           In addition, the court may order each person convicted to pay  
437 restitution to any party suffering monetary loss in the amount of  
438 such loss. No part of any sentence imposed by the court shall be  
439 suspended unless such restitution has been paid in full.

440           (k) A person who knowingly and willfully fails to  
441 deliver the title as required under paragraph (a) of this  
442 subsection, or the statement required under paragraph (b) of this  
443 subsection to the Department of Revenue within seventy-two (72)  
444 hours of the completion of the transaction, or who, until such  
445 time as the department develops and makes available the  
446 Internet-based system described in paragraph (d), fails to deliver  
447 the information required by paragraph (d) to the National Motor  
448 Vehicle Title Information System through any data consolidator



449 approved by such system, within two (2) business days of the day  
450 the vehicle was purchased or acquired by such used motor vehicle  
451 parts dealer or scrap metal processor shall be in violation of  
452 this section, and subject to a civil penalty of up to One Thousand  
453 Dollars (\$1,000.00) per violation. Actions to impose this penalty  
454 may be brought by any local or state law enforcement agency,  
455 district attorney, or by the Attorney General, in any court of  
456 competent jurisdiction. One-half (1/2) of the monies generated  
457 from such civil penalties shall be deposited in a special fund  
458 created in the State Treasury for use by the Department of  
459 Revenue's Title Bureau, and one-half (1/2) of the monies generated  
460 from such civil penalties shall be deposited in the general fund  
461 of the municipality if the suit was brought in a municipal court,  
462 or in the general fund of the county if the suit was brought in  
463 the court of a county.

464 (2) For the purpose of requesting a branded title on a  
465 vehicle with a salvage certificate of title, every owner of a  
466 vehicle that has been issued a salvage certificate of title in  
467 this state or any other state which has been restored in this  
468 state to its operating condition which existed prior to the event  
469 which caused the salvage certificate of title to be issued shall  
470 make application to the Department of Revenue, accompanied by a  
471 certificate of inspection issued by the Department of Public  
472 Safety in the form and content specified in Section 63-21-15(5)  
473 and the payment of a fee of Seventy-five Dollars (\$75.00) for each



474 motor vehicle for which a certificate of inspection is issued. In  
475 addition, the Department of Public Safety may charge such a person  
476 a fee in the amount of Twenty-five Dollars (\$25.00) for performing  
477 any vehicle identification number verification required by federal  
478 law or regulation for the vehicle for which the person is applying  
479 for a title. All such monies shall be collected by the Department  
480 of Public Safety and paid to the State Treasurer for deposit in a  
481 special fund that is hereby created in the State Treasury to be  
482 known as the "Salvage Certificate of Title Fund." Monies in the  
483 special fund may be expended by the Department of Public Safety,  
484 upon appropriation by the Legislature. The Department of Revenue  
485 shall establish by regulation the minimum requirements by which a  
486 vehicle which has been issued a salvage certificate of title may  
487 be issued a branded title.

488 (3) Before a branded title may be issued for a vehicle for  
489 which a salvage certificate of title has been issued, the  
490 applicant shall submit, by hand delivery or mail, such documents  
491 and information to the Department of Public Safety as the  
492 department may require for the purpose of determining if the  
493 vehicle complies with the requirements of this section and all  
494 applicable regulations promulgated by the Commissioner of Public  
495 Safety and the Department of Revenue. The Department of Public  
496 Safety also may require that an applicant bring a vehicle for  
497 which application for a branded title is being made to a Highway  
498 Patrol facility for a visual inspection whenever the department



499 deems that a visual inspection is necessary or advisable. Nothing  
500 in this section shall be construed to prohibit inspectors of the  
501 Mississippi Highway Patrol from conducting on-site inspections and  
502 investigations of motor vehicle rebuilders or motor vehicle repair  
503 businesses to determine if such businesses are in compliance with  
504 all applicable laws relating to the motor vehicle title laws of  
505 this state and regulations promulgated by the Commissioner of  
506 Public Safety and the Department of Revenue.

507         **SECTION 4.** This act shall take effect and be in force from  
508 and after July 1, 2024.

