

By: Representative Lamar

To: Ways and Means

COMMITTEE SUBSTITUTE
FOR
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 TEN DAYS AFTER
5 THE DATE OF SATISFACTION OF THE LIEN; TO AMEND SECTIONS 63-21-39
6 AND 63-21-18, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BEFORE A
7 SCRAP METAL PROCESSOR MAY PURCHASE OR RECEIVE A MOTOR VEHICLE FROM
8 THE OWNER OR AUTHORIZED AGENT OF THE OWNER OF THE MOTOR VEHICLE
9 FOR THE PURPOSE OF SCRAPPING, DISMANTLING OR DESTROYING THE MOTOR
10 VEHICLE, THE SCRAP METAL PROCESSOR MUST VERIFY THE ABSENCE OF ANY
11 LIEN ON THE MOTOR VEHICLE; TO PROVIDE THAT IF A LIEN EXISTS ON THE
12 MOTOR VEHICLE, THE SCRAP METAL PROCESSOR MAY NOT PURCHASE OR
13 RECEIVE THE MOTOR VEHICLE FOR THE PURPOSE OF SCRAPPING,
14 DISMANTLING OR DESTROYING THE VEHICLE, AND IS PROHIBITED FROM
15 PURCHASING OR RECEIVING THE MOTOR VEHICLE FOR SUCH PURPOSES DURING
16 ANY TIME FOR WHICH A LIEN EXISTS ON THE MOTOR VEHICLE; TO PROVIDE
17 THAT A SCRAP METAL PROCESSOR MUST UTILIZE THE DEPARTMENT OF
18 REVENUE'S AUTOMATED STATEWIDE MOTOR VEHICLE REGISTRATION SYSTEM
19 FOR THE PURPOSE OF COMPLYING WITH SUCH REQUIREMENTS; AND FOR
20 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 ten (10) days
178 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. Any lienholder who
181 knowingly and willfully fails to transmit the satisfaction and
182 release and discharge of a lien on a motor vehicle within ten (10)
183 days after the date of the satisfaction of the lien shall be in
184 violation of this section, and subject to a civil penalty of up to
185 Two Hundred Fifty Dollars (\$250.00) per violation, which shall be
186 in addition to any other penalty provided in this chapter. In
187 addition, a lienholder shall be liable for any attorney's fees,
188 legal fees and/or other fees and costs incurred by a person in any
189 action necessary to discharge and/or release a lien or otherwise
190 affecting a lien for which the lienholder failed to transmit the
191 required information.

192 (15) Notwithstanding any other provision of this chapter to
193 the contrary, if a lien on a motor vehicle is older than eight (8)
194 years from the date the lien was placed on the motor vehicle, the
195 lien shall be recorded by the Department of Revenue in the
196 automated statewide motor vehicle registration system as having
197 been satisfied and released and discharged, unless annually
198 recertified by the lienholder by utilizing the format and
199 transmitting the data required by the Department of Revenue.

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



202 63-21-18. The Mississippi Department of Information
203 Technology Services shall provide equipment for the operation and
204 maintenance of the automated statewide motor vehicle, manufactured
205 housing and mobile home registration system by the * * *
206 Department of Revenue.

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

214 All county tax collectors shall participate in such system as
215 it applies to Chapter 19, Title 27; Chapter 51, Title 27; Chapter
216 21, Title 63; Mississippi Code of 1972, in accordance with rules
217 and regulations promulgated by the * * * Department of Revenue.
218 Such rules and regulations shall provide that counties which have
219 an existing computer system designed to produce registration data
220 may elect to use such existing system to communicate
221 title/registration data to the * * * department through the
222 computer furnished by the state as hereinabove provided in this
223 section. If the * * * Department of Revenue finds and determines
224 that a county has failed to successfully establish or update
225 title/registration data into the statewide vehicle, manufactured
226 housing and mobile home title/registration system, either through



227 use of equipment supplied by the * * * Department of Revenue or
228 through the interfacing between the network system and county
229 computer equipment, the * * * Department of Revenue shall
230 thereafter cause to be withheld the county's homestead exemption
231 reimbursement monies, except for school districts and
232 municipalities, until such time as the county has complied with
233 this provision. Such monies as are withheld from a county for
234 failure to comply with this provision shall be placed into a
235 special escrow account to be established in the State Treasury.
236 Once the county achieves compliance by successfully establishing
237 or updating title/registration data into the statewide vehicle,
238 manufactured housing and mobile home title/registration system,
239 then the * * * department shall cause to be released to the county
240 all funds held in escrow on the county's behalf during the period
241 of noncompliance. All interest earned shall accrue to the benefit
242 of the county on any funds placed in an escrow account. Any cost
243 involved in interfacing between existing county computer systems
244 and the state-provided computer shall be paid by the county.

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

249 The State Fiscal Officer shall issue his warrants to the
250 State Treasurer for the expenditures for the implementation and



251 maintenance of the system upon requisitions signed by the * * *
252 Commissioner of Revenue, as authorized by the Legislature.

253 It is the intent of the Legislature that the operation of the
254 statewide motor vehicle, manufactured housing and mobile home
255 title registration system shall be the responsibility of the * * *
256 Department of Revenue.

257 The * * * Department of Revenue shall provide for the
258 transfer of motor vehicle, manufactured housing and mobile home
259 title and lien registration information to the * * * department by
260 electronic means from banks and other lending institutions as
261 provided in Section 63-21-18. The Mississippi Department of
262 Information Technology Services shall cooperate with the * * *
263 Department of Revenue in implementing the provisions of Section
264 63-21-18, and shall provide the * * * Department of Revenue with
265 whatever assistance the * * * department needs to carry out the
266 provisions of Section 63-21-18.

267 A scrap metal processor must utilize the Department of
268 Revenue's automated statewide motor vehicle registration system
269 for the purpose of complying with the requirements of Section
270 63-21-39(1) (a) .

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

273 63-21-39. (1) (a) An owner who scraps, dismantles or
274 destroys a vehicle and a person who purchases a vehicle as scrap
275 or to be dismantled or destroyed shall indicate same on the back



276 of the certificate of title and shall immediately cause the
277 certificate of title and any other documents required by the
278 Department of Revenue to be mailed or delivered to the Department
279 of Revenue for cancellation. A certificate of title of the
280 vehicle shall not again be issued except upon application
281 containing the information the Department of Revenue requires,
282 accompanied by a certificate of inspection in the form and content
283 specified in Section 63-21-15(5) and proof of payment of a fee as
284 provided in subsection (2) of this section. Before a scrap metal
285 processor may purchase or receive a motor vehicle from the owner
286 or authorized agent of the owner of the motor vehicle for the
287 purpose of scrapping, dismantling or destroying the motor vehicle,
288 the scrap metal processor must verify under Section 63-21-18 the
289 absence of any lien on the motor vehicle. If a lien exists on the
290 motor vehicle, the scrap metal processor may not purchase or
291 receive the motor vehicle for the purpose of scrapping,
292 dismantling or destroying the vehicle, and may not purchase or
293 receive the motor vehicle for such purposes during any time for
294 which a lien exists on the motor vehicle.

295 (b) Notwithstanding any other provision of this chapter
296 to the contrary, if the owner or authorized agent of the owner has
297 not obtained a title in his or her name for the vehicle to be
298 transferred, has lost the title for the vehicle to be transferred,
299 or has returned the title to the Department of Revenue in
300 accordance with paragraph (a) of this subsection, he or she may



301 sign a statement swearing that, in addition to the foregoing
302 conditions, the vehicle is at least ten (10) model years old. The
303 statement described in this paragraph may be used only to transfer
304 such a vehicle to a licensed used motor vehicle parts dealer or
305 scrap metal processor. The department shall promulgate a form for
306 the statement which shall include, but not be limited to:

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

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

311 (iii) The name, address, and driver's license
312 number, nondriver identification card number or tribal
313 identification card number of the owner;

314 (iv) A certification that the owner:

315 1. Never obtained a title to the vehicle in
316 his or her name; or

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

319 (v) A certification that the vehicle:

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

321 2. Is not subject to any security interest or
322 lien;

323 (vi) An acknowledgment that the owner and buyer of
324 the vehicle realizes this form will be filed with the department
325 and that:



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

331 2. It is a felony, punishable by a fine of
332 not less than One Thousand Dollars (\$1,000.00) nor more than Five
333 Thousand Dollars (\$5,000.00) or imprisonment for not less than one
334 (1) year nor more than five (5) years, or both, for conviction of
335 a second or subsequent offense of knowingly falsifying any
336 information on this statement;

337 (vii) The owner's signature and the date of the
338 transaction;

339 (viii) The name and address of the business
340 acquiring the vehicle;

341 (ix) The National Motor Vehicle Title Information
342 System identification number; and

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

346 (c) Until such time as the department makes available
347 an Internet-based system, the used motor vehicle parts dealer or
348 scrap metal processor shall mail or otherwise deliver the
349 statement required under paragraph (b) of this subsection (1) to
350 the Department of Revenue within three (3) business days of the



351 completion of the transaction, requesting that the department
352 cancel the Mississippi certificate of title and registration.
353 Once the department develops an Internet-based system, the used
354 motor vehicle parts dealer or scrap metal processor shall utilize
355 such system and within two (2) business days electronically submit
356 the information contained in the statement using that system.

357 (d) Within two (2) business days of each day's close of
358 business, the used motor vehicle parts dealer or scrap metal
359 processor who purchases or receives motor vehicles for scrap or
360 for parts shall deliver in a format approved by the department, by
361 electronic means once developed and made available by the
362 department, a list of all such vehicles purchased that day for
363 scrap or for parts. That list shall contain the following
364 information:

365 (i) The name, address and contact information for
366 the reporting entity;

367 (ii) The vehicle identification numbers of such
368 vehicles;

369 (iii) The dates such vehicles were obtained;

370 (iv) The names of the individuals or entities from
371 whom the vehicles were obtained, for use by law enforcement
372 personnel and appropriate governmental agencies only;

373 (v) A statement of whether the vehicles were, or
374 will be, crushed or disposed of, or offered for sale or other
375 purposes;



376 (vi) A statement of whether the vehicle is
377 intended for export out of the United States; and

378 (vii) The National Motor Vehicle Title Information
379 System identification number of the business acquiring the
380 vehicle.

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

383 (e) (i) For purposes of this subsection, the term
384 "motor vehicle" shall not include a vehicle which has been crushed
385 or flattened by mechanical means such that it is no longer the
386 motor vehicle as described by the certificate of title, or such
387 that the vehicle identification number is no longer visible or
388 accessible.

389 (ii) In cases in which crushed or flattened
390 vehicles are purchased or received, the purchasing or receiving
391 used motor vehicle parts dealer or scrap metal processor shall
392 verify that the seller has reported the vehicles in accordance
393 with this subsection. Such verification may be in the form of a
394 certification from the seller or a contract between the seller and
395 the purchasing or receiving used motor vehicle parts dealer or
396 scrap metal processor attesting to the seller's compliance with
397 the reporting requirements of this subsection. Such verification
398 must clearly identify the seller by a government issued photograph
399 identification card or employer identification number, and the
400 verification and copy of the identification card or number shall



401 be maintained by the purchasing or receiving used motor vehicle
402 parts dealer or scrap metal processor for a period of not less
403 than two (2) years.

404 (f) The information obtained by the department in
405 accordance with paragraph (d) of this subsection (1) shall be
406 reported to the National Motor Vehicle Title Information System,
407 in a format that will satisfy the requirement for reporting this
408 information, in accordance with rules adopted by the United States
409 Department of Justice in 28 CFR 25.56.

410 (g) Until such time as the department develops and
411 makes available the Internet-based system described in paragraph
412 (d) of this subsection, the used motor vehicle parts dealer or
413 scrap metal processor who purchases or receives motor vehicles for
414 scrap or for parts shall deliver the information required by
415 paragraph (d) to the National Motor Vehicle Title Information
416 System through any data consolidator approved by such system,
417 within forty-eight (48) hours of the day the vehicle was purchased
418 or acquired by such used motor vehicle parts dealer or scrap metal
419 processor which shall satisfy the requirements of paragraph (d).

420 (h) The information obtained by the department in
421 accordance with paragraph (d) of this subsection (1) shall be made
422 available only to law enforcement agencies and for purposes of
423 canceling certificates of title. The information shall otherwise
424 be considered to be confidential business information of the
425 respective reporting entities.



426 (i) All records required under the provisions of this
427 subsection shall be maintained for a period of two (2) years by
428 the reporting entity and shall include a scanned or photocopied
429 copy of the seller's or seller's representative's driver's license
430 or state-issued identification card or other valid form of
431 identification.

432 (j) A person who knowingly and willfully violates this
433 subsection (1), or any person who knowingly and willfully
434 falsifies or assists another person in falsifying the statement or
435 information required under paragraph (b) or (d) of this
436 subsection, or any person who knowingly and willfully sells a
437 vehicle upon which there is an unsatisfied lien or security
438 interest, or who purchases a vehicle without complying with either
439 paragraph (a) or (b) of this subsection and who knowingly and
440 willfully destroys or dismantles a vehicle upon which he knows
441 that there is an unsatisfied lien or security interest shall:

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

446 (ii) Upon conviction of a second or subsequent
447 offense, a felony, punishable by imprisonment for not less than
448 one (1) year nor more than five (5) years or a fine of not less
449 than One Thousand Dollars (\$1,000.00) nor more than Five Thousand
450 Dollars (\$5,000.00), or both.



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

455 (k) A person who knowingly and willfully fails to
456 deliver the title as required under paragraph (a) of this
457 subsection, or the statement required under paragraph (b) of this
458 subsection to the Department of Revenue within seventy-two (72)
459 hours of the completion of the transaction, or who, until such
460 time as the department develops and makes available the
461 Internet-based system described in paragraph (d), fails to deliver
462 the information required by paragraph (d) to the National Motor
463 Vehicle Title Information System through any data consolidator
464 approved by such system, within two (2) business days of the day
465 the vehicle was purchased or acquired by such used motor vehicle
466 parts dealer or scrap metal processor shall be in violation of
467 this section, and subject to a civil penalty of up to One Thousand
468 Dollars (\$1,000.00) per violation. Actions to impose this penalty
469 may be brought by any local or state law enforcement agency,
470 district attorney, or by the Attorney General, in any court of
471 competent jurisdiction. One-half (1/2) of the monies generated
472 from such civil penalties shall be deposited in a special fund
473 created in the State Treasury for use by the Department of
474 Revenue's Title Bureau, and one-half (1/2) of the monies generated
475 from such civil penalties shall be deposited in the general fund



476 of the municipality if the suit was brought in a municipal court,
477 or in the general fund of the county if the suit was brought in
478 the court of a county.

479 (2) For the purpose of requesting a branded title on a
480 vehicle with a salvage certificate of title, every owner of a
481 vehicle that has been issued a salvage certificate of title in
482 this state or any other state which has been restored in this
483 state to its operating condition which existed prior to the event
484 which caused the salvage certificate of title to be issued shall
485 make application to the Department of Revenue, accompanied by a
486 certificate of inspection issued by the Department of Public
487 Safety in the form and content specified in Section 63-21-15(5)
488 and the payment of a fee of Seventy-five Dollars (\$75.00) for each
489 motor vehicle for which a certificate of inspection is issued. In
490 addition, the Department of Public Safety may charge such a person
491 a fee in the amount of Twenty-five Dollars (\$25.00) for performing
492 any vehicle identification number verification required by federal
493 law or regulation for the vehicle for which the person is applying
494 for a title. All such monies shall be collected by the Department
495 of Public Safety and paid to the State Treasurer for deposit in a
496 special fund that is hereby created in the State Treasury to be
497 known as the "Salvage Certificate of Title Fund." Monies in the
498 special fund may be expended by the Department of Public Safety,
499 upon appropriation by the Legislature. The Department of Revenue
500 shall establish by regulation the minimum requirements by which a



501 vehicle which has been issued a salvage certificate of title may
502 be issued a branded title.

503 (3) Before a branded title may be issued for a vehicle for
504 which a salvage certificate of title has been issued, the
505 applicant shall submit, by hand delivery or mail, such documents
506 and information to the Department of Public Safety as the
507 department may require for the purpose of determining if the
508 vehicle complies with the requirements of this section and all
509 applicable regulations promulgated by the Commissioner of Public
510 Safety and the Department of Revenue. The Department of Public
511 Safety also may require that an applicant bring a vehicle for
512 which application for a branded title is being made to a Highway
513 Patrol facility for a visual inspection whenever the department
514 deems that a visual inspection is necessary or advisable. Nothing
515 in this section shall be construed to prohibit inspectors of the
516 Mississippi Highway Patrol from conducting on-site inspections and
517 investigations of motor vehicle rebuilders or motor vehicle repair
518 businesses to determine if such businesses are in compliance with
519 all applicable laws relating to the motor vehicle title laws of
520 this state and regulations promulgated by the Commissioner of
521 Public Safety and the Department of Revenue.

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

