

By: Representative Lamar

To: Ways and Means

HOUSE BILL NO. 1589
(As Sent to Governor)

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

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

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

27 63-21-16. (1) All designated agents appointed by the
 28 department * * * under Section 63-21-13 * * * may electronically



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

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



54 error shall be corrected by the designated agent when the
55 statewide title registration system indicates that the data is
56 erroneous or is not valid for the purposes of titling the motor
57 vehicle, manufactured home or mobile home or for transfer of the
58 data.

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

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

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



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

81 (a) Prepare the application for certificate of title in
82 accordance with the requirements of Sections 63-21-15 and
83 63-21-45(1) (c);

84 (b) Obtain all required signatures; and

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

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



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

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

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

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



129 of applications for certificate of title data in the order of
130 priority established by the department * * *.

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

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

151 (12) Notwithstanding the foregoing, the department * * *
152 shall not issue a certificate of title to a manufactured home or
153 mobile home with respect to which title has been retired to real



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

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

177 (14) Any lienholder with a federal Employer Identification
178 Number (EIN) must electronically transmit the satisfaction and



179 release and discharge of a lien on a motor vehicle to the
180 department not later than fourteen (14) days after the date of
181 satisfaction of the lien. The failure of any such lienholder to
182 comply with the requirements of this subsection shall be a
183 violation of this chapter. Any such lienholder who knowingly and
184 willfully fails to transmit the satisfaction and release and
185 discharge of a lien on a motor vehicle within fourteen (14) days
186 after the date of the satisfaction of the lien shall be in
187 violation of this section, and subject to a civil penalty of up to
188 Two Hundred Fifty Dollars (\$250.00) per violation, which shall be
189 in addition to any other penalty provided in this chapter. In
190 addition, the lienholder shall be liable for any attorney's fees,
191 legal fees and/or other fees and costs incurred by a person in any
192 action necessary to discharge and/or release a lien or otherwise
193 affecting a lien for which the lienholder failed to transmit the
194 required information.

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



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

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

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

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



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

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

251 The State Fiscal Officer shall issue his warrants to the
252 State Treasurer for the expenditures for the implementation and



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

255 It is the intent of the Legislature that the operation of the
256 statewide motor vehicle, manufactured housing and mobile home
257 title registration system shall be the responsibility of the * * *
258 department.

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

268 A used motor vehicle parts dealer or scrap metal processor
269 must utilize the department's automated statewide motor vehicle
270 registration system for the purpose of complying with the
271 requirements of Section 63-21-39(1)(a).

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

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



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

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



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

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

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

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

316 (iv) A certification that the owner:

317 1. Never obtained a title to the vehicle in
318 his or her name; or

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

321 (v) A certification that the vehicle:

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

323 2. Is not subject to any security interest or
324 lien;

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



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

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

339 (vii) The owner's signature and the date of the
340 transaction;

341 (viii) The name and address of the business
342 acquiring the vehicle;

343 (ix) The National Motor Vehicle Title Information
344 System identification number; and

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

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



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

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

367 (i) The name, address and contact information for
368 the reporting entity;

369 (ii) The vehicle identification numbers of such
370 vehicles;

371 (iii) The dates such vehicles were obtained;

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

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



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

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

383 In addition, the used motor vehicle parts dealer or scrap
384 metal processor must certify compliance with the requirements of
385 Section 63-21-39(1)(a).

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

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



403 verification and copy of the identification card or number shall
404 be maintained by the purchasing or receiving used motor vehicle
405 parts dealer or scrap metal processor for a period of not less
406 than two (2) years.

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

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

423 (h) The information obtained by the department in
424 accordance with paragraph (d) of this subsection (1) shall be made
425 available only to law enforcement agencies and for purposes of
426 canceling certificates of title. The information shall otherwise



427 be considered to be confidential business information of the
428 respective reporting entities.

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

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

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

449 (ii) Upon conviction of a second or subsequent
450 offense, a felony, punishable by imprisonment for not less than
451 one (1) year nor more than five (5) years or a fine of not less



452 than One Thousand Dollars (\$1,000.00) nor more than Five Thousand
453 Dollars (\$5,000.00), or both.

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

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



477 Title Bureau, and one-half (1/2) of the monies generated from such
478 civil penalties shall be deposited in the general fund of the
479 municipality if the suit was brought in a municipal court, or in
480 the general fund of the county if the suit was brought in the
481 court of a county.

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



502 upon appropriation by the Legislature. The department * * * shall
503 establish by regulation the minimum requirements by which a
504 vehicle which has been issued a salvage certificate of title may
505 be issued a branded title.

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

525 **SECTION 4.** This act shall take effect and be in force from
526 and after January 1, 2025.

