

By: Senator(s) DeLano

To: Finance

SENATE BILL NO. 2900

1 AN ACT TO AMEND SECTION 63-21-39, MISSISSIPPI CODE OF 1972,  
 2 TO REVISE THE REQUIREMENTS FOR TRANSFERRING A MOTOR VEHICLE TO BE  
 3 SCRAPPED, DISMANTLED OR DESTROYED WHEN THE OWNER OR AUTHORIZED  
 4 AGENT OF THE OWNER DOES NOT HAVE THE MOTOR VEHICLE TITLED IN HIS  
 5 OR HER NAME; TO AMEND SECTION 63-21-16, MISSISSIPPI CODE OF 1972,  
 6 TO REQUIRE THE ELECTRONIC TRANSMISSION OF LIENS; TO AMEND SECTION  
 7 63-21-18, MISSISSIPPI CODE OF 1972, TO PROVIDE SCRAPPERS AND  
 8 DISMANTLERS WITH ACCESS TO THE MISSISSIPPI AUTOMATED REGISTRATION  
 9 VEHICLE INFORMATION NETWORK (MARVIN) WITH PAYMENT OF A \$100.00 FEE  
 10 TO THE DEPARTMENT OF REVENUE, WHICH SHALL BE RENEWED ANNUALLY; TO  
 11 AMEND SECTION 63-21-65, MISSISSIPPI CODE OF 1972, TO SPECIFY THE  
 12 FUND CREATED WITHIN THE STATE TREASURY FOR FUNDS USED FOR  
 13 ENFORCEMENT AND PERSONNEL AS THE "MOTOR TITLES REGISTRATION  
 14 ENFORCEMENT FUND"; TO AMEND SECTION 63-21-75, MISSISSIPPI CODE OF  
 15 1972, TO CREATE AN ENFORCEMENT DIVISION WITHIN THE MOTOR VEHICLE  
 16 SERVICES BUREAU WITHIN THE DEPARTMENT OF REVENUE; AND FOR RELATED  
 17 PURPOSES.

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

19 **SECTION 1.** Section 63-21-39, Mississippi Code of 1972, is  
 20 amended as follows:

21 63-21-39. (1) (a) An owner who scraps, dismantles or  
 22 destroys a vehicle and a person who purchases a vehicle as scrap  
 23 or to be dismantled or destroyed shall indicate same on the back  
 24 of the certificate of title and shall immediately cause the  
 25 certificate of title and any other documents required by the



26 department \* \* \* to be mailed or delivered to the department \* \* \*  
27 for cancellation. A certificate of title of the vehicle shall not  
28 again be issued except upon application containing the information  
29 the department \* \* \* requires, accompanied by a certificate of  
30 inspection in the form and content specified in Section  
31 63-21-15(5) and proof of payment of a fee as provided in  
32 subsection (2) of this section. Before an individual or entity  
33 acquires a vehicle from the purported owner or agent of the owner  
34 of the vehicle being sold for purpose of scrapping, dismantling or  
35 destroying the vehicle, the acquiring individual or entity shall  
36 perform a preliminary background check on the vehicle to determine  
37 the validity of the vehicle's title and registration and that any  
38 lien for said vehicle is unencumbered. The initial title,  
39 registration and lien background check shall be performed by the  
40 individual or entity acquiring it using the Mississippi Automated  
41 Registration Vehicle Information Network (MARVIN) software.  
42 However, if the scrapping or dismantling entity is not equipped  
43 with access to MARVIN, the acquiring entity shall adhere to the  
44 attestation of owner and vehicle information required under  
45 paragraph (b) of this subsection.

46 (b) Notwithstanding any other provision of this chapter  
47 to the contrary, if the owner or authorized agent of the owner has  
48 not obtained a title in his or her name for the vehicle to be  
49 transferred, has lost the title for the vehicle to be transferred,  
50 or has returned the title to the department \* \* \* in accordance



51 with paragraph (a) of this subsection, he or she may sign a  
52 statement swearing that, in addition to the foregoing conditions,  
53 the vehicle is at least \* \* \* thirteen (13) model years old and  
54 has not been registered for at least the previous three (3) years.

55 The statement described in this paragraph may be used only to  
56 transfer such a vehicle to a licensed used motor vehicle parts  
57 dealer or scrap metal processor. The department shall promulgate  
58 a form for the statement which shall include, but not be limited  
59 to:

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

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

64 (iii) The name, address, and driver's license  
65 number, nondriver identification card number or tribal  
66 identification card number of the owner;

67 (iv) A certification that the owner:

68 1. Never obtained a title to the vehicle in  
69 his or her name; or

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

72 (v) A certification that the vehicle:

73 1. Is at least \* \* \* thirteen (13) model  
74 years old and has not been registered for at least the previous  
75 three (3) years; and



76                   2. Is not subject to any security interest or  
77 lien;

78                   (vi) An acknowledgment that the owner and buyer of  
79 the vehicle realizes this form will be filed with the department  
80 and that:

81                   1. It is a misdemeanor, punishable by a fine  
82 of not more than One Thousand Dollars (\$1,000.00) or imprisonment  
83 for not more than six (6) months, or both, for conviction of a  
84 first offense of knowingly falsifying any information on this  
85 statement; \* \* \*

86                   2. It is a felony, punishable by a fine of  
87 not less than One Thousand Dollars (\$1,000.00) nor more than Five  
88 Thousand Dollars (\$5,000.00) or imprisonment for not less than one  
89 (1) year nor more than five (5) years, or both, for conviction of  
90 a second or subsequent offense of knowingly falsifying any  
91 information on this statement; and

92                   3. The department, acting through the Motor  
93 Vehicle Services Bureau, shall enforce violations of this  
94 subsection by fines and penalties imposed and collected by the  
95 department, which shall be deposited into a special fund that is  
96 created in the State Treasury under Section 63-21-65.

97                   (vii) The owner's signature and the date of the  
98 transaction;

99                   (viii) The name and address of the business  
100 acquiring the vehicle;



101                   (ix) The National Motor Vehicle Title Information  
102 System identification number; and

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

106                   (c) Until such time as the department makes available  
107 an internet-based system, the used motor vehicle parts dealer or  
108 scrap metal processor shall mail or otherwise deliver the  
109 statement required under paragraph (b) of this subsection (1) to  
110 the department \* \* \* within three (3) business days of the  
111 completion of the transaction, requesting that the department  
112 cancel the Mississippi certificate of title and registration.  
113 Once the department develops an Internet-based system, the used  
114 motor vehicle parts dealer or scrap metal processor shall utilize  
115 such system and within two (2) business days electronically submit  
116 the information contained in the statement using that system.

117                   (d) Within two (2) business days of each day's close of  
118 business, the used motor vehicle parts dealer or scrap metal  
119 processor who purchases or receives motor vehicles for scrap or  
120 for parts shall deliver in a format approved by the department, by  
121 electronic means once developed and made available by the  
122 department, a list of all such vehicles purchased that day for  
123 scrap or for parts. That list shall contain the following  
124 information:



125 (i) The name, address and contact information for  
126 the reporting entity;

127 (ii) The vehicle identification numbers of such  
128 vehicles;

129 (iii) The dates such vehicles were obtained;

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

133 (v) A statement of whether the vehicles were, or  
134 will be, crushed or disposed of, or offered for sale or other  
135 purposes;

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

138 (vii) The National Motor Vehicle Title Information  
139 System identification number of the business acquiring the  
140 vehicle.

141 (e) (i) For purposes of this subsection, the term  
142 "motor vehicle" shall not include a vehicle which has been crushed  
143 or flattened by mechanical means such that it is no longer the  
144 motor vehicle as described by the certificate of title, or such  
145 that the vehicle identification number is no longer visible or  
146 accessible.

147 (ii) In cases in which crushed or flattened  
148 vehicles are purchased or received, the purchasing or receiving  
149 used motor vehicle parts dealer or scrap metal processor shall



150 verify that the seller has reported the vehicles in accordance  
151 with this subsection. Such verification may be in the form of a  
152 certification from the seller or a contract between the seller and  
153 the purchasing or receiving used motor vehicle parts dealer or  
154 scrap metal processor attesting to the seller's compliance with  
155 the reporting requirements of this subsection. Such verification  
156 must clearly identify the seller by a government issued photograph  
157 identification card or employer identification number, and the  
158 verification and copy of the identification card or number shall  
159 be maintained by the purchasing or receiving used motor vehicle  
160 parts dealer or scrap metal processor for a period of not less  
161 than two (2) years.

162 (f) The information obtained by the department in  
163 accordance with paragraph (d) of this subsection (1) shall be  
164 reported to the National Motor Vehicle Title Information System,  
165 in a format that will satisfy the requirement for reporting this  
166 information, in accordance with rules adopted by the United States  
167 Department of Justice in 28 CFR 25.56.

168 (g) Until such time as the department develops and  
169 makes available the internet-based system described in paragraph  
170 (d) of this subsection, the used motor vehicle parts dealer or  
171 scrap metal processor who purchases or receives motor vehicles for  
172 scrap or for parts shall deliver the information required by  
173 paragraph (d) to the National Motor Vehicle Title Information  
174 System through any data consolidator approved by such system,



175 within forty-eight (48) hours of the day the vehicle was purchased  
176 or acquired by such used motor vehicle parts dealer or scrap metal  
177 processor which shall satisfy the requirements of paragraph (d).

178 (h) The information obtained by the department in  
179 accordance with paragraph (d) of this subsection (1) shall be made  
180 available only to law enforcement agencies and for purposes of  
181 canceling certificates of title. The information shall otherwise  
182 be considered to be confidential business information of the  
183 respective reporting entities.

184 (i) All records required under the provisions of this  
185 subsection shall be maintained for a period of two (2) years by  
186 the reporting entity and shall include a scanned or photocopied  
187 copy of the seller's or seller's representative's driver's license  
188 or state-issued identification card or other valid form of  
189 identification.

190 (j) A person who knowingly and willfully violates this  
191 subsection (1), or any person who knowingly and willfully  
192 falsifies or assists another person in falsifying the statement or  
193 information required under paragraph (b) or (d) of this  
194 subsection, or any person who knowingly and willfully sells a  
195 vehicle upon which there is an unsatisfied lien or security  
196 interest, or who purchases a vehicle without complying with either  
197 paragraph (a) or (b) of this subsection and who knowingly and  
198 willfully destroys or dismantles a vehicle upon which he knows  
199 that there is an unsatisfied lien or security interest shall:





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

204 (ii) Upon conviction of a second or subsequent  
205 offense, a felony, punishable by imprisonment for not less than  
206 one (1) year nor more than five (5) years or a fine of not less  
207 than One Thousand Dollars (\$1,000.00) nor more than Five Thousand  
208 Dollars (\$5,000.00), or both.

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

213 (k) A person who knowingly and willfully fails to  
214 deliver the title as required under paragraph (a) of this  
215 subsection, or the statement required under paragraph (b) of this  
216 subsection to the department \* \* \* within seventy-two (72) hours  
217 of the completion of the transaction, or who, until such time as  
218 the department develops and makes available the Internet-based  
219 system described in paragraph (d), fails to deliver the  
220 information required by paragraph (d) to the National Motor  
221 Vehicle Title Information System through any data consolidator  
222 approved by such system, within two (2) business days of the day  
223 the vehicle was purchased or acquired by such used motor vehicle  
224 parts dealer or scrap metal processor shall be in violation of



225 this section, and subject to a civil penalty of up to One Thousand  
226 Dollars (\$1,000.00) per violation. Actions to impose this penalty  
227 may be brought by any local or state law enforcement agency,  
228 district attorney, or by the Attorney General, in any court of  
229 competent jurisdiction. One-half (1/2) of the monies generated  
230 from such civil penalties shall be deposited in a special fund  
231 created in the State Treasury for use by the department's \* \* \*  
232 Title Bureau, and one-half (1/2) of the monies generated from such  
233 civil penalties shall be deposited in the general fund of the  
234 municipality if the suit was brought in a municipal court, or in  
235 the general fund of the county if the suit was brought in the  
236 court of a county.

237 (2) For the purpose of requesting a branded title on a  
238 vehicle with a salvage certificate of title, every owner of a  
239 vehicle that has been issued a salvage certificate of title in  
240 this state or any other state which has been restored in this  
241 state to its operating condition which existed prior to the event  
242 which caused the salvage certificate of title to be issued shall  
243 make application to the department \* \* \*, accompanied by a  
244 certificate of inspection issued by the Department of Public  
245 Safety in the form and content specified in Section 63-21-15(5)  
246 and the payment of a fee of Seventy-five Dollars (\$75.00) for each  
247 motor vehicle for which a certificate of inspection is issued. In  
248 addition, the Department of Public Safety may charge such a person  
249 a fee in the amount of Twenty-five Dollars (\$25.00) for performing



250 any vehicle identification number verification required by federal  
251 law or regulation for the vehicle for which the person is applying  
252 for a title. All such monies shall be collected by the Department  
253 of Public Safety and paid to the State Treasurer for deposit in a  
254 special fund that is hereby created in the State Treasury to be  
255 known as the "Salvage Certificate of Title Fund." Monies in the  
256 special fund may be expended by the Department of Public Safety,  
257 upon appropriation by the Legislature. The department \* \* \* shall  
258 establish by regulation the minimum requirements by which a  
259 vehicle which has been issued a salvage certificate of title may  
260 be issued a branded title.

261 (3) Before a branded title may be issued for a vehicle for  
262 which a salvage certificate of title has been issued, the  
263 applicant shall submit, by hand delivery or mail, such documents  
264 and information to the Department of Public Safety as the  
265 department may require for the purpose of determining if the  
266 vehicle complies with the requirements of this section and all  
267 applicable regulations promulgated by the Commissioner of Public  
268 Safety and the department \* \* \*. The Department of Public Safety  
269 also may require that an applicant bring a vehicle for which  
270 application for a branded title is being made to a Highway Patrol  
271 facility for a visual inspection whenever the department deems  
272 that a visual inspection is necessary or advisable. Nothing in  
273 this section shall be construed to prohibit inspectors of the  
274 Mississippi Highway Patrol from conducting on-site inspections and



275 investigations of motor vehicle rebuilders or motor vehicle repair  
276 businesses to determine if such businesses are in compliance with  
277 all applicable laws relating to the motor vehicle title laws of  
278 this state and regulations promulgated by the Commissioner of  
279 Public Safety and the department \* \* \*.

280 (4) The percentage of fines and penalties imposed and  
281 collected under the authority of subsection (1)(k) by the  
282 department for violations of this section shall be deposited into  
283 a special fund that is created in the State Treasury under Section  
284 63-21-65.

285 **SECTION 2.** Section 63-21-16, Mississippi Code of 1972, is  
286 amended as follows:

287 63-21-16. (1) All designated agents appointed by the  
288 department \* \* \* under Section 63-21-13, Mississippi Code of 1972,  
289 may electronically transmit to the department \* \* \* information  
290 entered by them on applications for a certificate of title given  
291 in connection with the sale or transfer of a motor vehicle,  
292 manufactured home or mobile home or a loan for which the owner's  
293 motor vehicle, manufactured home or mobile home is pledged to that  
294 institution as collateral for the loan. The format and the data  
295 required to be transmitted shall be established by the  
296 department \* \* \*. Transmission of data shall meet minimum  
297 criteria and edits established by the department \* \* \* equal to  
298 any edit presently existing in the statewide title registration  
299 system, or as may be established, to which the county tax



300 collectors shall also conform. All data transmitted must  
301 successfully pass edits established by the department \* \* \*,  
302 including lienholder name, mailing address and lienholder account  
303 number assigned to a lienholder by the department \* \* \* to  
304 identify the lienholder, for the purpose of causing the data to  
305 appear in the certificate of title for which the application is  
306 made.

307 (2) It shall be the responsibility of the designated agent  
308 to verify all data before it is electronically transmitted. It  
309 shall also be the responsibility of the designated agent to ensure  
310 that the required certification of designated agent and the  
311 certification of statement of facts that are contained on the  
312 application for certificate of title appear above the signatures  
313 of both the owner and the authorized representative of the  
314 designated agent. Data which cannot be transmitted because of  
315 error shall be corrected by the designated agent when the  
316 statewide title registration system indicates that the data is  
317 erroneous or is not valid for the purposes of titling the motor  
318 vehicle, manufactured home or mobile home or for transfer of the  
319 data.

320 (3) When an institution has agreed to loan money for the  
321 purchase of a motor vehicle, manufactured home or mobile home, the  
322 institution shall complete an application for certificate of title  
323 or require the borrower to provide to the institution the copy of  
324 the application for certificate of title contained in the



325 application packet which is designated "Lienholder's Copy"  
326 according to provisions of the Motor Vehicle and Manufactured  
327 Housing Title Law, which the owner will receive from the county  
328 tax collector or any designated agent upon completion of the  
329 application for title and registration process.

330 (4) An application for certificate of title originating from  
331 a designated agent shall be entered on the statewide title  
332 registration system by the originating lending institution when  
333 the transaction is for the purpose of perfecting the institution's  
334 interest in a vehicle, manufactured home or mobile home currently  
335 owned or purchased by the applicant, in connection with  
336 application for certificate of title or the purchase of a license  
337 tag or both.

338 (5) When an institution in this state adds a second lien on  
339 a certificate of title in possession of a first lienholder  
340 institution in this state, the second lienholder institution  
341 seeking to be shown on the certificate of title shall:

342 (a) Prepare the application for certificate of title in  
343 accordance with the requirements of Sections 63-21-15 and  
344 63-21-45(1) (c);

345 (b) Obtain all required signatures; and

346 (c) Forward the completed application for certificate  
347 of title to the first lienholder together with any necessary  
348 remittance advice, a check for the title fee payable to the  
349 department \* \* \* and a cover letter to the first lienholder



350 requesting that the first lienholder attach the certificate of  
351 title to the required documents sent by the second lienholder and  
352 then forward the application, certificate of title and required  
353 documents to the department \* \* \*.

354 (6) Upon receipt of the application for certificate of title  
355 from the second lienholder institution to record the second lien,  
356 the first lienholder institution shall compare the data contained  
357 in the application for certificate of title to the information  
358 contained in the original certificate of title. If the first  
359 lienholder institution is satisfied as to the ownership, accuracy  
360 and order of priority of liens as shown in the application, it  
361 shall enter the data contained on the application for certificate  
362 of title prepared by the second lienholder on the statewide title  
363 registration system, including the designated agent number of the  
364 second lienholder. After entering the data from the application  
365 for certificate of title, the first lienholder institution shall  
366 immediately forward the application for certificate of title with  
367 the certificate of title attached to the application, the  
368 remittance advice and the second lienholder's check for the title  
369 fee to the department \* \* \* within three (3) working days.

370 (7) In an assignment of lien pursuant to Section 63-21-47,  
371 the assignee shall receive the notice of assignment along with the  
372 current title attached and with the assignor's interest open. The  
373 assignee lienholder shall prepare an application for certificate  
374 of title according to the notice of assignment, showing the



375 assignee institution as the lienholder, and then shall  
376 electronically transmit the data to the department \* \* \*. The  
377 completed application shall be forwarded to the department \* \* \*  
378 within three (3) working days.

379 (8) The department \* \* \*, upon receipt of applications for  
380 certificate of title, shall verify the data by accessing it on the  
381 statewide title registration system by the title application  
382 control number appearing on the application for title. After  
383 receiving verification that is satisfactory to the  
384 department \* \* \* that the data necessary for the issuance of a new  
385 certificate of title exists, the department \* \* \* shall issue a  
386 new certificate of title that records the interests of all the  
387 parties named in the application for certificate of title.

388 (9) Designated agents shall be connected to the statewide  
389 title registration system for the purpose of electronic transfer  
390 of applications for certificate of title data in the order of  
391 priority established by the department \* \* \*.

392 (10) If a participating designated agent fails to comply  
393 with the provisions of this section or the rules adopted by the  
394 department \* \* \* to implement this section, the department \* \* \*  
395 may impose a penalty of Twenty-five Dollars (\$25.00) for each  
396 instance of noncompliance. Any penalty imposed under this section  
397 not paid within thirty (30) days after a notice is given shall be  
398 subject to collection from the bond of the designated agent that  
399 is required to be provided under the provisions of Section





400 63-21-13(3). The penalty provided shall also be assessable, due  
401 and collectible from any licensed motor vehicle dealer or  
402 manufactured home or mobile home dealer for failure to accept an  
403 application for certificate of title for each and every vehicle,  
404 manufactured home or mobile home he sells to a consumer. These  
405 penalties shall be cumulative, supplemental and in addition to the  
406 penalties provided by any other law.

407 (11) This section shall apply to all designated agents  
408 appointed by the department \* \* \* under Section 63-21-13, that  
409 choose to electronically transmit information on applications for  
410 certificates of title to the department \* \* \*. This section shall  
411 not apply to other designated agents.

412 (12) Notwithstanding the foregoing, the department \* \* \*  
413 shall not issue a certificate of title to a manufactured home or  
414 mobile home with respect to which title has been retired to real  
415 property under Section 63-21-30 unless with respect to the same  
416 manufactured home or mobile home title has been severed from real  
417 property pursuant to Section 63-21-30.

418 (13) Notwithstanding any requirement in this chapter that a  
419 lien on a motor vehicle or manufactured home shall be noted on the  
420 face of the certificate of title, if there are one or more liens  
421 or encumbrances on the motor vehicle or manufactured home, the  
422 department \* \* \* shall electronically transmit the lien to the  
423 first lienholder and notify the first lienholder of any additional  
424 liens. Subsequent lien satisfactions \* \* \* must be electronically



425 transmitted to the department \* \* \* and shall include the name and  
426 address of the person satisfying the lien. When electronic  
427 transmission of liens and lien satisfactions is used, a  
428 certificate of title need not be issued until the last lien is  
429 satisfied and a clear certificate of title is issued to the owner  
430 of the motor vehicle or manufactured home. When a motor vehicle  
431 is subject to an electronic lien, the certificate of title for the  
432 motor vehicle shall be considered to be physically held by the  
433 lienholder for purposes of compliance with state or federal  
434 odometer disclosure requirements. A duly certified copy of the  
435 department's \* \* \* electronic record of the lien shall be  
436 admissible in any civil, criminal \* \* \* or administrative  
437 proceeding in this state as evidence of the existence of the lien.

438 **SECTION 3.** Section 63-21-18, Mississippi Code of 1972, is  
439 amended as follows:

440 63-21-18. (1) (a) The \* \* \* Department of Information  
441 Technology Services shall provide equipment for the operation and  
442 maintenance of the automated statewide motor vehicle, manufactured  
443 housing and mobile home registration system by the \* \* \*  
444 department.

445 (b) The automated statewide motor vehicle, manufactured  
446 housing and mobile home registration system shall provide for  
447 computer terminals and printers, as authorized by the \* \* \*  
448 Department of Information Technology Services, to be located in  
449 the quantity necessary in each county seat tax collector's office



450 and any other office in which more than fifty percent (50%) of the  
451 motor vehicle registrations in the county are made.

452       (2) All county tax collectors shall participate in such  
453 system as it applies to Chapter 19, Title 27; Chapter 51, Title  
454 27; Chapter 21, Title 63; Mississippi Code of 1972, in accordance  
455 with rules and regulations promulgated by the \* \* \* department.  
456 Such rules and regulations shall provide that counties which have  
457 an existing computer system designed to produce registration data  
458 may elect to use such existing system to communicate  
459 title/registration data to the \* \* \* department through the  
460 computer furnished by the state as hereinabove provided in this  
461 section. If the \* \* \* department finds and determines that a  
462 county has failed to successfully establish or update  
463 title/registration data into the statewide vehicle, manufactured  
464 housing and mobile home title/registration system, either through  
465 use of equipment supplied by the \* \* \* department or through the  
466 interfacing between the network system and county computer  
467 equipment, the \* \* \* department shall thereafter cause to be  
468 withheld the county's homestead exemption reimbursement monies,  
469 except for school districts and municipalities, until such time as  
470 the county has complied with this provision. Such monies as are  
471 withheld from a county for failure to comply with this provision  
472 shall be placed into a special escrow account to be established in  
473 the State Treasury. Once the county achieves compliance by  
474 successfully establishing or updating title/registration data into



475 the statewide vehicle, manufactured housing and mobile home  
476 title/registration system, then the \* \* \* department shall cause  
477 to be released to the county all funds held in escrow on the  
478 county's behalf during the period of noncompliance. All interest  
479 earned shall accrue to the benefit of the county on any funds  
480 placed in an escrow account. Any cost involved in interfacing  
481 between existing county computer systems and the state-provided  
482 computer shall be paid by the county.

483 (3) The computer terminals and printers placed in each  
484 county tax collector's office may be utilized to provide  
485 additional computer functions as authorized by the \* \* \*  
486 Department of Information Technology Services.

487 (4) The State Fiscal Officer shall issue his warrants to the  
488 State Treasurer for the expenditures for the implementation and  
489 maintenance of the system upon requisitions signed by the Chairman  
490 of the \* \* \* department, as authorized by the Legislature.

491 (5) (a) It is the intent of the Legislature that the  
492 operation of the statewide motor vehicle, manufactured housing and  
493 mobile home title registration system shall be the responsibility  
494 of the \* \* \* department.

495 (b) The \* \* \* department shall provide for the transfer  
496 of motor vehicle, manufactured housing and mobile home title and  
497 lien registration information to the \* \* \* department by  
498 electronic means from banks and other lending institutions as  
499 provided in Section 63-21-18. The \* \* \* Department of Information



500 Technology Services shall cooperate with the \* \* \* department in  
501 implementing the provisions of Section 63-21-18, and shall provide  
502 the \* \* \* department with whatever assistance the \* \* \* department  
503 needs to carry out the provisions of Section 63-21-18.

504 (6) Any entity engaged in the business of scrapping,  
505 dismantling or destroying vehicles, and governed under the  
506 authority of Section 63-21-39 shall, upon the payment of a fee of  
507 One Hundred Dollars (\$100.00) to the department, be provided  
508 remote or online access to the Mississippi Automated Registration  
509 Vehicle Information Network (MARVIN) to investigate the validity  
510 of the titles, registrations and unencumbered liens on vehicles  
511 purchased for scrapping or dismantling, to ensure compliance with  
512 the provisions of this chapter. Continued access to the MARVIN  
513 program software shall be renewed on an annual basis by the entity  
514 engaged in the scrapping business.

515 **SECTION 4.** Section 63-21-65, Mississippi Code of 1972, is  
516 amended as follows:

517 63-21-65. The department \* \* \* shall deposit the fees  
518 collected under this chapter into a special fund that is created  
519 in the State Treasury to be known as the "Motor Title and  
520 Registration Enforcement Fund" to the credit of the department.  
521 The fund shall consist of monies appropriated by the Legislature  
522 for the enforcement of this chapter and funds from fees and fines  
523 authorized under Sections 63-21-18 and 63-21-39. As much of those  
524 fees as appropriated by the Legislature shall only be used by the



525 department to defray the cost of carrying out the duties of the  
526 department and the Motor Vehicle Services Bureau and to defray  
527 expenses for enforcement officers' salaries and fringe benefits  
528 and other costs to implement and enforce the provisions of this  
529 chapter, including the maintenance of the automated statewide  
530 motor vehicle and manufactured housing registration system.  
531 Unexpended amounts remaining in the fund at the end of a fiscal  
532 year shall not lapse into the State General Fund, and any interest  
533 earned or investment earnings on amounts in the fund shall be  
534 deposited to the credit of the fund.

535 **SECTION 5.** Section 63-21-75, Mississippi Code of 1972, is  
536 amended as follows:

537 63-21-75. (1) (a) The department \* \* \* is charged with the  
538 enforcement of the provisions of this chapter and \* \* \* is \* \* \*  
539 authorized and empowered to:

540 (i) Create an enforcement division within the  
541 Motor Vehicle Services Bureau, which shall employ the necessary  
542 employees and sworn law enforcement officers to administer the  
543 enforcement of the laws prescribed under this chapter; and

544 (ii) Call upon any and all law enforcement  
545 agencies and officers of this state for \* \* \* any assistance as it  
546 may deem necessary in order to assure such enforcement.

547 (b) It shall be the duty of \* \* \* the enforcement  
548 officers of the bureau, law enforcement agencies and officers to



549 render \* \* \* assistance to the department \* \* \* when called upon  
550 by the \* \* \* Motor Vehicle Services Bureau to so do.

551 (2) The Associate Commissioner for Income and Property Tax  
552 may investigate, for the purpose of prosecution, any suspected  
553 criminal violation of the provisions of this chapter. For the  
554 purpose of the administration and enforcement of this chapter, the  
555 associate commissioner, director of the Motor Vehicle Services  
556 Bureau and enforcement employees have the powers of a peace  
557 officer of this state.

558 **SECTION 6.** This act shall take effect and be in force from  
559 and after July 1, 2024.

