

**Adopted
AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1338

BY: Representative Owen

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

5 **SECTION 1.** Section 25-1-87, Mississippi Code of 1972, is
6 amended as follows:
7 25-1-87. All motor vehicles owned or leased by the State of
8 Mississippi or any agency, department or political subdivision
9 thereof, which shall include counties and municipalities, when
10 such agency or department or political subdivision, which shall
11 include counties and municipalities, is supported wholly or in
12 part by public taxes or by appropriations from public funds, shall
13 have painted on both sides in letters at least three (3) inches in
14 height, and on the rear in letters not less than one and one-half



15 (1-1/2) inches in height, the name of the state agency or
16 department, or political subdivision, which shall include counties
17 and municipalities, in a color which is in contrast with the color
18 of the vehicle; provided, however, that a permanent decal may be
19 used in lieu of paint, and provided further, that any state agency
20 or department, or political subdivision, which shall include
21 counties and municipalities, * * * may affix a permanent decal or
22 design at least twelve (12) inches in height and twelve (12)
23 inches in width on both sides of the vehicle with the name of the
24 municipality within or across the permanent decal or design, and
25 the permanent design or decal shall be in a color or colors which
26 are in contrast with the color of the vehicle. No privilege
27 license tag shall be issued for such vehicle until the name has
28 been painted thereon or a permanent design or decal affixed
29 thereto as required by this section. A permanent decal may be
30 used in lieu of paint. The provisions of this paragraph shall not
31 apply to vehicles used by the Chief Executive of the State of
32 Mississippi, to vehicles owned or leased by the Department of
33 Economic and Community Development, to vehicles owned or leased by
34 the Office of the Attorney General, to vehicles owned or leased
35 motor vehicles operated by the Department of Mental Health or by
36 facilities operated by the Department of Mental Health and used
37 for transporting patients living in group homes or alternative
38 living arrangements, up to four (4) vehicles owned or leased by
39 economic development districts or economic development



40 authorities, up to three (3) vehicles owned or leased by the
41 Department of Insurance for use by the State Fire Marshal's
42 Office, up to three (3) vehicles owned or leased by the Department
43 of Corrections and used only by Community Services Division
44 officers, to vehicles owned or leased by the Department of Public
45 Safety for executive protection, and to vehicles owned or leased
46 by the Agricultural and Livestock Theft Bureau of the Department
47 of Agriculture and Commerce and used for investigative purposes.

48 * * * The provisions of this paragraph shall not apply to one (1)
49 vehicle owned or leased by the Executive Director of the
50 Department of Mental Health, * * * the Mississippi Division of
51 Medicaid, * * * the State Department of Rehabilitation
52 Services, * * * the Mississippi Department of
53 Transportation, * * * the Commissioner of the Mississippi
54 Department of Corrections, * * * the Mississippi Department of
55 Marine Resources, or to not more than one (1) vehicle owned or
56 leased by the Department of Revenue; * * * the State Adjutant
57 General, the Commissioner of Public Safety, * * * the Alcoholic
58 Beverage Control Division of the Department of Revenue, * * * the
59 Mississippi Department of Wildlife, Fisheries and Parks, the
60 Director of the Bureau of Narcotics, * * * the Board of Pharmacy,
61 the Executive Director of the Mississippi Gaming Commission, the
62 State Auditor or a president or chancellor of a state institution
63 of higher learning * * *.



64 The Governor may authorize the use of specified unmarked vehicles
65 upon written request of any state agency department or political
66 subdivision only in instances where such identifying marks will
67 hinder official investigations. * * * The written request shall
68 contain the manufacturer's serial number, the state inventory
69 number, where applicable, and shall set forth why the vehicle
70 should be exempt. In the event the request is granted, the
71 Governor shall furnish the State Department of Audit with a copy
72 of his written authority for the use of the unmarked vehicles.
73 The governing authorities of any municipality may authorize the
74 use of specified, unmarked police vehicles when identifying marks
75 would hinder official criminal investigations by the police.
76 The * * * order or resolution authorizing such shall contain the
77 manufacturer's serial number, the state inventory number, where
78 applicable, and shall set forth why the vehicle should be exempt
79 from the provisions of this paragraph. * * * The governing
80 authority * * * shall enter its order or resolution on the minutes
81 and shall furnish the State Department of Audit with a certified
82 copy of its order or resolution for the use of the unmarked police
83 vehicle. The governing authorities of any board or political
84 subdivision of the State of Mississippi may authorize the use of
85 specified, unmarked vehicles when identifying marks would hinder
86 official investigations by a sworn law enforcement officer. The
87 governing authority of any airport or school may authorize the use
88 of unmarked vehicles when identifying mark will compromise



89 security at such airport or school. The order or resolution
90 authorizing such unmarked vehicles shall contain the
91 manufacturer's serial number, the inventory number, and shall set
92 forth why the vehicle should be exempt from the provisions of this
93 paragraph. The governing authority shall enter its order or
94 resolution on the minutes and shall furnish the State Department
95 of Audit with a certified copy of its order or resolution for the
96 use of the unmarked police vehicle. The state property auditors
97 of the State Department of Audit shall personally examine vehicles
98 owned or leased by the State of Mississippi or any agency,
99 department or commission thereof and report violations of the
100 provisions of this paragraph to the State Auditor and the Chairman
101 of the Joint Legislative Committee on Performance Evaluation and
102 Expenditure Review. Any vehicle found to be in violation of this
103 paragraph shall be reported immediately to the department head
104 charged with such vehicle, and five (5) days shall be given for
105 compliance; and if not complied with, such vehicles shall be
106 impounded by the State Auditor until properly marked or exempted.

107 Upon notification to the Department of Revenue by the State
108 Auditor that any municipality or political subdivision is not in
109 compliance with this section, the Department of Revenue shall
110 withhold any sales tax due for distribution to any such
111 municipality and any excise tax on gasoline, diesel fuel, kerosene
112 and oil due any such county and for any months thereafter, and
113 shall continue to withhold such funds until compliance with this



114 section is certified to the Department of Revenue by the State
115 Department of Audit.

116 County-owned motor vehicles operated by the sheriff's
117 department shall not be subject to the provisions of this section,
118 but shall be subject to the provisions of Section 19-25-15.

119 County-owned motor vehicles operated by a family court established
120 pursuant to Section 43-23-1 et seq., shall not be subject to the
121 provisions of this section.

122 * * *

123 **SECTION 2.** This act shall take effect and be in force from
124 and after July 1, 2025.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 25-1-87, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE PROVISIONS OF LAW REGULATING UNMARKED VEHICLES FOR
3 PURPOSES OF CLARIFICATION; AND FOR RELATED PURPOSES.

