

By: Representative Gunn

To: Transportation

HOUSE BILL NO. 790

1 AN ACT TO PROVIDE EDUCATIONAL REQUIREMENTS FOR THE ISSUANCE  
2 AND RENEWAL OF MOTOR VEHICLE TAG PERMITS FOR USED MOTOR VEHICLE  
3 DEALERS; TO AMEND SECTION 27-19-305, MISSISSIPPI CODE OF 1972, IN  
4 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** The following shall be codified as Section  
7 27-19-306, Mississippi Code of 1972:

8 27-19-306. (1) Beginning January 1, 2005, every application  
9 for the issuance or renewal by a used motor vehicle dealer of a  
10 motor vehicle tag permit shall be accompanied by, or supported by,  
11 such evidence as the State Tax Commission shall prescribe,  
12 documenting the completion of an education seminar, approved by  
13 the commission, during the twelve-month period immediately  
14 preceding the date of application. Completion of an eight-hour  
15 licensing course shall be required for an initial permit and  
16 completion of a four-hour continuing education course shall be  
17 required for the renewal of the permit. The education  
18 requirements of this section shall not apply to a used motor  
19 vehicle dealer whose primary business is the sale of salvage  
20 vehicles on behalf of insurers or to a manufactured home dealer.  
21 The education requirements of this section shall not apply to  
22 persons age sixty-two (62) years or older, on or before January  
23 2005, who are seeking to renew a permit.

24 (2) The State Tax Commission may grant prior approval to any  
25 of the following types of educational activities to meet  
26 continuing education requirements:

27 (a) Seminars approved by the State Tax Commission;

28           (b) National or state automobile association sponsored  
29 seminars, courses of instruction or meetings;

30           (c) Courses related to used motor vehicles at any state  
31 certified institution of higher learning;

32           (d) Seminars or courses related to used cars sponsored  
33 or participated in by any state or federal agency; and

34           (e) Any other seminar, course or meeting which the  
35 commission deems to be appropriately related to the used car  
36 business.

37           (3) Requests for approval of any continuing educational  
38 activity shall be submitted to the State Tax Commission before the  
39 date of attendance, and shall include a complete and specific  
40 description of the educational activity, a description of how it  
41 will benefit permittees in conducting their businesses, the number  
42 of hours involved, a description of the method which will be used  
43 to ensure attendance and copies of any instructional materials  
44 which will be provided to attendees. At the time approval is  
45 granted, the State Tax Commission shall determine how many hours  
46 of continuing education a permittee may receive by attending the  
47 program. At any time the State Tax Commission deems that a  
48 previously approved educational activity is not meeting the  
49 requirements for continuing education, it may revoke the approval  
50 of the activity.

51           (4) The State Tax Commission may deny an application for a  
52 permit or revoke a permit for failure to comply with the  
53 provisions of this section.

54           **SECTION 2.** Section 27-19-305, Mississippi Code of 1972, is  
55 amended as follows:

56           27-19-305. A dealer shall make application to the commission  
57 on forms prescribed and furnished him to obtain a distinguishing  
58 number for such motor vehicles as are owned by such dealer. The  
59 commission shall issue to the applicant a motor vehicle dealer tag  
60 permit containing the name and address of the dealership and such

61 further information as the commission may determine to be  
62 necessary; however, used motor vehicle dealers must meet the  
63 educational requirements of Section 27-19-306 in order to be  
64 issued a permit. The place of business or agency herein referred  
65 to shall mean a place in any city, town, or locality where motor  
66 vehicles owned or assigned to such dealer are regularly kept or  
67 exposed for sale in the custody or control of the dealer,  
68 salesman, employee, or agent of such dealer.

69       **SECTION 3.** This act shall take effect and be in force from  
70 and after July 1, 2005.