

By: Senator(s) Carmichael

To: Business and Financial
Institutions

SENATE BILL NO. 2802

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, 2006, every application
9 for the issuance by a used motor vehicle dealer of a motor vehicle
10 tag permit shall be accompanied by, or supported by, such evidence
11 as the State Tax Commission shall prescribe, documenting the
12 completion of an education seminar, approved by the commission,
13 during the twelve-month period immediately preceding the date of
14 application. Completion of an eight-hour licensing course shall
15 be required for the issuance of a permit. The education
16 requirements of this section shall not apply to a used motor
17 vehicle dealer whose primary business is the sale of salvage
18 vehicles on behalf of insurers or to a manufactured home dealer.

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

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

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

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

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

29 (e) Any other seminar, course or meeting which the
30 commission deems to be appropriately related to the used car
31 business.

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

45 (4) The State Tax Commission may deny an application for a
46 permit for failure to comply with the provisions of this section.

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

49 27-19-305. A dealer shall make application to the commission
50 on forms prescribed and furnished him to obtain a distinguishing
51 number for such motor vehicles as are owned by such dealer. The
52 commission shall issue to the applicant a motor vehicle dealer tag
53 permit containing the name and address of the dealership and such
54 further information as the commission may determine to be
55 necessary; however, used motor vehicle dealers must meet the
56 educational requirements of Section 27-19-306 in order to be
57 issued a permit. The place of business or agency herein referred
58 to shall mean a place in any city, town, or locality where motor
59 vehicles owned or assigned to such dealer are regularly kept or
60 exposed for sale in the custody or control of the dealer,
61 salesman, employee, or agent of such dealer.

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