

By: Representative Cockerham

To: Transportation

HOUSE BILL NO. 1238

1 AN ACT TO REQUIRE THE OWNER OF AN ALL-TERRAIN VEHICLE TO
2 REGISTER SUCH VEHICLE WITH THE SHERIFF'S DEPARTMENT OF THE COUNTY
3 OF HIS OR HER RESIDENCE; TO REQUIRE THE DEPARTMENT OF PUBLIC
4 SAFETY TO ESTABLISH A STATEWIDE ALL-TERRAIN VEHICLE REGISTRATION
5 NETWORK DESIGNED TO PROVIDE IMMEDIATE RESPONSE TO SHERIFFS'
6 DEPARTMENTS AND LAW ENFORCEMENT AGENCIES WITH REGARD TO REPORTS OR
7 COMPLAINTS OF STOLEN OR MISSING ALL-TERRAIN VEHICLES; TO PROVIDE
8 FOR THE COLLECTION AND DISPOSITION OF FEES FOR OPERATION AND
9 MAINTENANCE OF THE NETWORK; TO REQUIRE THE DEPARTMENT OF PUBLIC
10 SAFETY TO DEVELOP AND OFFER AN ALL-TERRAIN VEHICLE SAFETY COURSE
11 CONDUCTED BY AND USING COURSE MATERIALS, CURRICULA AND INSTRUCTORS
12 PROVIDED BY THE DEPARTMENT; TO PROVIDE THAT THE COURSE SHALL BE
13 AVAILABLE FREE OF CHARGE TO ANY PERSON WHO WISHES TO PARTICIPATE
14 IN THE COURSE WHO HAS REGISTERED HIS ALL-TERRAIN VEHICLE AS
15 PROVIDED UNDER THIS ACT; AND FOR RELATED PURPOSES.

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

17 **SECTION 1.** (1) The term "all-terrain vehicle" or "ATV," as
18 used in this section, means any motorized vehicle manufactured and
19 designed exclusively for off-road use that is fifty (50) inches or
20 less in width, has an unladen dry weight of seven hundred fifty
21 (750) pounds or less, travels on three (3), four (4) or more low
22 pressure tires, has a seat designed to be straddled by the
23 operator and uses handlebars for steering control.

24 (2) Beginning July 1, 2007, every owner of an all-terrain
25 vehicle who is a resident of this state, shall register such
26 vehicle with the sheriff of the county in which the owner resides.
27 Registration shall be made in duplicate on a form prepared and
28 provided to the sheriff by the Mississippi Department of Public
29 Safety. Each form shall include (a) the name and address of the
30 owner of the vehicle; (b) the age and sex of the owner; (c) the
31 make, model and serial number of the vehicle; (d) the name and
32 address of the person, firm or business from whom such vehicle was

33 acquired or purchased and the date of acquisition or purchase; and
34 (e) the place where such vehicle is usually kept.

35 (3) The original registration form shall be retained by the
36 sheriff in a safe and convenient file to be furnished him by the
37 board of supervisors for that purpose and also may be recorded on
38 computer or other electronic format. All registrations shall be
39 filed and arranged and/or formatted for retrieval in alphabetical
40 order and shall be open to public inspection as required under the
41 Mississippi Public Records Act of 1983. A copy of the
42 registration form shall be forwarded to the Department of Public
43 Safety within thirty (30) days after completion of registration.
44 The department shall file and maintain copies of all registrations
45 filed with it and shall establish and maintain a statewide ATV
46 registration network designed to provide immediate response to
47 sheriffs' departments and other law enforcement agencies with
48 regard to reports or complaints of stolen or missing ATVs. At the
49 time of registration, the sheriff shall issue to the registrant a
50 decal for placement on the ATV. The decal shall be designed by
51 the Department of Public Safety and shall be provided to the
52 sheriff by the department. Each decal shall contain such numbers
53 and/or other vehicle identifying information as the Department of
54 Public Safety may prescribe.

55 (4) At the time of registration, the registrant shall pay to
56 the sheriff a one-time fee of Ten Dollars (\$10.00). Six Dollars
57 (\$6.00) of the fee shall be forwarded to the Department of Public
58 Safety at the time that the sheriff's department is required under
59 subsection (3) of this section to provide the department with a
60 copy of the registration. Four Dollars (\$4.00) of the fee shall
61 be retained by the sheriff and shall be paid to the chancery clerk
62 for deposit into the general fund of the county. The fees
63 received by the Department of Public Safety shall be deposited
64 into the Department of Public Safety Administrative Fund created
65 under Section 45-1-21 and may be expended by the department, upon

66 appropriation by the Legislature, for the expenses the department
67 incurs in complying with the provisions of this section.

68 (5) The Department of Public Safety shall develop and offer
69 an all-terrain vehicle safety course conducted by and using course
70 materials, curricula and instructors provided by the department.
71 The course shall be available free of charge to any person who
72 wishes to participate in the course who has registered his
73 all-terrain vehicle as provided under this section. The
74 department shall issue a certificate to each person who
75 satisfactorily completes such course.

76 **SECTION 2.** This act shall take effect and be in force from
77 and after July 1, 2007.