4/5/16 4:33 P.M.

Chapter No. 342
16/HR43/R1155
CST / AM

# *HOUSE BILL NO. 396*

Originated in House _____ Clerk

HOUSE BILL NO. 396

AN ACT TO AMEND SECTION 27-19-57, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT TAX COLLECTORS CANNOT REQUIRE A PERSON TO PROVIDE A MISSISSIPPI DRIVER'S LICENSE AS A CONDITION FOR THE REGISTRATION OF A VEHICLE PROVIDED THEY HAVE A VALID GOVERNMENT ISSUED ID FROM ANY STATE; TO AMEND SECTION 63-1-7, MISSISSIPPI CODE OF 1972, TO REQUIRE A PERSON TO GET A MISSISSIPPI DRIVER'S LICENSE TO OPERATE A VEHICLE AFTER BEING IN THE STATE 60 CONSECUTIVE DAYS; AND FOR RELATED PURPOSES.

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

**SECTION 1.** Section 27-19-57, Mississippi Code of 1972, is amended as follows:

27-19-57. (1) All persons required to pay the privilege license prescribed by this article shall register their private or commercial vehicle and pay such tax in the county in which such vehicles are domiciled or the county from which such vehicles most frequently leave and return. The tax collector of a county shall not issue a tag or decals to any vehicle domiciled or garaged in another county.

(2) Any person owning a vehicle registered in accordance with Section 27-19-43 which changes county of domicile during a

registration year shall, upon registration anniversary date, surrender to the tax collector in the new county of domicile the old tag and decals and shall be issued a new tag displaying the proper county of domicile and decals. This provision shall not apply to vehicles with a gross vehicle weight in excess of ten thousand (10,000) pounds. Any person owning a vehicle with a gross vehicle weight in excess of ten thousand (10,000) pounds which changes county of domicile during a registration year shall, upon registration anniversary date, register the vehicle in the new county of domicile but shall not be required to surrender the old tag and decals.

(3) Each person required to pay the privilege license prescribed by this article and claiming homestead exemption on a home located within a municipality shall register all private passenger vehicles to which he holds title in such municipality.

(4) If any vehicle, the license for which is issued by the county tax collector or the State Tax Commission, shall be registered in any county other than the county in which the vehicle is domiciled or garaged, or shall be registered in a municipality contrary to the requirements imposed in subsection (3) of this section, then the vehicle shall be regarded as having no privilege license; and the owner or operator thereof shall be liable for the full annual tax in the county in which such vehicle is domiciled or garaged, or in the municipality in which such

vehicle is required to be registered as hereinabove provided, plus a penalty thereon of twenty-five percent (25%).

(5) No tax collector shall require a person to provide a Mississippi driver's license as a condition for the registration of a vehicle, provided that such person, if required, must show proof of identification in the form of a driver's license or other government identification issued from any U.S. state or territory, including the District of Columbia.

**SECTION 2.** Section 63-1-7, Mississippi Code of 1972, is amended as follows:

63-1-7. No license issued pursuant to this article shall be required of:

(a) Any person while operating a motor vehicle for military purposes, if the person is a member of the United States Armed Forces or Reserves on active duty, a member of the National Guard on active duty or full-time National Guard duty, a National Guard military technician, or participating in part-time National Guard training.

(b) Any nonresident person who has in his immediate possession a valid license to drive a motor vehicle on the highways of his home state or country, issued to him by the proper authorities of his home state or country, or of any nonresident person whose home state or country does not require the licensing of a person to operate a motor vehicle on the highways but does require him to be duly registered. Such person being eighteen

(18) years of age or older may operate a motor vehicle in the state for a period of sixty (60) consecutive days without securing a license. However, any nonresident person operating a motor vehicle in this state shall be subject to all the provisions of this article, except as specified above.

(c) Any person while operating a road roller, road machinery or any farm tractor or implement of husbandry temporarily drawn, moved or propelled on the highways.

(d) Any engineer or motorman using tracks for road or street, though used in the streets.

(e) Any person while operating an electric personal assistive mobility device as defined in Section 63-3-103.

**SECTION 3.** This act shall take effect and be in force from and after July 1, 2016.

PASSED BY THE HOUSE OF REPRESENTATIVES
February 29, 2016

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 24, 2016

PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

GOVERNOR

April 5, 2016
4:33 pm