MISSISSIPPI LEGISLATURE REGULAR SESSION 2008

By: Representatives Bounds, Akins, Baker (8th), Beckett, Chism, Ellington, Fillingane, Howell, McGee, Monsour, Moore, Morgan, Nicholson, Nowell, Palazzo, Staples, Stevens

To: Municipalities

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1321

AN ACT TO AMEND SECTION 63-3-913, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM FINE THAT MAY BE IMPOSED FOR UNLAWFULLY PARKING A MOTOR VEHICLE IN AN AREA MARKED RESTRICTED FOR EMERGENCY VEHICLES; TO PROVIDE THAT THE PROCEEDS OF ANY FINE IMPOSED BY A COURT FOR A VIOLATION OF THIS SECTION SHALL BE PAID TO THE GOVERNING AUTHORITY OF SUCH MUNICIPALITY; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 63-3-913, Mississippi Code of 1972, is amended as follows:

63-3-913. (1) The designation of areas on private property which are clearly marked to restrict access thereto to emergency vehicles shall be considered permission by the owner of such property that law enforcement officers may enter such private property to enforce such restricted access; and all municipal, county and state law enforcement officers are authorized to enforce such restriction.

(2) It is unlawful to park a motor vehicle, other than an emergency vehicle responding to an emergency, in an area which has been marked as provided in subsection (1) of this section; and any person who unlawfully parks a motor vehicle in such an area or who blocks access thereto is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than <u>Two Hundred Dollars ($200.00)</u> for each violation. For the third and any subsequent offense under this section, the offender's driver's license shall be suspended for ninety (90) days in accordance with Section 63-1-53, in addition to any fine imposed.

(3) For the purpose of this section "emergency vehicle" means fire department vehicles, law enforcement vehicles,

ambulances and any other vehicle designated as an emergency vehicle by the governing authority of the county or municipality within which the private property is located.

(4) The proceeds of any fine imposed by a court for a violation of this section within a municipality shall be paid to the governing authority of such municipality.

SECTION 2. This act shall take effect and be in force from and after July 1, 2008.