

By: Representative Maples

To: Transportation

HOUSE BILL NO. 35

1 AN ACT TO AMEND SECTION 63-1-55, MISSISSIPPI CODE OF 1972, TO
2 CLARIFY THE AGE FOR ELIGIBILITY IN THE DEFENSIVE DRIVING COURSE;
3 AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 63-1-55, Mississippi Code of 1972, is
6 amended as follows:

7 63-1-55. A trial judge, in his discretion, if the person so
8 convicted or who has entered a plea of guilty for any traffic
9 violation, except the offenses enumerated in paragraphs (a)
10 through (e) of subsection (1) of Section 63-1-51 and violations of
11 the Implied Consent Law and the Uniform Controlled Substances Law,
12 is a minor under the age of twenty-one (21) years and dependent
13 upon and subject to the care, custody and control of his parents
14 or guardian, may, in lieu of the penalties otherwise provided by
15 law and the provision of said section, suspend such minor's
16 driver's license by taking and keeping same in custody of the
17 court for a period of time not to exceed ninety (90) days. The
18 judge so ordering such suspension shall enter upon his docket
19 "DEFENDANT'S DRIVER'S LICENSE SUSPENDED FOR _____ DAYS IN LIEU OF
20 CONVICTION" and such action by the trial judge shall not
21 constitute a conviction. The trial judge also may require the
22 minor to successfully complete a defensive driving course approved
23 by the judge as a condition of the suspension. Costs of court and
24 penalty assessment for driver education and training program may
25 be imposed in such actions within the discretion of the court.
26 Should a minor appeal, in the time and manner as by law provided,

27 the decision whereby his license is suspended, the trial judge
28 shall then return said license to the minor and impose the fines
29 and/or penalties that he would have otherwise imposed and same
30 shall constitute a conviction. The provisions of this section may
31 only apply one (1) time for any person.

32 SECTION 2. This act shall take effect and be in force from
33 and after July 1, 1999.