

By: Representative Bowles

To: Transportation

HOUSE BILL NO. 414

1
2 AN ACT TO AMEND SECTION 63-1-55, MISSISSIPPI CODE OF 1972, TO
3 AUTHORIZE A TRIAL JUDGE TO SUSPEND THE DRIVER'S LICENSE OF ANY
4 PERSON, REGARDLESS OF AGE, IN LIEU OF CONVICTION FOR CERTAIN
5 TRAFFIC VIOLATIONS; AND FOR RELATED PURPOSES.

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

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

9 63-1-55. A trial judge, in his discretion, if a person is
10 convicted or * * * has entered a plea of guilty for any traffic
11 violation, except the offenses enumerated in paragraphs (a)
12 through (e) of subsection (1) of Section 63-1-51 and violations of
13 the Implied Consent Law and the Uniform Controlled Substances Law,
14 * * * may, in lieu of the penalties otherwise provided by law and
15 the provision of said section, suspend such person's driver's
16 license by taking and keeping same in custody of the court for a
17 period of time not to exceed ninety (90) days. The judge so
18 ordering such suspension shall enter upon his docket "DEFENDANT'S
19 DRIVER'S LICENSE SUSPENDED FOR _____ DAYS IN LIEU OF CONVICTION"
20 and such action by the trial judge shall not constitute a
21 conviction. The trial judge also may require the person to
22 successfully complete a defensive driving course approved by the
23 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 person 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 person and impose the fines
29 and/or penalties that he would have otherwise imposed and same
30 shall constitute a conviction.

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