

By: Senator(s) White (29th)

To: Highways and
Transportation

SENATE BILL NO. 2107

1 AN ACT TO AMEND SECTION 63-1-19, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT NO APPLICANT SHALL BE ISSUED A DRIVER'S LICENSE
3 WITHOUT SIGNING A STATEMENT THAT HE UNDERSTANDS THE CRIMINAL
4 PENALTIES FOR VIOLATION OF THE HIGHWAY LITTER LAW, AND SIGNS A
5 STATEMENT AGREEING TO REPORT ANY OFFENDERS OF THIS LAW TO PROPER
6 LAW ENFORCEMENT OFFICERS; TO AMEND SECTION 63-1-33, MISSISSIPPI
7 CODE OF 1972, TO DIRECT THE COMMISSIONER OF PUBLIC SAFETY TO
8 INCLUDE QUESTIONS RELATING TO THE HIGHWAY LITTER LAW ON THE
9 DRIVER'S LICENSE EXAMINATION; AND FOR RELATED PURPOSES. BE IT
10 ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:
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12 SECTION 1. Section 63-1-19, Mississippi Code of 1972, is
13 amended as follows:

14 63-1-19. (1) Every applicant for a license issued pursuant
15 to this article shall file an application for such license, on a
16 form provided by the Department of Public Safety, with the
17 commissioner or an official license examiner of the department.
18 All persons not holding valid, unexpired licenses issued in this
19 state shall be required to secure an original license, except
20 those specifically exempted from licensing under Section 63-1-7.
21 The application shall state the name, date of birth, sex, race,
22 color of eyes, color of hair, weight, height and residence
23 address, and whether or not the applicant's privilege to drive has
24 been suspended or revoked at any time, and, if so, when, by whom,
25 and for what cause, and whether any previous application by him
26 has been denied, and whether he has any physical defects which
27 would interfere with his operating a motor vehicle safely upon the
28 highways.

29 (2) Each application or filing made under this section shall
30 include the Social Security number(s) of the applicant in

31 accordance with Section 93-11-64, Mississippi Code of 1972.

32 (3) From and after July 1, 1999, no applicant shall be
33 issued a license to operate a motor vehicle under this section
34 unless and until he signs a statement certifying that he
35 understands that littering the roads and highways of this state is
36 a violation of Section 97-15-29, Mississippi Code of 1972, and
37 that violators are guilty of a misdemeanor punishable as follows:

38 (a) A fine of not less than Fifty Dollars (\$50.00) nor
39 more than Two Hundred Fifty Dollars (\$250.00);

40 (b) For a second or subsequent offense, the minimum and
41 maximum fine is doubled;

42 (c) In addition to the fines, the court may order the
43 offender to (i) remove litter from the roads and highways, (ii)
44 repair property damaged by littering, (iii) perform community
45 service relating to the removal of litter, and (iv) pay
46 investigative and prosecutorial expenses; and

47 (d) For a second or subsequent offense, the court is
48 required to order the offender to perform the service specified
49 under paragraph (c). As a further condition for issuance of a
50 license, the applicant shall sign a statement that he will not
51 litter the roads and highways and will report any offender of the
52 anti-litter law to the proper law enforcement authorities by
53 calling a toll-free number to be provided by the Commissioner of
54 Public Safety on the reverse side of the license.

55 SECTION 2. Section 63-1-33, Mississippi Code of 1972, is
56 amended as follows:

57 63-1-33. It shall be the duty of the license examiner, when
58 application is made for an operator's license or temporary driving
59 permit, to test the applicant's ability to read and understand
60 road signs and to give the required signals as adopted by the
61 National Advisory Committee on Uniform Traffic Control Devices and
62 the American Association of Motor Vehicle Administrators.

63 The commissioner shall have prepared and administer a test

64 composed of at least ten (10) questions relating to the safe
65 operation of a motor vehicle and testing the applicant's knowledge
66 of the proper operation of a motor vehicle.

67 From and after July 1, 1999, the commissioner shall include a
68 copy of the anti-litter law contained in Section 97-15-29,
69 Mississippi Code of 1972, in the instructional material issued to
70 first-time applicants for study in preparation for the written
71 driver's test, and shall include in the test not less than one (1)
72 question relating to the law and the criminal penalties for
73 violation of the law.

74 Prior to the administration of the test the license examiner
75 shall inspect the horn, lights, brakes, inspection certificate and
76 vehicle registration of the motor vehicle which the applicant
77 expects to operate while being tested, and if he finds that any of
78 the aforementioned items are deficient, no license or endorsement
79 shall be issued to the applicant until same have been repaired.

80 Except as otherwise provided by Section 63-1-6, when
81 application is made for an original motorcycle endorsement or a
82 restricted motorcycle operator's license, the applicant shall be
83 required to pass a written test which consists of questions
84 relating to the safe operation of a motorcycle and a skill test
85 similar to the "Motorcycle Operator Skill Test," which is endorsed
86 by the American Association of Motor Vehicle Administrators. The
87 commissioner may exempt any applicant from the skill test if the
88 applicant presents a certificate showing successful completion of
89 a course approved by the commissioner, which includes a similar
90 examination of skills needed in the safe operation of a
91 motorcycle.

92 SECTION 3. This act shall take effect and be in force from
93 and after July 1, 1999.