

By: White (29th)

To: Highways and  
Transportation

SENATE BILL NO. 2074

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.

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

11 SECTION 1. Section 63-1-19, Mississippi Code of 1972, is  
12 amended as follows:[WAN1]

13 63-1-19. (1) Every applicant for a license issued pursuant  
14 to this article shall file an application for such license, on a  
15 form provided by the Department of Public Safety, with the  
16 commissioner or an official license examiner of the department.  
17 All persons not holding valid, unexpired licenses issued in this  
18 state shall be required to secure an original license, except  
19 those specifically exempted from licensing under Section 63-1-7.  
20 The application shall state the name, date of birth, sex, race,  
21 color of eyes, color of hair, weight, height and residence  
22 address, and whether or not the applicant's privilege to drive has  
23 been suspended or revoked at any time, and, if so, when, by whom,  
24 and for what cause, and whether any previous application by him

25 has been denied, and whether he has any physical defects which  
26 would interfere with his operating a motor vehicle safely upon the  
27 highways.

28 (2) Every applicant for an original license shall show proof  
29 of domicile in this state. The commissioner shall promulgate any  
30 rules and regulations necessary to enforce this requirement and  
31 shall prescribe the means by which an applicant for an original  
32 license may show domicile in this state. Proof of domicile shall  
33 not be required of applicants under eighteen (18) years of age.

34 (3) Each application or filing made under this section shall  
35 include the social security number(s) of the applicant in  
36 accordance with Section 93-11-64, Mississippi Code of 1972.

37 (4) From and after July 1, 2000, no applicant shall be  
38 issued a license to operate a motor vehicle under this section  
39 unless and until he signs a statement certifying that he  
40 understands that littering the roads and highways of this state is  
41 a violation of Section 97-15-29, Mississippi Code of 1972, and  
42 that violators are guilty of a misdemeanor punishable as follows:

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

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

47 (c) In addition to the fines, the court may order the  
48 offender to (i) remove litter from the roads and highways, (ii)  
49 repair property damaged by littering, (iii) perform community  
50 service relating to the removal of litter, and (iv) pay  
51 investigative and prosecutorial expenses; and

52 (d) For a second or subsequent offense, the court is  
53 required to order the offender to perform the service specified  
54 under paragraph (c).

55 As a further condition for issuance of a license, the

56 applicant shall sign a statement that he will not litter the roads  
57 and highways and will report any offender of the anti-litter law  
58 to the proper law enforcement authorities by calling a toll-free  
59 number to be provided by the Commissioner of Public Safety on the  
60 reverse side of the license.

61 SECTION 2. Section 63-1-33, Mississippi Code of 1972, is  
62 amended as follows:[WAN2]

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

69 The commissioner shall have prepared and administer a test  
70 composed of at least ten (10) questions relating to the safe  
71 operation of a motor vehicle and testing the applicant's knowledge  
72 of the proper operation of a motor vehicle.

73 From and after July 1, 2000, the commissioner shall include a  
74 copy of the anti-litter law contained in Section 97-15-29,  
75 Mississippi Code of 1972, in the instructional material issued to  
76 first-time applicants for study in preparation for the written  
77 driver's test, and shall include in the test not less than one (1)  
78 question relating to the law and the criminal penalties for  
79 violation of the law.

80 Prior to the administration of the test the license examiner  
81 shall inspect the horn, lights, brakes, inspection certificate and  
82 vehicle registration of the motor vehicle which the applicant  
83 expects to operate while being tested, and if he finds that any of

84 the aforementioned items are deficient, no license or endorsement  
85 shall be issued to the applicant until same have been repaired.

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

98       SECTION 3. This act shall take effect and be in force from  
99 and after July 1, 2000.