

By: Representatives Evans, Livingston

To: Transportation

HOUSE BILL NO. 1334

1 AN ACT TO AMEND SECTION 63-1-35, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT A PERSON DOES NOT NEED A SOCIAL SECURITY NUMBER TO
3 OBTAIN A DRIVERS LICENSE; TO PRESCRIBE ALTERNATIVE FORMS OF
4 IDENTIFICATION; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 63-1-35, Mississippi Code of 1972, is
7 amended as follows:

8 63-1-35. (1) The Commissioner of Public Safety shall
9 prescribe the form of licenses issued pursuant to this article
10 which shall, among other features, include a driver's license
11 number assigned by the Department of Public Safety which, at the
12 option of the licensee, may or may not be the Social Security
13 number of the licensee. A licensee who chooses not to use his
14 Social Security number as his driver's license number shall list
15 his Social Security number with the department which shall cross
16 reference the Social Security number with the driver's license
17 number for purposes of identification or the licensee shall
18 provide identification as provided in subsection (2) or (3) of
19 this section. Additionally, each license shall bear a full face
20 color photograph of the licensee in such form that the license and
21 the photograph cannot be separated. Such photograph shall be
22 taken so that one (1) exposure will photograph the applicant and
23 the application simultaneously on the same film. The department
24 shall use a process in the issuance of a license with a color
25 photograph which shall prevent as nearly as possible any
26 alteration, counterfeiting, duplication, reproduction, forging or
27 modification of such license or the superimposition of a

28 photograph without ready detection. Such photograph shall be
29 replaced every four (4) years by the department at the time of
30 renewal.

31 (2) The following shall be sufficient identification in lieu
32 of a social security card:

33 (a) A driver's license or personal identification
34 certificate issued to the applicant by the department, regardless
35 of whether the license or certificate has expired;

36 (b) A valid driver's license or valid identification
37 document bearing a photograph of the applicant and issued to the
38 applicant by another state;

39 (c) A passport or identity card bearing a photograph of
40 the applicant and issued to the applicant by another country or
41 governmental agency of another country, regardless of whether the
42 passport or identity card has expired;

43 (d) A duplicate original birth certificate or a
44 certified copy of a birth certificate issued by this or another
45 state or by another country, if accompanied by supporting
46 documentation required by department rule and, if the birth
47 certificate is in a language other than English, by a translation
48 of the birth certificate that is notarized by a notary public of
49 this or another state; or

50 (e) Any other proof of identity satisfactory to the
51 department.

52 (3) An application for a driver's license under this chapter
53 may be accompanied by:

54 (a) The applicant's social security number;

55 (b) An SSA L-676 issued by the United States Social
56 Security Administration stating that the applicant is ineligible
57 to obtain a social security number;

58 (c) A temporary identification number issued to the
59 applicant by the United States Internal Revenue Service; or

60 (d) An affidavit of the applicant stating that the
61 applicant has not been issued a social security number, SSA L-676
62 letter or temporary identification number.

63 (e) An affidavit under paragraph (d) must be sworn to
64 and subscribed by the applicant before a notary public of this
65 state and must read as follows:

66 "I, _____, swear under penalty of perjury that
67 I have not been issued:

68 (i) A social security number or an SSA L-676
69 letter by the United States Social Security
70 Administration; or

71 (ii) A temporary identification number by the
72 United States Internal Revenue Service."

73 SECTION 2. This act shall take effect and be in force from
74 and after July 1, 2001.