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

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

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

63-1-35. (1) The Commissioner of Public Safety shall prescribe the form of licenses issued pursuant to this article which shall, among other features, include a driver's license number assigned by the Department of Public Safety which, at the option of the licensee, may or may not be the Social Security number of the licensee. A licensee who chooses not to use his Social Security number as his driver's license number shall list his Social Security number with the department which shall cross reference the Social Security number with the driver's license number for purposes of identification or the licensee shall provide identification as provided in subsection (2) or (3) of this section. Additionally, each license shall bear a full face color photograph of the licensee in such form that the license and the photograph cannot be separated. Such photograph shall be taken so that one (1) exposure will photograph the applicant and the application simultaneously on the same film. The department shall use a process in the issuance of a license with a color photograph which shall prevent as nearly as possible any alteration, counterfeiting, duplication, reproduction, forging or modification of such license or the superimposition of a
photograph without ready detection. Such photograph shall be
replaced every four (4) years by the department at the time of
renewal.

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

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

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

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

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

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

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

(a) The applicant's social security number;

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

(c) A temporary identification number issued to the
applicant by the United States Internal Revenue Service; or
(d) An affidavit of the applicant stating that the applicant has not been issued a social security number, SSA L-676 letter or temporary identification number.

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

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

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

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

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