

By: Senator(s) Dearing

To: Fees, Salaries and Administration

SENATE BILL NO. 2885

1 AN ACT TO AMEND SECTION 63-9-17, MISSISSIPPI CODE OF 1972, TO
 2 AUTHORIZE MOTOR VEHICLE DRIVING RECORDS MAINTAINED BY THE
 3 DEPARTMENT OF PUBLIC SAFETY TO BE ACCESSED ELECTRONICALLY; TO
 4 AUTHORIZE A FEE TO BE CHARGED FOR SUCH ACCESS; TO AUTHORIZE THE
 5 DEPARTMENT OF PUBLIC SAFETY TO ACCEPT BANK CREDIT CARDS AND BANK
 6 DEBIT CARDS IN PAYMENT OF SUCH FEE AND TO CHARGE AN ADDITIONAL FEE
 7 EQUAL TO THE ACTUAL COSTS INCURRED BY THE DEPARTMENT FOR THE USE
 8 OF SUCH CARDS; TO PROVIDE THAT DRIVING RECORDS OBTAINED THROUGH
 9 ELECTRONIC MEANS MAY NOT SERVE AS CERTIFIED COPIES; TO PROVIDE
 10 THAT PERSONAL INFORMATION ABOUT A LICENSEE MAY NOT BE OBTAINED BY
 11 ACCESSING MOTOR VEHICLE DRIVING RECORDS ELECTRONICALLY; AND FOR
 12 RELATED PURPOSES.

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

14 SECTION 1. Section 63-9-17, Mississippi Code of 1972, is
 15 amended as follows:

16 63-9-17. (1) Every court shall keep a full record of the
 17 proceedings of every case in which a person is charged with any
 18 violation of law regulating the operation of vehicles on the
 19 highways, streets or roads of this state.

20 (2) Unless otherwise sooner required by law, within
 21 forty-five (45) days after the conviction of a person upon a
 22 charge of violating any law regulating the operation of vehicles
 23 on the highways, streets or roads of this state, every clerk of
 24 the court in which such conviction was had shall prepare and
 25 immediately forward to the Department of Public Safety an abstract
 26 of the record of said court covering the case in which said person
 27 was so convicted, which abstract must be certified by the person
 28 so authorized to prepare the same to be true and correct.

29 (3) Said abstract must be made upon a form approved by the
 30 Department of Public Safety, and shall include the name and
 31 address of the party charged, the registration number of the

32 vehicle involved, the nature of the offense, the date of hearing,
33 the plea, the judgment, and if the fine was satisfied by
34 prepayment or appearance bond forfeiture, and the amount of the
35 fine or forfeiture, as the case may be.

36 (4) Every clerk of the court shall also forward a like
37 report to the Department of Public Safety upon the conviction of
38 any person of manslaughter or other felony in the commission of
39 which a vehicle was used.

40 (5) The failure by refusal or neglect of any such judicial
41 officer to comply with any of the requirements of this section
42 shall constitute misconduct in office and shall be grounds for
43 removal therefrom.

44 (6) The Department of Public Safety shall keep copies of all
45 abstracts received hereunder and shall maintain motor vehicle
46 driving records on licensees for a period of three (3) years at
47 its main office and the same shall be open to public inspection
48 during reasonable business hours.

49 (7) In the discretion of the Commissioner of Public Safety,
50 motor vehicle driving records also may be accessed by electronic
51 means according to rules and regulations promulgated by the
52 Commissioner of Public Safety. The fee for electronically
53 accessing motor vehicle driving records shall be Five Dollars
54 (\$5.00) for each record accessed. The Department of Public Safety
55 may accept bank credit cards and bank debit cards in payment of
56 the fee for electronic access of driving records and may charge an
57 additional fee equal to the actual costs incurred by the
58 department for the use of such cards. A driving record obtained
59 through electronic means may not serve as a certified copy of the
60 motor vehicle driving record. A driving record obtained through
61 electronic means may not contain the name, address, date of birth
62 or any other personal information about the licensee that is
63 prohibited from being disclosed under state or federal law.

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