SENATE BILL NO. 2885

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

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

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

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

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

(3) Said abstract must be made upon a form approved by the Department of Public Safety, and shall include the name and address of the party charged, the registration number of the
vehicle involved, the nature of the offense, the date of hearing,
the plea, the judgment, and if the fine was satisfied by
prepayment or appearance bond forfeiture, and the amount of the
fine or forfeiture, as the case may be.

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

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

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

(7) In the discretion of the Commissioner of Public Safety,
motor vehicle driving records also may be accessed by electronic
means according to rules and regulations promulgated by the
Commissioner of Public Safety. The fee for electronically
accessing motor vehicle driving records shall be Five Dollars
($5.00) for each record accessed. The Department of Public Safety
may accept bank credit cards and bank debit cards in payment of
the fee for electronic access of driving records and may charge an
additional fee equal to the actual costs incurred by the
department for the use of such cards. A driving record obtained
through electronic means may not serve as a certified copy of the
motor vehicle driving record. A driving record obtained through
electronic means may not contain the name, address, date of birth
or any other personal information about the licensee that is
prohibited from being disclosed under state or federal law.
SECTION 2. This act shall take effect and be in force from and after July 1, 2001.