

By: Representative Rotenberry

To: Transportation

HOUSE BILL NO. 686

1 AN ACT TO AMEND SECTION 63-1-49, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE SPOUSE OR CHILD OF A MEMBER OF THE ARMED SERVICES  
3 WHO IS OUT OF STATE DUE TO MILITARY SERVICE TO RENEW HIS OR HER  
4 EXPIRED DRIVER'S LICENSE WITHOUT PAYMENT OF ANY DELINQUENT FEE OR  
5 EXAMINATION IF THE SPOUSE OR CHILD RESIDES OUT OF STATE WITH THE  
6 ARMED SERVICES MEMBER AND THE LICENSE EXPIRES WHILE THE SPOUSE OR  
7 CHILD IS ABSENT FROM THE STATE; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 63-1-49, Mississippi Code of 1972, is  
10 amended as follows:

11 63-1-49. (1) An expired license issued pursuant to this  
12 article may be renewed at any time within twelve (12) months after  
13 the expiration date of said license upon application and payment  
14 of the required fee, and the payment of a delinquent fee of One  
15 Dollar (\$1.00), in lieu of a driver examination, unless the holder  
16 of the expired license is required to be examined, or unless the  
17 department has reason to believe the licensee is no longer  
18 qualified to receive a license. If any person shall obtain a new  
19 license, his last previous license having been good and valid,  
20 except for its lapsing, without his having obtained a renewal  
21 within the time required by law, then such reissuance of a license  
22 shall constitute a renewal of the previous license and not a new  
23 license.

24 (2) (a) Any person in the armed services of the United  
25 States, holding a valid license issued pursuant to this article  
26 and being out of state due to military service at the time said  
27 license expires, may renew said license at any time within ninety  
28 (90) days after being discharged from such military service or  
29 upon returning to the state, without payment of any delinquent fee



30 or examination, unless the department has reason to believe that  
31 the licensee is no longer qualified to receive a license. Said  
32 person shall make proof by affidavit of the fact of such military  
33 service and of the time of discharge or return. The expiration of  
34 the license of a military person under the provisions of this  
35 paragraph (a) shall not affect the validity of the license, but  
36 such license shall continue to be valid and permit such person to  
37 operate a motor vehicle for a period of ninety (90) days after he  
38 is discharged from military service or returns to the state or  
39 until he renews his license, whichever event first occurs.

40 (b) The provisions of paragraph (a) of this subsection  
41 (2) also apply to the spouse or a child of a person in the armed  
42 services of the United States who is out of state due to military  
43 service if the spouse or child resides out of state with the armed  
44 services member and the license of the spouse or child expires  
45 during his or her absence from the state. The Commissioner of  
46 Public Safety may adopt such rules and regulations as may be  
47 necessary to implement the provisions of this paragraph.

48 (3) Any person holding a valid license issued pursuant to  
49 this article who is going overseas for two (2) to four (4) years  
50 and whose license shall expire during the stay overseas may renew  
51 said license for four (4) years prior to leaving. Said person  
52 shall make proof by affidavit of the fact of such overseas travel.  
53 Such reissuance of a license shall constitute a renewal of the  
54 previous license and not a new license.

55 **SECTION 2.** This act shall take effect and be in force from  
56 and after July 1, 2002.

