

By: Senator(s) Blackmon

To: Judiciary

SENATE BILL NO. 2826

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.

