SENATE BILL NO. 2826

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

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

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

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

(2) (a) Any person in the armed services of the United States, holding a valid license issued pursuant to this article and being out of state due to military service at the time said license expires, may renew said license at any time within ninety (90) days after being discharged from such military service or upon returning to the state, without payment of any delinquent fee.
or examination, unless the department has reason to believe that
the licensee is no longer qualified to receive a license. Said
person shall make proof by affidavit of the fact of such military
service and of the time of discharge or return. The expiration of
the license of a military person under the provisions of this
paragraph (a) shall not affect the validity of the license, but
such license shall continue to be valid and permit such person to
operate a motor vehicle for a period of ninety (90) days after he
is discharged from military service or returns to the state or
until he renews his license, whichever event first occurs.

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

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

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