

By: Representative Bowles

To: Transportation

HOUSE BILL NO. 382

1 AN ACT TO AMEND SECTION 63-1-55, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE A TRIAL JUDGE TO SUSPEND THE DRIVER'S LICENSE OF ANY
3 PERSON, REGARDLESS OF AGE, IN LIEU OF CONVICTION FOR CERTAIN
4 TRAFFIC VIOLATIONS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 63-1-55, Mississippi Code of 1972, is
7 amended as follows:

8 63-1-55. A trial judge, in his discretion, if a person is
9 convicted or * * * has entered a plea of guilty for any traffic
10 violation, except the offenses enumerated in paragraphs (a)
11 through (e) of subsection (1) of Section 63-1-51 and violations of
12 the Implied Consent Law and the Uniform Controlled Substances
13 Law, * * * may, in lieu of the penalties otherwise provided by law
14 and the provision of said section, suspend such person's driver's
15 license by taking and keeping same in custody of the court for a
16 period of time not to exceed ninety (90) days. The judge so
17 ordering such suspension shall enter upon his docket "DEFENDANT'S
18 DRIVER'S LICENSE SUSPENDED FOR _____ DAYS IN LIEU OF CONVICTION"
19 and such action by the trial judge shall not constitute a
20 conviction. The trial judge also may require the person to
21 successfully complete a defensive driving course approved by the
22 judge as a condition of the suspension. Costs of court and
23 penalty assessment for driver education and training program may
24 be imposed in such actions within the discretion of the court.
25 Should a person appeal, in the time and manner as by law provided,
26 the decision whereby his license is suspended, the trial judge
27 shall then return said license to the person and impose the fines



28 and/or penalties that he would have otherwise imposed and same
29 shall constitute a conviction.

30 **SECTION 2.** This act shall take effect and be in force from
31 and after July 1, 2003.

