

By: Senator(s) Dearing

To: Highways and
Transportation

SENATE BILL NO. 2096

1 AN ACT TO AMEND SECTION 63-1-9, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE A VISION TEST FOR APPLICANTS OVER A CERTAIN AGE; AND FOR
3 RELATED PURPOSES.

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

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

7 63-1-9. (1) No driver's license, intermediate license or
8 temporary learning permit shall be issued pursuant to this
9 article:

10 (a) To any person under the age of eighteen (18) years
11 except as provided in this article.

12 (b) To any person whose license to operate a motor
13 vehicle on the highways of Mississippi has been previously revoked
14 or suspended by this state or any other state and/or territory of
15 the United States or the District of Columbia, and such revocation
16 or suspension period has not expired.

17 (c) To any person who is an habitual drunkard or who is
18 addicted to the use of other narcotic drugs.

19 (d) To any person who would not be able by reason of
20 physical or mental disability, in the opinion of the commissioner
21 or other person authorized to grant an operator's license, to
22 operate a motor vehicle on the highways with safety. However,
23 persons who have one (1) arm or leg, or have arms or legs
24 deformed, and have their car provided with mechanical devices
25 whereby they are able to drive in a safe manner over the highways,
26 if otherwise qualified, shall receive an operator's license the



27 same as other persons. Moreover, deafness shall not be a bar to
28 obtaining a license.

29 (e) To any person who is under the age of seventeen
30 (17) years to drive any motor vehicle while in use as a school bus
31 for the transportation of pupils to or from school, or to drive
32 any motor vehicle while in use as a public or common carrier of
33 persons or property.

34 (f) To any person as an operator who has previously
35 been adjudged to be afflicted with and suffering from any mental
36 disability and who has not at time of application been restored to
37 mental competency.

38 (g) To any unmarried person under the age of eighteen
39 (18) years who does not at the time of application present a
40 diploma or other certificate of high school graduation or a
41 general education development certificate issued to the person in
42 this state or any other state, or documentation that the person:

43 (i) Is enrolled and making satisfactory progress
44 in a course leading to a general education development
45 certificate;

46 (ii) Is enrolled in school in this state or any
47 other state;

48 (iii) Is enrolled in a "nonpublic school," as such
49 term is defined in Section 37-13-91(2)(i); or

50 (iv) Is unable to attend any school program due to
51 circumstances deemed acceptable as set out in Section 63-1-10.

52 (h) To any person under the age of eighteen (18) years
53 who has been convicted under Section 63-11-30.

54 (i) To any person sixty-five (65) years of age or above
55 who does not submit a detailed report from a duly licensed
56 physician or optometrist indicating the visual ability of the
57 applicant and specifying any defects in connection therewith which
58 might impair the applicant's ability to exercise ordinary and
59 reasonable control in the operation of a motor vehicle. Provided,



60 however, it shall not be a breach of duty to the public or the
61 individual if the department inadvertently fails to require a
62 report from an applicant or if the department issues a license
63 under the mistaken belief that an applicant is capable of driving
64 safely.

65 (2) All permits and licenses issued on or before June 30,
66 2000, shall be valid according to the terms upon which issued.
67 From and after July 1, 2000:

68 (a) A temporary driving permit may be issued to any
69 person who is at least fifteen (15) years of age who otherwise
70 meets the requirements of this article.

71 (b) An intermediate license may be issued to any person
72 who is at least fifteen (15) years of age who otherwise meets the
73 requirements of this article and who has held a temporary driving
74 permit for at least six (6) months without any conviction under
75 Section 63-11-30 or of a moving violation. Any conviction under
76 Section 63-11-30 or of a moving violation shall restart the
77 six-month requirement for the holding of a temporary driving
78 permit before an applicant can qualify for an intermediate
79 license.

80 (c) A driver's license may be issued to any person who
81 is at least sixteen (16) years of age who otherwise meets the
82 requirements of this article and who has held an intermediate
83 license for at least six (6) months without any conviction under
84 Section 63-11-30 or of a moving violation. Any conviction under
85 Section 63-11-30 or of a moving violation shall restart the
86 six-month requirement for the holding of an intermediate license
87 before an applicant can qualify for a driver's license. However,
88 a person who is at least seventeen (17) years of age who has been
89 issued a temporary driving permit and who has never been convicted
90 under Section 63-11-30 or of a moving violation shall not be
91 required to have held an intermediate license.



92 (d) An applicant for a Mississippi driver's license
93 who, at the time of application, is at least sixteen (16) years of
94 age and who has held a valid motor vehicle driver's license issued
95 by another state for at least six (6) months shall not be required
96 to hold a temporary driving permit or an intermediate license
97 before being issued a driver's license.

98 (3) The commissioner shall ensure that the temporary driving
99 permit, intermediate license and driver's license issued under
100 this article are clear, distinct and easily distinguishable from
101 one another.

102 **SECTION 2.** This act shall take effect and be in force from
103 and after October 1, 2003.

