

By: Senator(s) White

To: Highways and
Transportation

SENATE BILL NO. 2926

1 AN ACT TO AMEND SECTION 63-1-19, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT NO APPLICANT SHALL BE ISSUED A DRIVER'S LICENSE
3 WITHOUT SIGNING A STATEMENT THAT HE UNDERSTANDS THE CRIMINAL
4 PENALTIES FOR VIOLATION OF THE HIGHWAY LITTER LAW, AND SIGNS A
5 STATEMENT AGREEING TO REPORT ANY OFFENDERS OF THIS LAW TO PROPER
6 LAW ENFORCEMENT OFFICERS; TO AMEND SECTION 63-1-33, MISSISSIPPI
7 CODE OF 1972, TO DIRECT THE COMMISSIONER OF PUBLIC SAFETY TO
8 INCLUDE QUESTIONS RELATING TO THE HIGHWAY LITTER LAW ON THE
9 DRIVER'S LICENSE EXAMINATION; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 63-1-19, Mississippi Code of 1972, is
12 amended as follows:

13 63-1-19. (1) (a) Every applicant for a license or permit
14 issued pursuant to this article, or for renewal of such license or
15 permit, shall file an application for such license, permit or
16 renewal, on a form provided by the Department of Public Safety,
17 with the commissioner or an official license examiner of the
18 department. All persons not holding valid, unexpired licenses
19 issued in this state shall be required to secure an original
20 license, except those specifically exempted from licensing under
21 Section 63-1-7. The application shall state the name, date of
22 birth, the social security number of the applicant unless the
23 applicant is not a United States citizen and does not possess a
24 social security number issued by the United States government,
25 sex, race, color of eyes, color of hair, weight, height and
26 residence address, and whether or not the applicant's privilege to
27 drive has been suspended or revoked at any time, and, if so, when,
28 by whom, and for what cause, and whether any previous application
29 by him has been denied, and whether he has any physical defects

30 which would interfere with his operating a motor vehicle safely
31 upon the highways.

32 (b) Every applicant for an original license shall show
33 proof of domicile in this state. The commissioner shall
34 promulgate any rules and regulations necessary to enforce this
35 requirement and shall prescribe the means by which an applicant
36 for an original license may show domicile in this state. Proof of
37 domicile shall not be required of applicants under eighteen (18)
38 years of age.

39 (c) Unless the applicant is not a United States citizen
40 and does not possess a social security number issued by the United
41 States government, each application or filing made under this
42 section shall include the social security number(s) of the
43 applicant in accordance with Section 93-11-64, Mississippi Code of
44 1972.

45 (2) No person who is illegally in the United States or
46 Mississippi shall be issued a license. The application of a
47 person who is not a United States citizen and who does not possess
48 a social security number issued by the United States government
49 shall state the name, date of birth, sex, race, color of eyes,
50 color of hair, weight, height and residence address, and whether
51 or not the applicant's privilege to drive has been suspended or
52 revoked at any time, and, if so, when, by whom, and for what
53 cause, and whether any previous application by him has been
54 denied, and whether he has any physical defects which would
55 interfere with his operating a motor vehicle safely upon the
56 highways. The commissioner shall adopt and promulgate such rules
57 and regulations as he deems appropriate requiring additional
58 documents, materials, information or physical evidence to be
59 provided by the applicant as may be necessary to establish the
60 identity of the applicant and that the applicant is not present in
61 the United States or the State of Mississippi illegally.

62 (3) (a) Any male who is at least eighteen (18) years of age
63 but less than twenty-six (26) years of age and who applies for a
64 permit or license or a renewal of a permit or license under this
65 chapter shall be registered in compliance with the requirements of
66 Section 3 of the Military Selective Service Act, 50 USCS Appx 451
67 et seq., as amended.

68 (b) The department shall forward in an electronic
69 format the necessary personal information of the applicant to the
70 Selective Service System. The applicant's submission of the
71 application shall serve as an indication that the applicant either
72 has already registered with the Selective Service System or that
73 he is authorizing the department to forward to the Selective
74 Service System the necessary information for registration. The
75 commissioner shall notify the applicant on, or as a part of, the
76 application that his submission of the application will serve as
77 his consent to registration with the Selective Service System, if
78 so required. The commissioner also shall notify any male
79 applicant under the age of eighteen (18) that he will be
80 registered upon turning age eighteen (18) as required by federal
81 law.

82 (4) From and after July 1, 2004, no applicant shall be
83 issued a license to operate a motor vehicle under this section
84 unless and until he signs a statement certifying that he
85 understands that littering the roads and highways of this state is
86 a violation of Section 97-15-29, Mississippi Code of 1972, and
87 that violators are guilty of a misdemeanor punishable as follows:

88 (a) A fine of not less than Fifty Dollars (\$50.00) nor
89 more than Two Hundred Fifty Dollars (\$250.00);

90 (b) For a second or subsequent offense, the minimum and
91 maximum fine is doubled;

92 (c) In addition to the fines, the court may order the
93 offender to (i) remove litter from the roads and highways, (ii)
94 repair property damaged by littering, (iii) perform community

95 service relating to the removal of litter, and (iv) pay
96 investigative and prosecutorial expenses; and

97 (d) For a second or subsequent offense, the court is
98 required to order the offender to perform the service specified
99 under paragraph (c).

100 As a further condition for issuance of a license, the
101 applicant shall sign a statement that he will not litter the roads
102 and highways and will report any offender of the anti-litter law
103 to the proper law enforcement authorities by calling a toll-free
104 number to be provided by the Commissioner of Public Safety on the
105 reverse side of the license.

106 **SECTION 2.** Section 63-1-33, Mississippi Code of 1972, is
107 amended as follows:

108 63-1-33. It shall be the duty of the license examiner, when
109 application is made for an operator's license or temporary driving
110 permit, to test the applicant's ability to read and understand
111 road signs and to give the required signals as adopted by the
112 National Advisory Committee on Uniform Traffic Control Devices and
113 the American Association of Motor Vehicle Administrators.

114 The commissioner shall have prepared and administer a test
115 composed of at least ten (10) questions relating to the safe
116 operation of a motor vehicle and testing the applicant's knowledge
117 of the proper operation of a motor vehicle.

118 From and after July 1, 2004, the commissioner shall include a
119 copy of the anti-litter law contained in Section 97-15-29,
120 Mississippi Code of 1972, in the instructional material issued to
121 first-time applicants for study in preparation for the written
122 driver's test, and shall include in the test not less than one (1)
123 question relating to the law and the criminal penalties for
124 violation of the law.

125 Prior to the administration of the test the license examiner
126 shall inspect the horn, lights, brakes, inspection certificate and
127 vehicle registration of the motor vehicle which the applicant

128 expects to operate while being tested, and if he finds that any of
129 the aforementioned items are deficient, no license or endorsement
130 shall be issued to the applicant until same have been repaired.

131 An applicant for a Mississippi driver's license who, at the
132 time of application, holds a valid motor vehicle driver's license
133 issued by another state shall not be required to take a written
134 test.

135 Except as otherwise provided by Section 63-1-6, when
136 application is made for an original motorcycle endorsement or a
137 restricted motorcycle operator's license, the applicant shall be
138 required to pass a written test which consists of questions
139 relating to the safe operation of a motorcycle and a skill test
140 similar to the "Motorcycle Operator Skill Test," which is endorsed
141 by the American Association of Motor Vehicle Administrators. The
142 commissioner may exempt any applicant from the skill test if the
143 applicant presents a certificate showing successful completion of
144 a course approved by the commissioner, which includes a similar
145 examination of skills needed in the safe operation of a
146 motorcycle.

147 **SECTION 3.** This act shall take effect and be in force from
148 and after July 1, 2004.