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To: Transportation

## HOUSE BILL NO. 937

1 AN ACT TO AMEND SECTION 63-1-35, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT THE REQUIREMENT THAT AN APPLICANT FOR A DRIVER'S  
3 LICENSE PRESENT HIS SOCIAL SECURITY NUMBER TO THE DEPARTMENT OF  
4 PUBLIC SAFETY SHALL NOT BE APPLICABLE TO A PERSON WHO FILES AN  
5 AFFIDAVIT WITH THE DEPARTMENT AFFIRMING THAT HE HAS NEVER BEEN  
6 ISSUED A SOCIAL SECURITY NUMBER; TO AMEND SECTION 63-1-19,  
7 MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE TYPES OF DOCUMENTS THAT  
8 AN APPLICANT FOR A MISSISSIPPI DRIVER'S LICENSE MAY PROVIDE TO THE  
9 DRIVER'S LICENSE EXAMINER IN ORDER TO SHOW PROOF OF RESIDENCE; AND  
10 FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 63-1-35, Mississippi Code of 1972, is  
13 amended as follows:

14 63-1-35. (1) The Commissioner of Public Safety shall  
15 prescribe the form of licenses issued pursuant to this article  
16 which shall, among other features, include a driver's license  
17 number assigned by the Department of Public Safety which, at the  
18 option of the licensee, may or may not be the social security  
19 number of the licensee. A licensee who chooses not to use his  
20 social security number as his driver's license number, except as  
21 otherwise provided under subsection (2) of this section, shall  
22 list his social security number with the department which shall  
23 cross reference the social security number with the driver's  
24 license number for purposes of identification. Additionally, each  
25 license shall bear a full face color photograph of the licensee in  
26 such form that the license and the photograph cannot be separated.  
27 Such photograph shall be taken so that one (1) exposure will  
28 photograph the applicant and the application simultaneously on the  
29 same film. The department shall use a process in the issuance of  
30 a license with a color photograph which shall prevent as nearly as  
31 possible any alteration, counterfeiting, duplication,

32 reproduction, forging or modification of such license or the  
33 superimposition of a photograph without ready detection. Such  
34 photograph shall be replaced by the department at the time of  
35 renewal. Driver licenses, including photographs appearing  
36 thereon, may be renewed by electronic means according to rules and  
37 regulations promulgated by the commissioner. The Department of  
38 Public Safety may accept bank credit cards and debit cards in  
39 payment of fees for driver license renewals that are processed by  
40 electronic means and, if authorized by general law, may charge an  
41 additional fee for the use of such cards.

42 (2) An applicant who does not have, or who states that he  
43 has never been issued, a social security number as required under  
44 subsection (1) of this section, shall complete an affidavit, under  
45 penalty of perjury, affirming that he has never been issued a  
46 social security number.

47 **SECTION 2.** Section 63-1-19, Mississippi Code of 1972, is  
48 amended as follows:

49 63-1-19. (1) \* \* \* Every applicant for a license or permit  
50 issued pursuant to this article, or for renewal of such license or  
51 permit, shall file an application for such license, permit or  
52 renewal, on a form provided by the Department of Public Safety,  
53 with the commissioner or an official license examiner of the  
54 department. All persons not holding valid, unexpired licenses  
55 issued in this state shall be required to secure an original  
56 license, except those specifically exempted from licensing under  
57 Section 63-1-7. The application shall state the name, date of  
58 birth, the social security number of the applicant unless the  
59 applicant is not a United States citizen and does not possess a  
60 social security number issued by the United States government,  
61 sex, race, color of eyes, color of hair, weight, height and  
62 residence address, and whether or not the applicant's privilege to  
63 drive has been suspended or revoked at any time, and, if so, when,  
64 by whom, and for what cause, and whether any previous application

65 by him has been denied, and whether he has any physical defects  
66 which would interfere with his operating a motor vehicle safely  
67 upon the highways.

68 (2) Every applicant for an original license shall show proof  
69 of residence in this state. \* \* \* An applicant for an original  
70 license may show proof of residence in this state by presenting to  
71 the license examiner at least two (2) of the following documents:

72 (a) A utility bill, including telephone service,  
73 showing a valid residential address;

74 (b) A bank statement showing a valid Mississippi  
75 address;

76 (c) An acceptable employer verification, such as an  
77 employment identification card, a letter from the employer on its  
78 official letterhead or a payroll check or payroll check stub;

79 (d) An automobile, life or health insurance policy  
80 showing a valid Mississippi address;

81 (e) A driver's license issued by the State of  
82 Mississippi to a parent, legal guardian or spouse;

83 (f) A Mississippi motor vehicle registration showing a  
84 valid Mississippi address;

85 (g) An Internal Revenue Service Tax Reporting W-2 Form;

86 (h) A receipt for personal or real estate taxes paid  
87 within the last year showing a valid Mississippi address;

88 (i) A copy of a residential lease showing a valid  
89 Mississippi address;

90 (j) If the applicant is a student enrolled in a public  
91 or private school in Mississippi, a photo student identification  
92 and acceptable documentation that the student resides on campus;

93 or

94 (k) A photo identification card issued by the  
95 government of the applicant's country of origin.

96 (3) If an applicant is unable to provide at least two (2) of  
97 the documents described in subsection (2) of this section, he may

98 provide one (1) of the documents described in subsection (2) of  
99 this section and one (1) of the following documents:

100 (a) The Individual Taxpayer Identification Number  
101 (ITIN) issued by the Internal Revenue Service;

102 (b) Form I-94 issued to the applicant by the United  
103 States Immigration and Naturalization Service;

104 (c) An Employment Authorization Card (EAD) issued to  
105 the applicant by the United States Immigration and Naturalization  
106 Service;

107 (d) A Permanent Residence Card issued to the applicant  
108 by the United States Immigration and Naturalization Service; or

109 (e) A stamp in a foreign passport issued by the United  
110 States Immigration and Naturalization Service showing evidence of  
111 lawful admission for permanent residence.

112 (4) The documents described in subsection (1) and (2) of  
113 this section must include the applicant's name or the name of the  
114 applicant's spouse, if the applicant has a spouse, or if the  
115 applicant is a minor, the name of a parent or legal guardian.

116 These documents must also show the valid residence address of the  
117 applicant being used on the application for the Mississippi  
118 driver's license.

119 Each application or filing made under this section, except as  
120 otherwise provided under Section 63-1-35(2), shall include the  
121 social security number(s) of the applicant in accordance with  
122 Section 93-11-64.

123 **SECTION 3.** This act shall take effect and be in force from  
124 and after July 1, 2005.