

By: Representative Myers

To: Transportation

HOUSE BILL NO. 1067

1 AN ACT TO AMEND SECTIONS 63-1-43 AND 63-1-81, MISSISSIPPI
2 CODE OF 1972, TO PROVIDE AN ADDITIONAL FEE ON DRIVER'S LICENSES TO
3 BE DEPOSITED INTO THE STATEWIDE LITTER PREVENTION FUND; AND FOR
4 RELATED PURPOSES.

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

6 **SECTION 1.** Section 63-1-43, Mississippi Code of 1972, is
7 amended as follows:

8 63-1-43. (1) The fee for receiving the application and
9 issuing the regular driver's or operator's license and the fee for
10 renewing the license shall be:

11 (a) Nineteen Dollars (\$19.00) plus the applicable
12 photograph fee for each applicant for a four-year license. One
13 Dollar (\$1.00) of this fee shall be deposited into the statewide
14 Litter Prevention Fund created by Section 65-1-167;

15 (b) Four Dollars (\$4.00) plus the applicable photograph fee
16 for each applicant for a one-year license, except as provided in
17 paragraph (c) of this subsection. One Dollars (\$1.00) of this fee
18 shall be deposited into the statewide Litter Prevention Fund
19 created by Section 65-1-167; and

20 (c) Nine Dollars (\$9.00) plus the applicable photograph
21 fee for a one-year license for each applicant who is not a United
22 States citizen and who does not possess a social security number
23 issued by the United States government. One Dollar (\$1.00) of
24 this fee shall be deposited into the Statewide Litter Prevention
25 Fund created by Section 65-1-167.

26 All originals and renewals of regular operators' licenses
27 shall be in compliance with Section 63-1-47.

28 (2) The fee for receiving the application and issuing a
29 motorcycle endorsement shall be Six Dollars (\$6.00). One dollar
30 (\$1.00) of this fee shall be deposited into the Statewide Litter
31 Prevention Fund created by Section 65-1-167. Motorcycle
32 endorsements shall be valid for the same period of time as the
33 applicant's operator's license.

34 (3) The fee for receiving the application and issuing a
35 restricted motorcycle operator's license and the fee for renewing
36 such license shall be:

37 (a) Twelve Dollars (\$12.00) plus the applicable
38 photograph fee for a four-year license. One Dollar (\$1.00) of
39 this fee shall be deposited into the Statewide Litter Prevention
40 Fund created by Section 65-1-167; and

41 (b) Nine Dollars (\$9.00) plus the applicable photograph
42 fee for a one (1) year license. One Dollar (\$1.00) of this fee
43 shall be deposited into the Statewide Litter Prevention Fund
44 created by Section 65-1-167.

45 All originals and renewals of restricted motorcycle licenses
46 shall be valid for the same period of time that an original
47 regular driver's license may be issued to such person in
48 compliance with Section 63-1-47.

49 (4) From and after January 1, 1990, every person who makes
50 application for an original license or a renewal license to
51 operate a vehicle as a common carrier by motor vehicle, taxicab,
52 passenger coach, dray, contract carrier or private commercial
53 carrier as such terms are defined in Section 27-19-3, except for
54 those vehicles for which a Class A, B or C license is required
55 under Article 2 of this chapter, shall, in lieu of the regular
56 driver's license above provided for, apply for and obtain a Class
57 D commercial driver's license. Except as otherwise provided in
58 subsection (5) of this section, the fee for the issuance of a
59 Class D commercial driver's license shall be Twenty-four Dollars
60 (\$24.00) plus the applicable photograph fee for a period of four

61 (4) years; however, except as required under Article 2 of this
62 chapter, no driver of a pickup truck shall be required to have a
63 commercial license regardless of the purpose for which the pickup
64 truck is used. One Dollar (\$1.00) of this fee shall be deposited
65 into the Statewide Litter Prevention Fund created by Section
66 65-1-167.

67 Except as otherwise provided in subsection (5) of this
68 section, all originals and renewals of commercial licenses issued
69 under this section shall be valid for a period of four (4) years,
70 in compliance with Section 63-1-47. Only persons who operate the
71 above-mentioned vehicles in the course of the regular and
72 customary business of the owner shall be required to obtain a
73 Class D commercial operator's license, and persons operating such
74 vehicles for private purposes or in emergencies shall not be
75 required to obtain such license.

76 (5) The original and each renewal of a commercial driver's
77 license issued under this section to a person who is not a United
78 States citizen and who does not possess a social security number
79 issued by the United States government shall be issued for a
80 period of one (1) year for a fee of Nine Dollars (\$9.00) plus the
81 applicable photograph fee and shall expire one (1) year from the
82 date of issuance. One Dollar (\$1.00) of this fee shall be
83 deposited into the Statewide Litter Prevention Fund created by
84 Section 65-1-167. Such person may renew a commercial license
85 issued under this section within thirty (30) days of expiration of
86 the license.

87 (6) The Commissioner of Public Safety, by rule or
88 regulation, shall establish a driver's license photograph fee
89 which shall be the actual cost of the photograph rounded off to
90 the next highest dollar. Monies collected for the photograph fee
91 shall be deposited into a special photograph fee account which the
92 Department of Public Safety shall use to pay the actual cost of
93 producing the photographs. Any monies collected in excess of the

94 actual costs of the photography shall be deposited to the General
95 Fund of the State of Mississippi.

96 **SECTION 2.** Section 63-1-81, Mississippi Code of 1972, is
97 amended as follows:

98 63-1-81. (1) Each application for a commercial driver's
99 license or commercial driver instruction permit shall include the
100 following:

101 (a) The full name and the current mailing and
102 residential address of the applicant;

103 (b) A physical description of the applicant, including
104 sex, height, weight, eye and hair color;

105 (c) The applicant's date of birth;

106 (d) The applicant's social security number unless the
107 application is for a nonresident commercial driver's license;

108 (e) The applicant's signature;

109 (f) The applicant's color photograph;

110 (g) All certifications required by applicable federal
111 regulations;

112 (h) Any other information which the Commissioner of
113 Public Safety, by rule or regulation, determines necessary and
114 essential; and

115 (i) The consent of the applicant to release driving
116 record information.

117 (2) The fee for accepting and processing an application for
118 a commercial driver instruction permit shall be Eleven Dollars
119 (\$11.00). One Dollar (\$1.00) of this fee shall be deposited into
120 the Statewide Litter Prevention Fund created by Section 65-1-167.

121 (3) The fee for accepting and processing an application for
122 a Class A, B or C commercial driver's license shall be Twenty-six
123 Dollars (\$26.00). One Dollar (\$1.00) of this fee shall be
124 deposited into the Statewide Litter Prevention Fund created by
125 Section 65-1-167.

126 (4) No person who has been a resident of this state for
127 thirty (30) days may drive a commercial motor vehicle under the
128 authority of a commercial driver's license issued by another
129 jurisdiction. Any violation of this subsection shall be
130 punishable as provided by Section 63-1-69, Mississippi Code of
131 1972.

132 (5) Any person who knowingly falsifies information or
133 certifications required under subsection (1) of this section shall
134 be subject to the penalties prescribed in Section 63-1-59,
135 Mississippi Code of 1972, and shall be subject to suspension of
136 his commercial driver instruction permit or commercial driver's
137 license in accordance with Section 63-1-51, Mississippi Code of
138 1972.

139 (6) Each application or filing made under this section shall
140 include the social security number(s) of the applicant in
141 accordance with Section 93-11-64, Mississippi Code of 1972.

142 (7) (a) Any male who is at least eighteen (18) years of age
143 but less than twenty-six (26) years of age and who applies for a
144 commercial license or renewal of a commercial license under this
145 article shall be registered in compliance with the requirements of
146 Section 3 of the Military Selective Service Act, 50 USCS Appx 451
147 et seq., as amended.

148 (b) The department shall forward in an electronic
149 format the necessary personal information of the applicant to the
150 Selective Service System. The applicant's submission of the
151 application shall serve as an indication that the applicant either
152 has already registered with the Selective Service System or that
153 he is authorizing the department to forward to the Selective
154 Service System the necessary information for registration. The
155 commissioner shall notify the applicant on, or as a part of, the
156 application that his submission of the application will serve as
157 his consent to registration with the Selective Service System, if
158 so required. The commissioner also shall notify any male

159 applicant under the age of eighteen (18) that he will be
160 registered upon turning age eighteen (18) as required by federal
161 law.

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