

By: Representative Clarke

To: Transportation

HOUSE BILL NO. 1445

1 AN ACT TO AMEND SECTION 63-1-35, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE COMMISSIONER OF PUBLIC SAFETY TO PROVIDE FOR A  
3 VOLUNTARY DESIGNATION OF CERTAIN MEDICAL INFORMATION OF THE  
4 LICENSEE ON THE REVERSE SIDE OF A DRIVER'S LICENSE; AND FOR  
5 RELATED PURPOSES.

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

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

9 63-1-35. (1) The Commissioner of Public Safety shall  
10 prescribe the form of licenses issued pursuant to this article  
11 which shall, among other features, include a driver's license  
12 number assigned by the Department of Public Safety which, at the  
13 option of the licensee, may or may not be the social security  
14 number of the licensee. A licensee who chooses not to use his  
15 social security number as his driver's license number, except as  
16 otherwise provided under subsection (2) of this section, shall  
17 list his social security number with the department which shall  
18 cross reference the social security number with the driver's  
19 license number for purposes of identification. Additionally, each  
20 license shall bear a full face color photograph of the licensee in  
21 such form that the license and the photograph cannot be separated.  
22 Such photograph shall be taken so that one (1) exposure will  
23 photograph the applicant and the application simultaneously on the  
24 same film. The department shall use a process in the issuance of  
25 a license with a color photograph which shall prevent as nearly as  
26 possible any alteration, counterfeiting, duplication,  
27 reproduction, forging or modification of such license or the  
28 superimposition of a photograph without ready detection. Such

29 photograph shall be replaced by the department at the time of  
30 renewal. Driver licenses, including photographs appearing  
31 thereon, may be renewed by electronic means according to rules and  
32 regulations promulgated by the commissioner. The Department of  
33 Public Safety may accept bank credit cards and debit cards in  
34 payment of fees for driver license renewals that are processed by  
35 electronic means and, if authorized by general law, may charge an  
36 additional fee for the use of such cards.

37 (2) The commissioner shall prescribe the form of licenses  
38 issued pursuant to this article to licensees who are not United  
39 States citizens and who do not possess a social security number  
40 issued by the United States government. The licenses of such  
41 persons shall include a number and/or other identifying features.

42 (3) On the reverse side of a driver's license, the  
43 commissioner shall:

44 (a) Print:

45 (i) Allergic reaction to drugs: \_\_\_\_\_;

46 (ii) Directive to physician has been filed at  
47 telephone number;

48 (iii) Emergency contact telephone number;

49 (iv) Any medical information provided by the  
50 license holder under Section 63-1-19(4).

51 (b) Include to the right of the statement under  
52 paragraph (a)(ii) and (iii) of this subsection, a surface on which  
53 the license holder may write the appropriate telephone number; and

54 (c) Include to the left of each of the statements under  
55 paragraph(a)(ii) and (iii) of this subsection, a box that the  
56 license holder may use to indicate for what purpose the telephone  
57 number applies. In addition to the requirements of paragraph  
58 (a)(iv) of this subsection, the commissioner shall indicate any  
59 medical information by a uniform symbol or code on the face of the  
60 license in the space where the Department of Public Safety  
61 indicates a restriction or endorsement.

62       (4) The applications must provide space for the applicant to  
63 voluntarily list any health condition that may impede  
64 communication with peace officers, as evidenced by a written  
65 statement from a licensed physician.

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

68       63-1-19. (1) (a) Every applicant for a license or permit  
69 issued pursuant to this article, or for renewal of such license or  
70 permit, shall file an application for such license, permit or  
71 renewal, on a form provided by the Department of Public Safety,  
72 with the commissioner or an official license examiner of the  
73 department. All persons not holding valid, unexpired licenses  
74 issued in this state shall be required to secure an original  
75 license, except those specifically exempted from licensing under  
76 Section 63-1-7. The application shall state the name, date of  
77 birth, the social security number of the applicant unless the  
78 applicant is not a United States citizen and does not possess a  
79 social security number issued by the United States government,  
80 sex, race, color of eyes, color of hair, weight, height and  
81 residence address, and whether or not the applicant's privilege to  
82 drive has been suspended or revoked at any time, and, if so, when,  
83 by whom, and for what cause, and whether any previous application  
84 by him has been denied, and whether he has any physical defects  
85 which would interfere with his operating a motor vehicle safely  
86 upon the highways.

87       (b) Every applicant for an original license shall show  
88 proof of domicile in this state. The commissioner shall  
89 promulgate any rules and regulations necessary to enforce this  
90 requirement and shall prescribe the means by which an applicant  
91 for an original license may show domicile in this state. Proof of  
92 domicile shall not be required of applicants under eighteen (18)  
93 years of age.

94 (c) Unless the applicant is not a United States citizen  
95 and does not possess a social security number issued by the United  
96 States government, each application or filing made under this  
97 section shall include the social security number(s) of the  
98 applicant in accordance with Section 93-11-64, Mississippi Code of  
99 1972.

100 (2) No person who is illegally in the United States or  
101 Mississippi shall be issued a license. The application of a  
102 person who is not a United States citizen and who does not possess  
103 a social security number issued by the United States government  
104 shall state the name, date of birth, sex, race, color of eyes,  
105 color of hair, weight, height and residence address, and whether  
106 or not the applicant's privilege to drive has been suspended or  
107 revoked at any time, and, if so, when, by whom, and for what  
108 cause, and whether any previous application by him has been  
109 denied, and whether he has any physical defects which would  
110 interfere with his operating a motor vehicle safely upon the  
111 highways. The commissioner shall adopt and promulgate such rules  
112 and regulations as he deems appropriate requiring additional  
113 documents, materials, information or physical evidence to be  
114 provided by the applicant as may be necessary to establish the  
115 identity of the applicant and that the applicant is not present in  
116 the United States or the State of Mississippi illegally.

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

123 (b) The department shall forward in an electronic  
124 format the necessary personal information of the applicant to the  
125 Selective Service System. The applicant's submission of the  
126 application shall serve as an indication that the applicant either

127 has already registered with the Selective Service System or that  
128 he is authorizing the department to forward to the Selective  
129 Service System the necessary information for registration. The  
130 commissioner shall notify the applicant on, or as a part of, the  
131 application that his submission of the application will serve as  
132 his consent to registration with the Selective Service System, if  
133 so required. The commissioner also shall notify any male  
134 applicant under the age of eighteen (18) that he will be  
135 registered upon turning age eighteen (18) as required by federal  
136 law.

137 (4) The applications must provide space for the applicant to  
138 voluntarily list any health condition that may impede  
139 communication with peace officers, as evidenced by a written  
140 statement from a licensed physician.

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