SENATE BILL NO. 2037

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

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

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

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

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

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

(2) No person who is illegally in the United States or
Mississippi shall be issued a license. The application of a
person who is not a United States citizen and who does not possess
a social security number issued by the United States government
shall state the name, date of birth, sex, race, color of eyes,
color of hair, weight, height and residence address, and whether
or not the applicant's privilege to drive has been suspended or
revoked at any time, and, if so, when, by whom, and for what
cause, and whether any previous application by him has been
denied, and whether he has any physical defects which would
interfere with his operating a motor vehicle safely upon the
highways. The commissioner shall adopt and promulgate such rules
and regulations as he deems appropriate requiring additional
documents, materials, information or physical evidence to be
provided by the applicant as may be necessary to establish the
identity of the applicant and that the applicant is not present in
the United States or the State of Mississippi illegally.
(3) (a) Any male who is at least eighteen (18) years of age but less than twenty-six (26) years of age and who applies for a permit or license or a renewal of a permit or license under this chapter shall be registered in compliance with the requirements of Section 3 of the Military Selective Service Act, 50 USCS Appx 451 et seq., as amended.

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

(4) (a) From and after July 1, 2005, no applicant shall be issued a license to operate a motor vehicle under this section unless and until he signs a statement certifying that he understands that littering the roads and highways of this state is a violation of Section 97-15-29, Mississippi Code of 1972, and that violators are guilty of a misdemeanor and may be fined, required to perform community service and pay prosecutorial expenses as provided in Section 97-15-29.

(b) As a further condition for issuance of a license, the applicant shall sign a statement that he will not litter the roads and highways and will report any offender of the antilitter law to the proper law enforcement authorities by calling a toll
free number to be provided by the commissioner on the reverse side of the license.

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

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

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

From and after July 1, 2005, the commissioner shall include a copy of the antilitter law contained in Section 97-15-29, Mississippi Code of 1972, in the instructional material issued to first-time applicants for study in preparation for the written driver's test, and shall include in the test not less than one (1) question relating to the law and the criminal penalties for violation of the law.

Prior to the administration of the test the license examiner shall inspect the horn, lights, brakes, inspection certificate and vehicle registration of the motor vehicle which the applicant expects to operate while being tested, and if he finds that any of the aforementioned items are deficient, no license or endorsement shall be issued to the applicant until same have been repaired.

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

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

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