

By: Senator(s) Butler, Jackson (11th),
Dawkins

To: Judiciary, Division B

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2232

1 AN ACT TO AMEND SECTION 63-1-9, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE LENGTH OF TIME A PERSON UNDER THE AGE OF 17 MUST
3 PRACTICE SUPERVISED DRIVING UNDER A TEMPORARY PERMIT IN ORDER TO
4 BE ELIGIBLE FOR AN INTERMEDIATE LICENSE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 63-1-9, Mississippi Code of 1972, is
7 amended as follows:

8 63-1-9. (1) No driver's license, intermediate license or
9 temporary learning permit shall be issued pursuant to this
10 article:

11 (a) To any person under the age of eighteen (18) years
12 except as provided in this article.

13 (b) To any person whose license to operate a motor
14 vehicle on the highways of Mississippi has been previously revoked
15 or suspended by this state or any other state * * * or territory
16 of the United States or the District of Columbia, and such
17 revocation or suspension period has not expired.

18 (c) To any person who is an habitual drunkard or who is
19 addicted to the use of other narcotic drugs.

20 (d) To any person who would not be able by reason of
21 physical or mental disability, in the opinion of the commissioner
22 or other person authorized to grant an operator's license, to
23 operate a motor vehicle on the highways with safety. However,
24 persons who have one (1) arm or leg, or have arms or legs
25 deformed, and have their car provided with mechanical devices
26 whereby they are able to drive in a safe manner over the highways,
27 if otherwise qualified, shall receive an operator's license the

28 same as other persons. Moreover, deafness shall not be a bar to
29 obtaining a license.

30 (e) To any person who is under the age of seventeen
31 (17) years to drive any motor vehicle while in use as a school bus
32 for the transportation of pupils to or from school, or to drive
33 any motor vehicle while in use as a public or common carrier of
34 persons or property.

35 (f) To any person as an operator who has previously
36 been adjudged to be afflicted with and suffering from any mental
37 disability and who has not at time of application been restored to
38 mental competency.

39 (g) To any unmarried person under the age of eighteen
40 (18) years who does not at the time of application present a
41 diploma or other certificate of high school graduation or a
42 general education development certificate issued to the person in
43 this state or any other state, or documentation that the person:

44 (i) Is enrolled and making satisfactory progress
45 in a course leading to a general education development
46 certificate;

47 (ii) Is enrolled in school in this state or any
48 other state;

49 (iii) Is enrolled in a "nonpublic school," as such
50 term is defined in Section 37-13-91(2)(i); or

51 (iv) Is unable to attend any school program due to
52 circumstances deemed acceptable as set out in Section 63-1-10.

53 (h) To any person under the age of eighteen (18) years
54 who has been convicted under Section 63-11-30.

55 (2) All permits and licenses issued on or before June 30,
56 2005, shall be valid according to the terms upon which issued.
57 From and after July 1, 2005:

58 (a) A temporary driving permit may be issued to any
59 person who is at least fifteen (15) years of age who otherwise
60 meets the requirements of this article.

61 (b) An intermediate license may be issued to any person
62 who is at least fifteen (15) years of age who otherwise meets the
63 requirements of this article and who has held a temporary driving
64 permit for at least one (1) year without any conviction under
65 Section 63-11-30 or of a moving violation. Any conviction under
66 Section 63-11-30 or of a moving violation shall restart the
67 one-year requirement for the holding of a temporary driving permit
68 before an applicant can qualify for an intermediate license.

69 (c) A driver's license may be issued to any person who
70 is at least sixteen (16) years of age who otherwise meets the
71 requirements of this article and who has held an intermediate
72 license for at least one (1) year without any conviction under
73 Section 63-11-30 or of a moving violation. Any conviction under
74 Section 63-11-30 or of a moving violation shall restart the
75 one-year requirement for the holding of an intermediate license
76 before an applicant can qualify for a driver's license. However,
77 a person who is at least seventeen (17) years of age who has been
78 issued a temporary driving permit and who has never been convicted
79 under Section 63-11-30 or of a moving violation shall not be
80 required to have held an intermediate license.

81 (d) An applicant for a Mississippi driver's license
82 who, at the time of application, is at least sixteen (16) years of
83 age and who has held a valid motor vehicle driver's license issued
84 by another state for one (1) year shall not be required to hold a
85 temporary driving permit or an intermediate license before being
86 issued a driver's license.

87 (3) The commissioner shall ensure that the temporary driving
88 permit, intermediate license and driver's license issued under
89 this article are clear, distinct and easily distinguishable from
90 one another.

91 **SECTION 2.** This act shall take effect and be in force from
92 and after July 1, 2005.