

By: Senator(s) Pickering

To: Judiciary, Division A

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2957

1 AN ACT TO AMEND SECTION 63-1-19, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE DRIVER'S LICENSE APPLICATION SHALL CLEARLY LIST
3 ALL DOCUMENTATION REQUIRED ON THE FACE THEREOF; TO AMEND SECTION
4 63-1-49, MISSISSIPPI CODE OF 1972, TO ALLOW MILITARY PERSONNEL AND
5 DEPENDENTS TO RENEW A DRIVER'S LICENSE BY MAIL OR ON-LINE WHEN OUT
6 OF STATE ON ACTIVE DUTY; AND FOR RELATED PURPOSES.

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

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

10 63-1-19. (1) (a) Every applicant for a license or permit
11 issued pursuant to this article, or for renewal of such license or
12 permit, shall file an application for such license, permit or
13 renewal, on a form provided by the Department of Public Safety,
14 with the commissioner or an official license examiner of the
15 department. All persons not holding valid, unexpired licenses
16 issued in this state shall be required to secure an original
17 license, except those specifically exempted from licensing under
18 Section 63-1-7. The application shall state the name, date of
19 birth, the social security number of the applicant unless the
20 applicant is not a United States citizen and does not possess a
21 social security number issued by the United States government,
22 sex, race, color of eyes, color of hair, weight, height and
23 residence address, and whether or not the applicant's privilege to
24 drive has been suspended or revoked at any time, and, if so, when,
25 by whom, and for what cause, and whether any previous application
26 by him has been denied, and whether he has any physical defects
27 which would interfere with his operating a motor vehicle safely
28 upon the highways.

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

36 (c) Unless the applicant is not a United States citizen
37 and does not possess a social security number issued by the United
38 States government, each application or filing made under this
39 section shall include the social security number(s) of the
40 applicant in accordance with Section 93-11-64, Mississippi Code of
41 1972.

42 (d) Every legal requirement and all documentation
43 necessary for obtaining a license shall be clearly listed on the
44 face of the application form.

45 (2) No person who is illegally in the United States or
46 Mississippi shall be issued a license. The application of a
47 person who is not a United States citizen and who does not possess
48 a social security number issued by the United States government
49 shall state the name, date of birth, sex, race, color of eyes,
50 color of hair, weight, height and residence address, and whether
51 or not the applicant's privilege to drive has been suspended or
52 revoked at any time, and, if so, when, by whom, and for what
53 cause, and whether any previous application by him has been
54 denied, and whether he has any physical defects which would
55 interfere with his operating a motor vehicle safely upon the
56 highways. The commissioner shall adopt and promulgate such rules
57 and regulations as he deems appropriate requiring additional
58 documents, materials, information or physical evidence to be
59 provided by the applicant as may be necessary to establish the
60 identity of the applicant and that the applicant is not present in
61 the United States or the State of Mississippi illegally.

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

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

82 **SECTION 2.** Section 63-1-49, Mississippi Code of 1972, is
83 amended as follows:

84 63-1-49. (1) Any license issued pursuant to this article
85 may be renewed at any time within twelve (12) months after the
86 expiration date of the license upon application and payment of the
87 required fee, and the payment of a delinquent fee of One Dollar
88 (\$1.00), in lieu of a driver examination, unless the holder of the
89 expired license is required to be examined, or unless the
90 department has reason to believe the licensee is no longer
91 qualified to receive a license. If any person shall obtain a new
92 license, his last previous license having been good and valid,
93 except for its lapsing, without his having obtained a renewal
94 within the time required by law, then such reissuance of a license

95 shall constitute a renewal of the previous license and not a new
96 license.

97 (2) (a) Any person in the armed services of the United
98 States, holding a valid license issued pursuant to this article
99 and being out of state due to military service at the time the
100 license expires, may renew the license by mail, by on-line renewal
101 service, or at any time within ninety (90) days after being
102 discharged from such military service or upon returning to the
103 state, without payment of any delinquent fee or examination,
104 unless the department has reason to believe that the licensee is
105 no longer qualified to receive a license. The person shall make
106 proof by affidavit of the fact of such military service and of the
107 time of discharge or return. The expiration of the license of a
108 military person under the provisions of this paragraph (a) shall
109 not affect the validity of the license, but such license shall
110 continue to be valid and permit such person to operate a motor
111 vehicle for a period of ninety (90) days after he is discharged
112 from military service or returns to the state or until he renews
113 his license, whichever event first occurs.

114 (b) The provisions of paragraph (a) of this subsection
115 (2) also apply to the spouse or a child of a person in the armed
116 services of the United States who is out of state due to military
117 service if the spouse or child resides out of state with the armed
118 services member and the license of the spouse or child expires
119 during his or her absence from the state. The Commissioner of
120 Public Safety may adopt such rules and regulations as may be
121 necessary to implement the provisions of this subsection.

122 (3) Any person holding a valid license issued pursuant to
123 this article who is going overseas for two (2) to four (4) years
124 and whose license shall expire during the stay overseas may renew
125 the person's license for four (4) years prior to leaving. The
126 person shall make proof by affidavit of the fact of such overseas

127 travel. Such reissuance of a license shall constitute a renewal
128 of the previous license and not a new license.

129 **SECTION 3.** Section 1 of this act shall take effect and be in
130 force from and after January 1, 2006, and Section 2 of this act
131 shall take effect and be in force from and after its passage.