

By: Senator(s) Pickering

To: Judiciary, Division A

SENATE BILL NO. 2957
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 63-1-49, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT MILITARY PERSONNEL AND THEIR DEPENDENTS THAT ARE OUT
3 OF STATE DUE TO MILITARY SERVICE MAY RENEW THEIR EXPIRED DRIVER'S
4 LICENSES BY MAIL OR BY ON-LINE RENEWAL SERVICES; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 63-1-49, Mississippi Code of 1972, is
8 amended as follows:

9 63-1-49. (1) An expired license issued pursuant to this
10 article may be renewed at any time within twelve (12) months after
11 the expiration date of said license upon application and payment
12 of the required fee, and the payment of a delinquent fee of One
13 Dollar (\$1.00), in lieu of a driver examination, unless the holder
14 of the expired license is required to be examined, or unless the
15 department has reason to believe the licensee is no longer
16 qualified to receive a license. If any person shall obtain a new
17 license, his last previous license having been good and valid,
18 except for its lapsing, without his having obtained a renewal
19 within the time required by law, then such reissuance of a license
20 shall constitute a renewal of the previous license and not a new
21 license.

22 (2) (a) Any person in the armed services of the United
23 States, holding a valid license issued pursuant to this article
24 and being out of state due to military service at the time the
25 license expires, may renew the license by mail or by on-line
26 renewal services or at any time within ninety (90) days after
27 being discharged from such military service or upon returning to
28 the state, without payment of any delinquent fee or examination,

29 unless the department has reason to believe that the licensee is
30 no longer qualified to receive a license. Such person shall make
31 proof by affidavit of the fact of such military service and of the
32 time of discharge or return. The expiration of the license of a
33 military person under the provisions of this paragraph (a) shall
34 not affect the validity of the license, but such license shall
35 continue to be valid and permit such person to operate a motor
36 vehicle for a period of ninety (90) days after he is discharged
37 from military service or returns to the state or until he renews
38 his license, whichever event first occurs.

39 (b) The provisions of paragraph (a) of this subsection
40 (2) also apply to a dependent of a person in the armed services of
41 the United States who is out of state due to military service if
42 the dependent resides out of state with the armed services member
43 and the license of the dependent expires during his or her absence
44 from the state. The Commissioner of Public Safety may adopt such
45 rules and regulations as may be necessary to implement the
46 provisions of this paragraph.

47 (3) Any person holding a valid license issued pursuant to
48 this article who is going overseas for two (2) to four (4) years
49 and whose license shall expire during the stay overseas may renew
50 said license for four (4) years prior to leaving. Said person
51 shall make proof by affidavit of the fact of such overseas travel.
52 Such reissuance of a license shall constitute a renewal of the
53 previous license and not a new license.

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