

By: Representative Smith (27th)

To: Transportation

HOUSE BILL NO. 1

1 AN ACT TO AMEND SECTION 63-1-51, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE COMMISSIONER OF PUBLIC SAFETY SHALL SUSPEND THE
3 DRIVER'S LICENSE OF A PERSON CONVICTED OF ANY MOVING TRAFFIC
4 OFFENSE RESULTING IN INJURY OR DAMAGE TO ANOTHER PERSON OR TO
5 ANOTHER PERSON'S PROPERTY IF THE MOTOR VEHICLE OPERATOR WAS USING
6 A CELLULAR TELEPHONE DURING COMMISSION OF THE OFFENSE; AND FOR
7 RELATED PURPOSES.

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

9 **SECTION 1.** Section 63-1-51, Mississippi Code of 1972, is
10 amended as follows:

11 63-1-51. (1) It shall be the duty of the trial judge, upon
12 conviction of any person holding a license issued pursuant to this
13 article where the penalty for a traffic violation is as much as
14 Ten Dollars (\$10.00), to mail a copy of abstract of the court
15 record or provide an electronically or computer generated copy of
16 abstract of the court record immediately to the commissioner at
17 Jackson, Mississippi, showing the date of conviction, penalty,
18 etc., so that a record of same may be made by the Department of
19 Public Safety. The commissioner shall forthwith revoke the
20 license of any person for a period of one (1) year upon receiving
21 a duly certified record of each person's conviction of any of the
22 following offenses when such conviction has become final:

23 (a) Manslaughter or negligent homicide resulting from
24 the operation of a motor vehicle;

25 (b) Any felony in the commission of which a motor
26 vehicle is used;

27 (c) Failure to stop and render aid as required under
28 the laws of this state in event of a motor vehicle accident
29 resulting in the death or personal injury of another;

30 (d) Perjury or the willful making of a false affidavit
31 or statement under oath to the department under this article or
32 under any other law relating to the ownership or operation of
33 motor vehicles;

34 (e) Conviction, or forfeiture of bail not vacated, upon
35 three (3) charges of reckless driving committed within a period of
36 twelve (12) months;

37 (f) Contempt for failure to pay a fine or fee or to
38 respond to a summons or citation pursuant to a charge of a
39 violation of this title;

40 (g) Conviction, or forfeiture of bail not vacated, for
41 violation of any moving traffic offense resulting in injury or
42 damage to another person or to another person's property if the
43 motor vehicle operator was using a cellular telephone during
44 commission of the offense.

45 (2) The commissioner shall revoke the license issued
46 pursuant to this article of any person convicted of negligent
47 homicide, in addition to any penalty now provided by law.

48 (3) In addition to the reasons specified in this section,
49 the commissioner shall be authorized to suspend the license issued
50 to any person pursuant to this article for being out of compliance
51 with an order for support, as defined in Section 93-11-153. The
52 procedure for suspension of a license for being out of compliance
53 with an order for support, and the procedure for the reissuance or
54 reinstatement of a license suspended for that purpose, and the
55 payment of any fees for the reissuance or reinstatement of a
56 license suspended for that purpose, shall be governed by Section
57 93-11-157 or 93-11-163, as the case may be. If there is any
58 conflict between any provision of Section 93-11-157 or 93-11-163
59 and any provision of this article, the provisions of Section
60 93-11-157 or 93-11-163, as the case may be, shall control.

61 **SECTION 2.** This act shall take effect and be in force from
62 and after July 1, 2006.