

By: Representative Martinson

To: Transportation

## HOUSE BILL NO. 365

1 AN ACT TO AMEND SECTION 63-1-47, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE EVERY PERSON, UPON EACH RENEWAL OF A DRIVER'S LICENSE,  
3 EXCEPT UPON RENEWAL OF A DRIVER'S LICENSE BY ELECTRONIC MEANS, TO  
4 TAKE AND PASS A VISION SCREENING EXAMINATION TO BE ADMINISTERED BY  
5 THE DEPARTMENT OF PUBLIC SAFETY; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 63-1-47, Mississippi Code of 1972, is  
8 amended as follows:

9 63-1-47. (1) Except as otherwise provided in this section,  
10 each applicant for an original license issued pursuant to this  
11 article, who is entitled to issuance of same, and who is eighteen  
12 (18) years of age or older, shall be issued a four-year license  
13 which will expire at midnight on the licensee's birthday.

14 (a) Except as otherwise provided in this section, all  
15 renewal licenses of operators eighteen (18) years of age or older  
16 shall be for four-year periods and may be renewed any time within  
17 six (6) months before the expiration of the license upon  
18 application and payment of the required fee, unless required to be  
19 reexamined.

20 (b) Every person, upon each renewal of a driver's  
21 license, except upon renewal of a driver's license by electronic  
22 means as authorized under Section 63-1-35, in addition to  
23 complying with all other requirements for the renewal of a  
24 driver's license, must take and pass a vision screening  
25 examination to be administered by the Department of Public Safety.  
26 No additional fee shall be charged by the department for  
27 administering such examination.

28           (c) From and after January 1, 1990, no commercial  
29 driver's license shall be issued under the provisions of this  
30 article for any commercial motor vehicle, the lawful operation of  
31 which requires the driver to obtain a Class A, B or C commercial  
32 driver's license under Article 2 of this chapter; however, from  
33 time to time, the holder of a commercial license may apply for a  
34 commercial driver's license under Article 2 of this chapter; and,  
35 if he fails to pass the required test for such license, he shall  
36 be entitled to an extension of his license that shall be valid for  
37 one hundred twenty (120) days or until he again is tested under  
38 Article 2 of this chapter, whichever occurs first. The extension  
39 shall entitle the license holder to operate all vehicles which  
40 such license authorized him to operate prior to taking the  
41 required test. The first extension shall be without charge;  
42 however, a fee of Fifteen Dollars (\$15.00) shall be imposed for  
43 any subsequent extension. No extension shall be valid past March  
44 31, 1992.

45           (2) Any commercial driver's license issued under this  
46 article before January 1, 1990, which expires after March 31,  
47 1992, shall be void on April 1, 1992, for the operation of any  
48 commercial vehicle requiring a commercial license to be issued  
49 under Article 2 of this chapter; however, if the holder of any  
50 such license applies for a commercial driver's license under  
51 Article 2 of this chapter, passes the required tests for such  
52 license, pays all applicable fees under Article 2 of this chapter  
53 except the Forty Dollars (\$40.00) license fee and otherwise meets  
54 all requirements for the issuance of such license, then such  
55 person shall be issued a license under Article 2 of this chapter  
56 which shall expire on the expiration date of the commercial  
57 driver's license being replaced.

58           (3) The fee for the issuance of an original and renewals of  
59 a Class D commercial driver's license under this article to an  
60 applicant who is not a United States citizen and who does not

61 possess a social security number issued by the United States  
62 government and the period for which such license will be valid and  
63 expire shall be as prescribed in Section 63-1-43.

64 (4) The Commissioner of Public Safety shall notify, by  
65 United States mail addressed to the last known address of record  
66 with the Department of Public Safety, all holders of a commercial  
67 driver's license issued under this article before January 1, 1990,  
68 and which expire after March 31, 1992, that such license will be  
69 void on and after April 1, 1992, for the operation of any vehicle  
70 for which a commercial driver's license is required to be issued  
71 under Article 2 of this chapter.

72 (5) Any person holding a valid commercial driver's license  
73 issued under this article before January 1, 1990, shall continue  
74 thereafter, until expiration of such license, to be entitled to  
75 operate all vehicles which such license authorized him to operate  
76 immediately before January 1, 1990, except that from and after  
77 April 1, 1992, such license shall not entitle the licensee to  
78 operate a commercial motor vehicle the lawful operation of which  
79 requires a commercial driver's license under Article 2 of this  
80 chapter.

81 (6) Except as otherwise provided in this article, each  
82 applicant for an original driver's license issued pursuant to this  
83 article, who is entitled to issuance of same, being under eighteen  
84 (18) years of age, shall be issued a one-year license which will  
85 expire at midnight on the licensee's birthday. Renewal drivers'  
86 licenses of operators under the age of eighteen (18) shall be for  
87 one-year periods and may be renewed any time within two (2) months  
88 before the expiration of the license upon application and payment  
89 of the required fee, unless required to be reexamined. An  
90 intermediate license shall be valid for one (1) year from its date  
91 of issue and may be renewed any time within fourteen (14) days  
92 before expiration of the license. All applications by an operator  
93 under the age of eighteen (18) must be accompanied by

94 documentation that the applicant is in compliance with the  
95 education requirements of Section 63-1-9(1)(g), and the  
96 documentation must be dated no more than thirty (30) days prior to  
97 the date of application.

98 (7) Any license issued under this article to a person who is  
99 not a United States citizen and who does not possess a social  
100 security number issued by the United States government shall  
101 expire one (1) year from the date of issuance and may be renewed,  
102 if such person is otherwise qualified to renew such license,  
103 within thirty (30) days of expiration. The fee for any such  
104 license and for renewal shall be as prescribed in Section 63-1-43.

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