

By: Representatives Miles, Lott

To: Transportation

HOUSE BILL NO. 927

1 AN ACT TO AMEND SECTION 63-1-19, MISSISSIPPI CODE OF 1972, TO
 2 PRESCRIBE CERTAIN ADDITIONAL INFORMATION AND DOCUMENTATION THAT
 3 MUST BE PRESENTED TO THE COMMISSIONER OF PUBLIC SAFETY UPON
 4 APPLICATION FOR A DRIVER'S LICENSE OR PERMIT; TO REQUIRE THE
 5 DEPARTMENT OF PUBLIC SAFETY TO VERIFY THE LEGAL STATUS OF A PERSON
 6 WHO APPLIES FOR A DRIVER'S LICENSE OR PERMIT; TO AUTHORIZE THE
 7 DEPARTMENT TO CHARGE AN ADDITIONAL FEE FOR COLLECTING, ANALYZING
 8 AND VERIFYING INFORMATION AND DOCUMENTS REGARDING LEGAL STATUS; TO
 9 PROVIDE THAT A PERSON WHO IS NOT A CITIZEN OR NATIONAL OF THE
 10 UNITED STATES AND WHO HAS CERTAIN LEGAL STATUS IN THE UNITED
 11 STATES MAY BE ISSUED ONLY A TEMPORARY DRIVER'S LICENSE OR PERMIT;
 12 TO AMEND SECTION 63-1-35, MISSISSIPPI CODE OF 1972, TO PRESCRIBE
 13 CERTAIN ADDITIONAL INFORMATION THAT MUST APPEAR ON DRIVER'S
 14 LICENSES AND PERMITS; TO PROVIDE THAT A TEMPORARY LICENSE OR
 15 PERMIT SHALL INDICATE CLEARLY ON ITS FACE THAT THE LICENSE OR
 16 PERMIT IS TEMPORARY AND SHALL STATE THE EXPIRATION DATE; TO AMEND
 17 SECTION 45-35-5, MISSISSIPPI CODE OF 1972, TO PRESCRIBE CERTAIN
 18 ADDITIONAL INFORMATION AND DOCUMENTATION THAT MUST BE PRESENTED TO
 19 THE COMMISSIONER OF PUBLIC SAFETY UPON APPLICATION FOR AN
 20 IDENTIFICATION CARD; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO
 21 VERIFY THE LEGAL STATUS OF A PERSON WHO APPLIES FOR AN
 22 IDENTIFICATION CARD; TO AUTHORIZE THE DEPARTMENT TO CHARGE AN
 23 ADDITIONAL FEE FOR COLLECTING, ANALYZING AND VERIFYING INFORMATION
 24 AND DOCUMENTS REGARDING LEGAL STATUS; TO PROVIDE THAT A PERSON WHO
 25 IS NOT A CITIZEN OR NATIONAL OF THE UNITED STATES AND WHO HAS
 26 CERTAIN LEGAL STATUS IN THE UNITED STATES MAY BE ISSUED ONLY A
 27 TEMPORARY IDENTIFICATION CARD; TO AMEND SECTION 45-35-7,
 28 MISSISSIPPI CODE OF 1972, TO PROVIDE AN EXPIRATION DATE FOR
 29 TEMPORARY IDENTIFICATION CARDS; TO REDUCE FROM TEN YEARS TO EIGHT
 30 YEARS THE PERIOD OF TIME THAT AN INITIAL OR RENEWAL OF AN
 31 IDENTIFICATION CARD ISSUED TO A BLIND PERSON MAY BE VALID; TO
 32 AMEND SECTION 45-35-11, MISSISSIPPI CODE OF 1972, TO PRESCRIBE
 33 CERTAIN ADDITIONAL INFORMATION THAT MUST APPEAR ON IDENTIFICATION
 34 CARDS; TO PROVIDE THAT A TEMPORARY IDENTIFICATION CARD SHALL
 35 INDICATE CLEARLY ON ITS FACE THAT THE CARD IS TEMPORARY AND SHALL
 36 STATE THE EXPIRATION DATE; TO AMEND SECTIONS 45-35-3, 45-35-9,
 37 63-1-9, 63-1-17, 63-1-21, 63-1-23, 63-1-31, 63-1-33, 63-1-37,
 38 63-1-43, 63-1-45, 63-1-47, 63-1-49, 63-1-65 AND 63-10-1,
 39 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS
 40 ACT; AND FOR RELATED PURPOSES.

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

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

44 63-1-19. (1) (a) Every applicant for an initial license or
 45 permit issued pursuant to this article * * * shall file an
 46 application for such license or permit * * * on a form provided by

47 the Department of Public Safety, with the commissioner or an
48 official license examiner of the department. All persons not
49 holding valid, unexpired licenses issued in this state shall be
50 required to secure a license, except those specifically exempted
51 from licensing under Section 63-1-7. The application shall state
52 the full legal name, date of birth, the social security number of
53 the applicant unless the applicant is not a citizen or national of
54 the United States * * * and is not eligible for a social security
55 number issued by the United States government, the sex, race,
56 color of eyes, color of hair, weight, height and residence
57 address, and whether or not the applicant's privilege to drive has
58 been suspended or revoked at any time, and, if so, when, by whom,
59 and for what cause, and whether any previous application by him
60 has been denied, and whether he has any physical defects which
61 would interfere with his operating a motor vehicle safely upon the
62 highways. Each initial application shall also be accompanied
63 with:

64 (i) A photo identity document, except that a
65 nonphoto identity document is acceptable if it includes both the
66 person's full legal name and date of birth;

67 (ii) Documentation showing the person's date of
68 birth;

69 (iii) Proof of the person's social security
70 account number or verification that the person is not eligible for
71 a social security account number; and

72 (iv) Documentation showing the person's name and
73 address of principal residence.

74 (b) Every applicant for an initial license or permit
75 shall show proof of domicile in this state. The commissioner
76 shall promulgate any rules and regulations necessary to enforce
77 this requirement and shall prescribe the means by which an
78 applicant for an initial license may show domicile in this state.
79 Proof of domicile shall not be required of applicants under

80 eighteen (18) years of age or of applicants who are not citizens
81 or nationals of the United States and who are not domiciled in the
82 United States. However, persons who are not citizens or nationals
83 of the United States and who are not domiciled in the United
84 States must show proof of residence in Mississippi as provided
85 under paragraph (a)(iv) of this subsection (1).

86 * * *

87 (2) Before issuance of an initial license or permit under
88 this article, the applicant shall present to the Department of
89 Public Safety valid documentary evidence that the applicant:

90 (a) Is a citizen or national of the United States;

91 (b) Is an alien lawfully admitted for permanent or
92 temporary residence in the United States;

93 (c) Has conditional permanent resident status in the
94 United States;

95 (d) Has an approved application for asylum in the
96 United States or has entered into the United States in refugee
97 status;

98 (e) Has a valid, unexpired nonimmigrant visa or
99 nonimmigrant visa status for entry into the United States;

100 (f) Has a pending application for asylum in the United
101 States;

102 (g) Has a pending or approved application for temporary
103 protected status in the United States;

104 (h) Has approved deferred action status; or

105 (i) Has a pending application for adjustment of status
106 to that of an alien lawfully admitted for permanent residence in
107 the United States or conditional permanent resident status in the
108 United States.

109 (3) A person who is required to present evidence of legal
110 status under any of paragraphs (e) through (i) of subsection (2)
111 of this section, if otherwise authorized to be issued a license or
112 permit under this article, may be issued only a temporary driver's

113 license or permit which shall be in the form provided under
114 Section 63-1-35(2), which shall be valid for such period of time
115 as provided under Section 63-1-47, and which shall be subject to
116 such fees as provided under Section 63-1-43 and as otherwise
117 provided under this article.

118 (4) The Commissioner of Public Safety, by rule or
119 regulation, shall prescribe the minimum information and documents
120 required to be presented to the Department of Public Safety for
121 renewal of a license or permit issued under this article to a
122 person who is a citizen or national of the United States; however,
123 each application for renewal of a license or permit by a person
124 who is not a citizen or national of the United States shall
125 contain and be accompanied with all of the same information and
126 documents required under subsections (1) and (2) of this section
127 for issuance of an initial license or permit.

128 (5) For collecting, analyzing and verifying the information
129 and documents required under subsections (1) and (2) of this
130 section for the issuance of licenses and permits under this
131 article, the Department of Public Safety may charge applicants a
132 fee, which fee shall be in addition to any other fees authorized
133 or required to be charged or collected under this article. The
134 commissioner shall fix the fee in such amount so as to defray the
135 reasonable and necessary costs that the department incurs in
136 verifying the information and documents required under subsections
137 (1) and (2) of this section. The additional fee shall be the same
138 amount for all persons who are subject under this article to the
139 additional fee.

140 (6) No person who is illegally in the United States or
141 Mississippi shall be issued a license or permit under this
142 article. * * * The commissioner shall adopt and promulgate such
143 rules and regulations as he deems appropriate requiring additional
144 documents, materials, information or physical evidence to be
145 provided by the applicant as may be necessary to establish and

146 verify the identity of the applicant and that the applicant is not
147 present in the United States or the State of Mississippi
148 illegally.

149 (7) Whenever a person who has applied for or who has been
150 issued a license or permit under this article moves from the
151 address listed in the application or on the permit or license, or
152 whenever the name of a licensee changes by marriage or otherwise,
153 such person, within thirty (30) days thereafter, shall notify, in
154 writing, the Department of Public Safety, Driver Services
155 Division, and inform the department of his or her previous address
156 and new address and of his or her former name and new name. The
157 department shall not change the name of a licensee or permittee on
158 his or her license or permit unless the applicant appears in
159 person at an office of the department and provides a certified
160 copy of his or her marriage license, court order, birth
161 certificate or divorce decree changing the licensee's or
162 permittee's name.

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

169 (b) The department shall forward in an electronic
170 format the necessary personal information of the applicant to the
171 Selective Service System. The applicant's submission of the
172 application shall serve as an indication that the applicant either
173 has already registered with the Selective Service System or that
174 he is authorizing the department to forward to the Selective
175 Service System the necessary information for registration. The
176 commissioner shall notify the applicant on, or as a part of, the
177 application that his submission of the application will serve as
178 his consent to registration with the Selective Service System, if

179 so required. The commissioner also shall notify any male
180 applicant under the age of eighteen (18) that he will be
181 registered upon turning age eighteen (18) as required by federal
182 law.

183 **SECTION 2.** Section 63-1-35, Mississippi Code of 1972, is
184 amended as follows:

185 63-1-35. (1) The Commissioner of Public Safety shall
186 prescribe the form of licenses and permits issued pursuant to this
187 article which shall, among other features, include the full legal
188 name of the licensee or permittee, the person's date of birth, the
189 person's sex, the person's address of principle residence, the
190 person's signature, the expiration date of the license or permit
191 and a driver's license number or permit number assigned by the
192 Department of Public Safety which, at the option of the licensee
193 or permittee, may or may not be the social security number of the
194 licensee. A licensee or permittee who has a social security number
195 but who chooses not to use his social security number as his
196 driver's license or permit number, * * * shall list his social
197 security number with the department which shall cross reference
198 the social security number with the driver's license or permit
199 number for purposes of identification. A person who is not a
200 citizen or national of the United States and who is not eligible
201 for a social security number but who otherwise qualifies for
202 issuance of a license or permit under this article shall be
203 assigned a license or permit number by the department.

204 Additionally, each license or permit shall bear a full face color
205 photograph of the licensee or permittee in such form that the
206 license or permit and the photograph cannot be separated. * * *
207 The department shall use a process in the issuance of a license or
208 permit with a color photograph which shall prevent as nearly as
209 possible any alteration, counterfeiting, duplication,
210 reproduction, forging or modification of such license or permit or
211 the superimposition of a photograph without ready detection. Such

212 photograph shall be replaced by the department at the time of
213 renewal. Driver licenses and permits, including photographs
214 appearing thereon, may be renewed by electronic means according to
215 rules and regulations promulgated by the commissioner. The
216 Department of Public Safety may accept bank credit cards and debit
217 cards in payment of fees for driver license renewals or permit
218 renewals that are processed by electronic means and, if authorized
219 by general law, may charge an additional fee for the use of such
220 cards.

221 (2) The form of any temporary driver's license or permit
222 issued to a person as provided under Section 63-1-19(3), in
223 addition to meeting the requirements of subsection (1) of this
224 section, shall clearly indicate on the face of the license or
225 permit that it is temporary and shall state the date on which the
226 license or permit expires.

227 **SECTION 3.** Section 45-35-5, Mississippi Code of 1972, is
228 amended as follows:

229 45-35-5. * * *

230 (1) (a) Every applicant for an initial identification card
231 shall file an application for such identification card with the
232 commissioner on a form provided by the department. The
233 application shall state the full legal name, date of birth, the
234 social security number of the applicant unless the applicant is
235 not a citizen or national of the United States and is not eligible
236 for a social security number issued by the United States
237 government, the sex, race, color of eyes, color of hair, weight,
238 height and residence address. Each initial application shall also
239 be accompanied with:

240 (i) A photo identity document, except that a
241 nonphoto identity document is acceptable if it includes both the
242 person's full legal name and date of birth;

243 (ii) Documentation showing the person's date of
244 birth;

245 (iii) Proof of the person's social security
246 account number or verification that the person is not eligible for
247 a social security account number; and

248 (iv) Documentation showing the person's name and
249 address of principal residence.

250 (b) Every applicant for an initial identification card
251 shall show proof of domicile in this state. The commissioner
252 shall promulgate any rules and regulations necessary to enforce
253 this requirement and shall prescribe the means by which an
254 applicant for an identification card may show domicile in this
255 state. Proof of domicile shall not be required of applicants
256 under eighteen (18) years of age or of applicants who are not
257 citizens or nationals of the United States and who are not
258 domiciled in the United States. However, persons who are not
259 citizens or nationals of the United States and who are not
260 domiciled in the United States, regardless of age, must show proof
261 of residence in Mississippi as provided under paragraph (a)(iv) of
262 this subsection (1).

263 (2) Before issuance of an initial identification card under
264 this chapter, the applicant shall present to the Department of
265 Public Safety valid documentary evidence that the applicant:

266 (a) Is a citizen or national of the United States;

267 (b) Is an alien lawfully admitted for permanent or
268 temporary residence in the United States;

269 (c) Has conditional permanent resident status in the
270 United States;

271 (d) Has an approved application for asylum in the
272 United States or has entered into the United States in refugee
273 status;

274 (e) Has a valid, unexpired nonimmigrant visa or
275 nonimmigrant visa status for entry into the United States;

276 (f) Has a pending application for asylum in the United
277 States;

278 (g) Has a pending or approved application for temporary
279 protected status in the United States;

280 (h) Has approved deferred action status; or

281 (i) Has a pending application for adjustment of status
282 to that of an alien lawfully admitted for permanent residence in
283 the United States or conditional permanent resident status in the
284 United States.

285 (3) A person who is required to present evidence of legal
286 status under any of paragraphs (e) through (i) of subsection (2)
287 of this section, if otherwise authorized to be issued an
288 identification card under this chapter, may be issued only a
289 temporary identification card which shall be in the form as
290 provided under Section 45-35-11, shall be valid for such period of
291 time as provided under Section 45-35-7, and shall be subject to
292 such fees as provided under this section and Section 45-35-7.

293 (4) The Commissioner of Public Safety, by rule or
294 regulation, shall prescribe the minimum information and documents
295 required to be presented to the Department of Public Safety for
296 renewal of an identification card issued under this chapter to a
297 person who is a citizen or national of the United States; however,
298 each application for renewal of an identification card by a person
299 who is not a citizen or national of the United States shall
300 contain and be accompanied with all of the same information and
301 documents required under subsections (1) and (2) of this section
302 for issuance of an initial identification card.

303 (5) For collecting, analyzing and verifying the information
304 and documents required under subsections (1) and (2) of this
305 section for the issuance of an identification card under this
306 chapter, the Department of Public Safety may charge applicants a
307 fee, which fee shall be in addition to any other fees authorized
308 or required to be charged or collected under this chapter. The
309 commissioner shall fix the fee in such amount so as to defray the
310 reasonable and necessary costs that the department incurs in

311 verifying the information and documents required under subsections
312 (1) and (2) of this section. The additional fee shall be the same
313 amount for all persons who are subject under this chapter to the
314 additional fee.

315 (6) No person who is illegally in the United States or
316 Mississippi shall be issued an identification card under this
317 chapter. The commissioner shall adopt and promulgate such rules
318 and regulations as he deems appropriate requiring additional
319 documents, materials, information or physical evidence to be
320 provided by the applicant as may be necessary to establish and
321 verify the identity of the applicant and that the applicant is not
322 present in the United States or the State of Mississippi
323 illegally.

324 (7) Whenever a person who has applied for or who has been
325 issued an identification card under this chapter moves from the
326 address listed in the application or on the identification card,
327 or whenever the name of the holder of an identification card
328 changes by marriage or otherwise, such person, within thirty (30)
329 days thereafter, shall notify, in writing, the Department of
330 Public Safety, Driver Services Division, and inform the department
331 of his or her previous address and new address and of his or her
332 former name and new name. The department shall not change the
333 name of on his or her identification card unless the applicant
334 appears in person at an office of the department and provides a
335 certified copy of his or her marriage license, court order, birth
336 certificate or divorce decree changing the cardholder's name.

337 **SECTION 4.** Section 45-35-7, Mississippi Code of 1972, is
338 amended as follows:

339 45-35-7. (1) Except as provided in subsection (3) of this
340 section, each applicant for an initial identification card issued
341 pursuant to this chapter who is entitled to issuance of such a
342 card shall be issued a four-year card which shall expire at
343 midnight on the last day of the cardholder's birth month.

344 (2) Except as provided in subsection (3) of this section,
345 all renewal identification cards shall be for four-year periods
346 and may be renewed any time during the birth month of the
347 cardholder upon application and payment of the required fees.

348 (3) (a) Except as otherwise provided in this subsection,
349 any applicant who is blind, as defined in Section 43-6-1, upon
350 payment of the required fees * * *, shall be issued an initial
351 identification card which shall remain valid for a period of eight
352 (8) years. All renewal identification cards issued to such
353 persons shall also be valid for a period of eight (8) years.

354 (b) An initial identification card issued to any
355 applicant who is not a citizen or national of the United States
356 * * * and who is only eligible to be issued a temporary
357 identification card as provided under Section 45-35-5(3) shall be
358 valid only during the period of time of the applicant's authorized
359 stay in the United States or, if there is no definite end to the
360 period of authorized stay, for a period of one (1) year from the
361 date of issuance. Such identification card may be renewed, if
362 such person is otherwise qualified to renew such card, within
363 thirty (30) days of expiration and shall be valid only during the
364 period of time of the applicant's authorized stay in the United
365 States or, if there is no definite end to the period of authorized
366 stay, for a period of one (1) year from the date of issuance.

367 (4) A fee of Eleven Dollars (\$11.00) shall be collected for
368 the issuance of an initial or renewal identification card plus the
369 applicable photograph fee as provided in subsection (5) of this
370 section. The fee of Eleven Dollars (\$11.00) shall be deposited
371 into the State General Fund. The photograph fee shall be
372 deposited into a special photograph fee account or the State
373 General Fund as provided under subsection (5) of this section.

374 (5) The Commissioner of Public Safety, by rule or
375 regulation, shall establish an identification card photograph fee
376 which shall be the actual cost of the photograph rounded off to

377 the next highest dollar. Monies collected for the photograph fee
378 shall be deposited into a special photograph fee account which the
379 Department of Public Safety shall use to pay the actual cost of
380 producing the photographs. Any monies collected in excess of the
381 actual costs of the photography shall be deposited to the General
382 Fund of the State of Mississippi.

383 (6) Any person who, for medical reasons, surrenders his
384 unexpired driver's license, and any person whose unexpired
385 driver's license is suspended for medical reasons by the
386 Commissioner of Public Safety under Section 63-1-53(e), may be
387 issued an identification card without payment of a fee. The
388 identification card shall be valid for a period of four (4) years
389 from its date of issue. All renewals of such card shall be
390 subject to the fees prescribed in subsections (4) and (5) of this
391 section. The provisions of this subsection shall not be
392 applicable to persons who are not citizens or nationals of the
393 United States and who are only eligible to be issued a temporary
394 driver's license or permit.

395 (7) In addition to the fees required to be charged and
396 collected under this section, the Department of Public Safety
397 shall charge and collect a fee as provided under Section
398 45-35-5(5) from every person upon application for issuance of an
399 initial identification card under this chapter and from persons
400 who are not citizens or nationals of the United States upon each
401 application by any such person for renewal of an identification
402 card issued under this chapter.

403 (8) The department shall maintain a record of all
404 identification cards issued, except for those cards cancelled,
405 surrendered or denied renewal.

406 (9) (a) Any male who is at least eighteen (18) years of age
407 but less than twenty-six (26) years of age and who applies for an
408 identification card or a renewal of an identification card under
409 this chapter shall be registered in compliance with the

410 requirements of Section 3 of the Military Selective Service Act,
411 50 USCS Appx 451 et seq., as amended.

412 (b) The department shall forward in an electronic
413 format the necessary personal information of the applicant to the
414 Selective Service System. The applicant's submission of the
415 application shall serve as an indication that the applicant either
416 has already registered with the Selective Service System or that
417 he is authorizing the department to forward to the Selective
418 Service System the necessary information for registration. The
419 commissioner shall notify the applicant on, or as a part of, the
420 application that his submission of the application will serve as
421 his consent to registration with the Selective Service System, if
422 so required. The commissioner also shall notify any male
423 applicant under the age of eighteen (18) that he will be
424 registered upon turning age eighteen (18) as required by federal
425 law.

426 **SECTION 5.** Section 45-35-11, Mississippi Code of 1972, is
427 amended as follows:

428 45-35-11. (1) All identification cards shall be centrally
429 issued by the department * * *.

430 (2) The Commissioner of Public Safety shall prescribe the
431 form of identification cards issued pursuant to this chapter
432 which, among other features, shall include the full legal name of
433 the cardholder, the person's date of birth, the person's sex, the
434 person's address of principle residence, the person's signature,
435 the expiration date of the identification card and an
436 identification card number assigned by the Department of Public
437 Safety which, at the option of the cardholder, may or may not be
438 the social security number of the cardholder. A cardholder who
439 has a social security number but who chooses not to use his social
440 security number as his identification card number, shall list his
441 social security number with the department which shall cross
442 reference the social security number with the identification card

443 number for purposes of identification. A person who is not a
444 citizen or national of the United States and who is not eligible
445 for a social security number but who otherwise qualifies for
446 issuance of an identification card under this chapter shall be
447 assigned an identification card number by the department.
448 Additionally, each identification card shall bear a full face
449 color photograph of the cardholder in such form that the
450 cardholder and the photograph cannot be separated. The department
451 shall use a process in the issuance of an identification card with
452 a color photograph which shall prevent as nearly as possible any
453 alteration, counterfeiting, duplication, reproduction, forging or
454 modification of such license or permit or the superimposition of a
455 photograph without ready detection. Such photograph shall be
456 replaced by the department at the time of renewal. Identification
457 cards, including photographs appearing thereon, may be renewed by
458 electronic means according to rules and regulations promulgated by
459 the commissioner. The Department of Public Safety may accept bank
460 credit cards and debit cards in payment of fees for identification
461 card renewals that are processed by electronic means and, if
462 authorized by general law, may charge an additional fee for the
463 use of such credit cards and debit cards.

464 (2) The form of any temporary identification card issued to
465 a person as provided under Section 45-35-5(3), in addition to
466 meeting the requirements of subsection (1) of this section, shall
467 clearly indicate on the face of the identification card that it is
468 temporary and shall state the date on which the identification
469 card expires.

470 **SECTION 6.** Section 45-35-3, Mississippi Code of 1972, is
471 amended as follows:

472 45-35-3. Any person six (6) years of age or older may be
473 issued an identification card by the department by making
474 application for, presenting the documentation and identifying data
475 as required by, and meeting the requirements of Section 45-35-5.

476 **SECTION 7.** Section 45-35-9, Mississippi Code of 1972, is
477 amended as follows:

478 45-35-9. (1) If an identification card issued under this
479 chapter is lost, destroyed or mutilated, or a new name is
480 required, the person to whom it was issued may obtain a duplicate
481 by furnishing satisfactory proof of such fact to the department.
482 The same identifying data shall be furnished for a duplicate as
483 for an initial card. A fee of Three Dollars (\$3.00) plus the
484 applicable photograph fee shall be collected for the first
485 duplicate card issued and a fee of Eight Dollars (\$8.00) plus the
486 applicable photograph fee shall be collected for the second and
487 each subsequent duplicate copy. However, whenever a duplicate
488 copy of an identification card is issued only because a new name
489 is required and the previously issued identification card is
490 returned to the department, the fee for the issuance of such
491 duplicate shall be Three Dollars (\$3.00) plus the applicable
492 photograph fee, regardless of whether the duplicate is the first,
493 second or subsequent duplicate copy. All fees collected under
494 this section, except photograph fees, shall be deposited into the
495 State General Fund. Photograph fees collected under this section
496 shall be deposited into a special photograph fee account or into
497 the State General Fund in the same manner as photograph fees
498 collected from the issuance of drivers' licenses under Section
499 63-1-43.

500 (2) Any person who loses an identification card and who,
501 after obtaining a duplicate, finds the original card shall
502 promptly surrender the original card to the department.

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

505 63-1-9. (1) No driver's license, intermediate license or
506 learner's permit shall be issued pursuant to this article:

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

509 (b) To any person whose license to operate a motor
510 vehicle on the highways of Mississippi has been previously revoked
511 or suspended by this state or any other state and/or territory of
512 the United States or the District of Columbia, and such revocation
513 or suspension period has not expired.

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

516 (d) To any person who would not be able by reason of
517 physical or mental disability, in the opinion of the commissioner
518 or other person authorized to grant an operator's license, to
519 operate a motor vehicle on the highways with safety. However,
520 persons who have one (1) arm or leg, or have arms or legs
521 deformed, and have their car provided with mechanical devices
522 whereby they are able to drive in a safe manner over the highways,
523 if otherwise qualified, shall receive an operator's license the
524 same as other persons. Moreover, deafness shall not be a bar to
525 obtaining a license.

526 (e) To any person who is under the age of seventeen
527 (17) years to drive any motor vehicle while in use as a school bus
528 for the transportation of pupils to or from school, or to drive
529 any motor vehicle while in use as a public or common carrier of
530 persons or property.

531 (f) To any person as an operator who has previously
532 been adjudged to be afflicted with and suffering from any mental
533 disability and who has not at time of application been restored to
534 mental competency.

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

540 (i) Is enrolled and making satisfactory progress
541 in a course leading to a general education development
542 certificate;

543 (ii) Is enrolled in school in this state or any
544 other state;

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

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

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

551 (i) To any person who is illegally in the United States
552 or Mississippi.

553 (2) * * *

554 (a) A learner's permit may be issued to any person who
555 is at least fifteen (15) years of age who otherwise meets the
556 requirements of this article.

557 (b) An intermediate license may be issued to any person
558 who is at least fifteen (15) years of age who otherwise meets the
559 requirements of this article and who has held a learner's permit
560 for at least six (6) months without any conviction under Section
561 63-11-30 or of a moving violation. Any conviction under Section
562 63-11-30 or of a moving violation shall restart the six-month
563 requirement for the holding of a learner's permit before an
564 applicant can qualify for an intermediate license.

565 (c) A driver's license may be issued to any person who
566 is at least sixteen (16) years of age who otherwise meets the
567 requirements of this article and who has held an intermediate
568 license for at least six (6) months without any conviction under
569 Section 63-11-30 or of a moving violation. Any conviction under
570 Section 63-11-30 or of a moving violation shall restart the
571 six-month requirement for the holding of an intermediate license
572 before an applicant can qualify for a driver's license. However,

573 a person who is at least seventeen (17) years of age who has been
574 issued a learner's permit and who has never been convicted under
575 Section 63-11-30 or of a moving violation shall not be required to
576 have held an intermediate license.

577 (d) An applicant for a Mississippi driver's license
578 who, at the time of application, is at least sixteen (16) years of
579 age and who has held a valid motor vehicle driver's license issued
580 by another state for at least six (6) months shall not be required
581 to hold a learner's permit or an intermediate license before being
582 issued a driver's license.

583 (3) The commissioner shall ensure that the learner's permit,
584 intermediate license, and driver's license issued under this
585 article are clear, distinct and easily distinguishable from one
586 another.

587 **SECTION 9.** Section 63-1-17, Mississippi Code of 1972, is
588 amended as follows:

589 63-1-17. As the license examiners file their statements
590 showing the serial numbers of licenses and learner's permits
591 issued pursuant to this article during the preceding month, the
592 commissioner shall keep a record of all licenses and permits
593 issued pursuant to this article by such examiners, a record of all
594 licenses and permits revoked, a record of all perforated sections
595 mailed to him by the trial judges, and such other information that
596 he deems necessary to carry out the provisions of this article.

597 **SECTION 10.** Section 63-1-21, Mississippi Code of 1972, is
598 amended as follows:

599 63-1-21. (1) Every applicant for a new or initial driver's
600 or operator's license, except persons holding an out-of-state
601 license, shall first obtain a learner's permit upon the payment of
602 a fee of One Dollar (\$1.00) to the Department of Public Safety and
603 upon the successful completion of the examination provided for in
604 Section 63-1-33 and the payment of the fee for such examination
605 provided for in Section 63-1-43.

606 (2) A learner's permit entitles the holder, provided the
607 permit is in his immediate possession, to drive a motor vehicle
608 other than a motorcycle on the highways of the State of
609 Mississippi only when accompanied by a licensed operator who is at
610 least twenty-one (21) years of age and who is actually occupying
611 the seat beside the driver. A learner's permit may be issued to
612 any applicant who is at least fifteen (15) years of age. A
613 learner's permit shall be valid for a period of one (1) year from
614 the date of issue.

615 (3) An intermediate license allows unsupervised driving from
616 6:00 a.m. to 10:00 p.m. At all other times the intermediate
617 licensee must be supervised by a parent, guardian or other person
618 age twenty-one (21) years or older who holds a valid driver's
619 license under this article and who is actually occupying the seat
620 beside the driver.

621 (4) The fee for issuance of an intermediate license shall be
622 Five Dollars (\$5.00).

623 Except as otherwise provided by Section 63-1-6, every
624 applicant for a restricted motorcycle operator's license or a
625 motorcycle endorsement shall first obtain a * * * motorcycle
626 learner's permit upon the payment of a fee of One Dollar (\$1.00)
627 to the Department of Public Safety, and upon the successful
628 completion of the examination provided for in Section 63-1-33, and
629 payment of the fee for said examination provided for in Section
630 63-1-43. All applicants for such learner's permit shall (a) be at
631 least fifteen (15) years of age; (b) operate a motorcycle only
632 under the direct supervision of a person at least twenty-one (21)
633 years of age who possesses either a valid driver's or operator's
634 license with a motorcycle endorsement or a valid restricted
635 motorcycle operator's license; (c) be prohibited from transporting
636 a passenger on a motorcycle; (d) be prohibited from operating a
637 motorcycle upon any controlled access highway; and (e) be
638 prohibited from operating a motorcycle during the hours of 6:00

639 p.m. through 6:00 a.m. * * * Motorcycle learner's permits shall
640 be valid for the same period of time and may be renewed upon the
641 same conditions as learner's permits issued for vehicles other
642 than motorcycles.

643 **SECTION 11.** Section 63-1-23, Mississippi Code of 1972, is
644 amended as follows:

645 63-1-23. The application of any person under the age of
646 seventeen (17) years for a learner's permit, intermediate license
647 or license issued pursuant to this article shall be signed and
648 verified before a person authorized to administer oaths by both
649 the father and mother of the applicant, if both are living and
650 have custody of him, or in the event neither parent is living then
651 by the person or guardian having such custody or by an employer of
652 him, or in the event there is no guardian or employer then by any
653 other responsible person who is willing to assume the obligation
654 imposed under Section 63-1-25 upon a person signing the
655 application of a minor.

656 **SECTION 12.** Section 63-1-31, Mississippi Code of 1972, is
657 amended as follows:

658 63-1-31. When a person is denied a license or any learner's
659 permit after filing the proper application, he shall have the
660 right within sixty (60) days thereafter to file a petition, in the
661 county circuit or chancery court in the county wherein such
662 application was filed, praying for a hearing in the matter before
663 the judge of the court in which such application is presented.
664 Such judge or chancellor is hereby vested with jurisdiction to
665 hear such matters forthwith within term time or during vacation,
666 upon five (5) days' written notice to the officer who refused to
667 issue such license or any learner's permit. Said hearing shall be
668 conducted at such place as may suit the convenience of the court.
669 On the hearing of the petition, testimony may be taken, and the
670 court shall render such judgment in the matter as it deems right
671 and proper under the law and evidence.

672 **SECTION 13.** Section 63-1-33, Mississippi Code of 1972, is
673 amended as follows:

674 63-1-33. It shall be the duty of the license examiner, when
675 application is made for an operator's license or learner's permit,
676 to test the applicant's ability to read and understand road signs
677 and to give the required signals as adopted by the National
678 Advisory Committee on Uniform Traffic Control Devices and the
679 American Association of Motor Vehicle Administrators.

680 The commissioner shall have prepared and administer a test
681 composed of at least ten (10) questions relating to the safe
682 operation of a motor vehicle and testing the applicant's knowledge
683 of the proper operation of a motor vehicle.

684 Prior to the administration of the test the license examiner
685 shall inspect the horn, lights, brakes, inspection certificate and
686 vehicle registration of the motor vehicle which the applicant
687 expects to operate while being tested, and if he finds that any of
688 the aforementioned items are deficient, no license or endorsement
689 shall be issued to the applicant until same have been repaired.

690 An applicant for a Mississippi driver's license who, at the
691 time of application, holds a valid motor vehicle driver's license
692 issued by another state shall not be required to take a written
693 test.

694 Except as otherwise provided by Section 63-1-6, when
695 application is made for an initial motorcycle endorsement or a
696 restricted motorcycle operator's license, the applicant shall be
697 required to pass a written test which consists of questions
698 relating to the safe operation of a motorcycle and a skill test
699 similar to the "Motorcycle Operator Skill Test," which is endorsed
700 by the American Association of Motor Vehicle Administrators. The
701 commissioner may exempt any applicant from the skill test if the
702 applicant presents a certificate showing successful completion of
703 a course approved by the commissioner, which includes a similar

704 examination of skills needed in the safe operation of a
705 motorcycle.

706 **SECTION 14.** Section 63-1-37, Mississippi Code of 1972, is
707 amended as follows:

708 63-1-37. In the event that a license or learner's permit
709 issued under the provisions of this article is lost or destroyed,
710 the licensee shall obtain from the commissioner a duplicate copy
711 thereof and shall pay a fee in the amount of Three Dollars (\$3.00)
712 plus the applicable photograph fee for the first duplicate copy
713 and a fee in the amount of Eight Dollars (\$8.00) plus the
714 applicable photograph fee for the second and each subsequent
715 duplicate copy. The license or permit shall be marked
716 "Duplicate."

717 All fees collected under this section, except photograph
718 fees, shall be deposited into the State General Fund. Photograph
719 fees collected under this section shall be deposited pursuant to
720 the provisions of Section 63-1-43.

721 **SECTION 15.** Section 63-1-43, Mississippi Code of 1972, is
722 amended as follows:

723 63-1-43. (1) The fee for receiving the application and
724 issuing the regular driver's or operator's license and the fee for
725 renewing the license shall be:

726 (a) Eighteen Dollars (\$18.00) plus the applicable
727 photograph fee for each applicant for a four-year license;

728 (b) Three Dollars (\$3.00) plus the applicable
729 photograph fee for each applicant for a one-year license, except
730 as provided in paragraph (c) of this subsection; and

731 (c) Eight Dollars (\$8.00) plus the applicable
732 photograph fee for a temporary driver's license for each applicant
733 who is not a citizen or national of the United States * * * and
734 who is required to present evidence of legal status under Section
735 63-1-19(3).

736 All initial and renewals of regular operators' licenses shall
737 be in compliance with Section 63-1-47.

738 (2) The fee for receiving the application and issuing a
739 motorcycle endorsement shall be Five Dollars (\$5.00). Motorcycle
740 endorsements shall be valid for the same period of time as the
741 applicant's operator's license.

742 (3) The fee for receiving the application and issuing a
743 restricted motorcycle operator's license and the fee for renewing
744 such license shall be:

745 (a) Eleven Dollars (\$11.00) plus the applicable
746 photograph fee for a four-year license; and

747 (b) Eight Dollars (\$8.00) plus the applicable
748 photograph fee for a one-year license or for a temporary
749 restricted motorcycle operator's license for an applicant who is
750 not a citizen or national of the United States and who is required
751 to present evidence of legal status under Section 63-1-19(3).

752 All initial and renewals of restricted motorcycle licenses
753 shall be valid for the same period of time that an initial regular
754 driver's license may be issued to such person in compliance with
755 Section 63-1-47.

756 (4) From and after January 1, 1990, every person who makes
757 application for an initial license or a renewal license to operate
758 a vehicle as a common carrier by motor vehicle, taxicab, passenger
759 coach, dray, contract carrier or private commercial carrier as
760 such terms are defined in Section 27-19-3, except for those
761 vehicles for which a Class A, B or C license is required under
762 Article 2 of this chapter, shall, in lieu of the regular driver's
763 license above provided for, apply for and obtain a Class D
764 commercial driver's license. Except as otherwise provided in
765 subsection (5) of this section, the fee for the issuance of a
766 Class D commercial driver's license shall be Twenty-three Dollars
767 (\$23.00) plus the applicable photograph fee for a period of four
768 (4) years; however, except as required under Article 2 of this

769 chapter, no driver of a pickup truck shall be required to have a
770 commercial license regardless of the purpose for which the pickup
771 truck is used.

772 Except as otherwise provided in subsection (5) of this
773 section, all initial and renewals of commercial licenses issued
774 under this section shall be valid for a period of four (4) years,
775 in compliance with Section 63-1-47. Only persons who operate the
776 above-mentioned vehicles in the course of the regular and
777 customary business of the owner shall be required to obtain a
778 Class D commercial operator's license, and persons operating such
779 vehicles for private purposes or in emergencies shall not be
780 required to obtain such license.

781 (5) The initial and each renewal of a commercial driver's
782 license issued under this section to a person who is not a citizen
783 or national of the United States * * * and who is only eligible to
784 be issued a temporary license under Section 63-1-19(3), shall be
785 issued for a * * * fee of Eight Dollars (\$8.00) plus the
786 applicable photograph fee * * *. Such person may renew a
787 commercial license issued under this section within thirty (30)
788 days of expiration of the license if such person otherwise
789 qualifies for issuance of such license.

790 (6) The Commissioner of Public Safety, by rule or
791 regulation, shall establish a driver's license photograph fee
792 which shall be the actual cost of the photograph rounded off to
793 the next highest dollar. Monies collected for the photograph fee
794 shall be deposited into a special photograph fee account which the
795 Department of Public Safety shall use to pay the actual cost of
796 producing the photographs. Any monies collected in excess of the
797 actual costs of the photography shall be deposited to the General
798 Fund of the State of Mississippi.

799 (7) In addition to the fees required to be charged and
800 collected under this section, the Department of Public Safety
801 shall charge and collect a fee as provided under Section

802 63-1-19(5) from every person upon application for issuance of an
803 initial license or permit under this article and from persons who
804 are not citizens or nationals of the United States upon each
805 application by any such person for renewal of a license or permit
806 issued under this article.

807 **SECTION 16.** Section 63-1-45, Mississippi Code of 1972, is
808 amended as follows:

809 63-1-45. License examiners shall keep a complete record of
810 all funds received from applicants upon forms to be prescribed and
811 furnished by the department out of the operating funds of the
812 department. Application forms shall be printed in book form and
813 serially numbered and in such form that the original thereof may
814 be transmitted by the license examiner to the commissioner,
815 together with the renewal fee. A copy thereof, signed by the
816 examiner, shall be given to the applicant, and a copy thereof
817 shall be retained by the examiner. The license examiner shall,
818 not later than ten (10) days from the date of an application,
819 transmit the same, together with the fee, to the commissioner.
820 Such application blanks and funds shall be subject to audit at any
821 time. The commissioner shall maintain records of all application
822 forms on hand and issued to the examiners, who shall be charged
823 therewith. The receipt provided for herein shall be the only
824 valid and recognized form of receipt for fees paid by applicants,
825 and such receipt shall be sufficient in lieu of the renewed
826 license for a period of sixty (60) days or until such renewed
827 license has been issued to the applicant by the commissioner.
828 There shall be tendered with all applications for a learner's
829 permit or * * * motorcycle learner's permit, or for the initial
830 issuance of any license issued pursuant to this article, the
831 proper fee required by law, in cash, or by money order, cashier's
832 or certified check. The required fee for issuance of renewal
833 licenses, duplicate licenses or other services, for which a fee is
834 charged, shall be tendered with the application therefor by cash,

835 check or money order. In the event a check for renewal of a
836 license is dishonored for any reason, the person whose license was
837 being renewed by such check shall be notified in writing and be
838 given thirty (30) days after such written notice in which to pay
839 the renewal fee. This shall be done by forwarding a certified
840 check or postal money order in the correct amount to the
841 department. If, at the end of thirty (30) days, such certified
842 check or postal money order has not been received by the
843 department, the commissioner shall cancel that person's license,
844 and, in order for that license to be reinstated, a reinstatement
845 fee of Ten Dollars (\$10.00) plus the amount due on the returned
846 check must be received by the department.

847 The Commissioner of Public Safety shall deposit the amount of
848 fees, together with all fees for duplicate licenses, permits,
849 delinquent fees and reinstatement fees collected by him into the
850 General Fund of the State Treasury, in accordance with the
851 provisions of Section 45-1-23(2); however, Seven Dollars (\$7.00)
852 of the fee derived from the fee charged for initial and renewal
853 operators' licenses imposed under Section 63-1-43(1) and Four
854 Dollars (\$4.00) of the fee derived from the fee charged for
855 initial and renewal Class D commercial drivers' licenses under
856 Section 63-1-43(4) shall be deposited into a special fund that is
857 created in the State Treasury. Monies in the fund may be expended
858 pursuant to legislative appropriation solely for the purchase by
859 the Mississippi Highway Safety Patrol of patrol cars,
860 communications equipment and weapons.

861 **SECTION 17.** Section 63-1-47, Mississippi Code of 1972, is
862 amended as follows:

863 63-1-47. (1) Except as otherwise provided in this article,
864 each applicant for an initial license issued pursuant to this
865 article, who is entitled to issuance of same, and who is eighteen
866 (18) years of age or older, shall be issued a four-year license
867 which will expire at midnight on the licensee's birthday.

868 * * * Except as otherwise provided in this section, all
869 renewal licenses of operators eighteen (18) years of age or older
870 shall be for four-year periods and may be renewed any time within
871 six (6) months before the expiration of the license upon
872 application and payment of the required fee, unless required to be
873 reexamined.

874 * * *

875 (2) The fee for the issuance of an initial and renewals of a
876 Class D commercial driver's license under this article to an
877 applicant who is not a citizen or national of the United States
878 * * * and is only eligible to be issued a temporary license under
879 Section 63-1-19(3) shall be as provided in Section 63-1-43(5), and
880 the period for which such license will be valid and expire, shall
881 be as prescribed in subsection (4) of this section.

882 * * *

883 (3) Except as otherwise provided in this article, each
884 applicant for an initial driver's license issued pursuant to this
885 article, who is entitled to issuance of same, being under eighteen
886 (18) years of age, shall be issued a one-year license which will
887 expire at midnight on the licensee's birthday. Renewal drivers'
888 licenses of operators under the age of eighteen (18) shall be for
889 one-year periods and may be renewed any time within two (2) months
890 before the expiration of the license upon application and payment
891 of the required fee, unless required to be reexamined. An
892 intermediate license shall be valid for one (1) year from its date
893 of issue and may be renewed any time within fourteen (14) days
894 before expiration of the license. All applications by an operator
895 under the age of eighteen (18) must be accompanied by
896 documentation that the applicant is in compliance with the
897 education requirements of Section 63-1-9(1)(g), and the
898 documentation must be dated no more than thirty (30) days prior to
899 the date of application.

900 (4) Any license or permit issued under this article to a
901 person who is not a citizen or national of the United States
902 * * * and who is only eligible to be issued a temporary license
903 or permit under Section 63-1-19(3), shall be valid only during the
904 period of time of the applicant's authorized stay in the United
905 States or, if there is no definite end to the period of authorized
906 stay, a period of one (1) year from the date of issuance. Such
907 license or permit may be renewed, if such person is otherwise
908 qualified to renew such license, within thirty (30) days of
909 expiration and shall be valid only during the period of time of
910 the applicant's authorized stay in the United States or, if there
911 is no definite end to the period of authorized stay, a period of
912 one (1) year from the date of issuance. The fee for any such
913 license and for renewal shall be as prescribed in Section 63-1-43.

914 **SECTION 18.** Section 63-1-49, Mississippi Code of 1972, is
915 amended as follows:

916 63-1-49. (1) An expired license issued pursuant to this
917 article may be renewed at any time within twelve (12) months after
918 the expiration date of said license upon application and payment
919 of the required fee, and the payment of a delinquent fee of One
920 Dollar (\$1.00), in lieu of a driver examination, unless the holder
921 of the expired license is required to be examined, or unless the
922 department has reason to believe the licensee is no longer
923 qualified to receive a license. If any person shall obtain a new
924 license, his last previous license having been good and valid,
925 except for its lapsing, without his having obtained a renewal
926 within the time required by law, then such reissuance of a license
927 shall constitute a renewal of the previous license and not a new
928 license.

929 (2) (a) Any person in the armed services of the United
930 States, holding a valid license issued pursuant to this article
931 and being out of state due to military service at the time the
932 license expires, may renew the license by mail or by on-line

933 renewal services or at any time within ninety (90) days after
934 being discharged from such military service or upon returning to
935 the state, without payment of any delinquent fee or examination,
936 unless the department has reason to believe that the licensee is
937 no longer qualified to receive a license. Such person shall make
938 proof by affidavit of the fact of such military service and of the
939 time of discharge or return. The expiration of the license of a
940 military person under the provisions of this paragraph (a) shall
941 not affect the validity of the license, but such license shall
942 continue to be valid and permit such person to operate a motor
943 vehicle for a period of ninety (90) days after he is discharged
944 from military service or returns to the state or until he renews
945 his license, whichever event first occurs.

946 (b) The provisions of paragraph (a) of this subsection
947 (2) also apply to a dependent of a person in the armed services of
948 the United States who is out of state due to military service if
949 the dependent resides out of state with the armed services member
950 and the license of the dependent expires during his or her absence
951 from the state. The Commissioner of Public Safety may adopt such
952 rules and regulations as may be necessary to implement the
953 provisions of this paragraph.

954 (3) Any person holding a valid license issued pursuant to
955 this article who is going overseas for two (2) to four (4) years
956 and whose license shall expire during the stay overseas may renew
957 said license for four (4) years prior to leaving. Said person
958 shall make proof by affidavit of the fact of such overseas travel.
959 Such reissuance of a license shall constitute a renewal of the
960 previous license and not a new license.

961 (4) None of the provisions of this section shall be
962 construed to authorize renewal of the license or permit of a
963 person who is not a citizen or national of the United States
964 except upon verification by the Department of Public Safety of the
965 legal status of such person and payment of the applicable fees for

966 renewal of such license or permit for the prescribed period of
967 time for which such license of such person may be renewed, all as
968 otherwise provided under this article.

969 **SECTION 19.** Section 63-1-65, Mississippi Code of 1972, is
970 amended as follows:

971 63-1-65. It shall be unlawful for any person to lend or
972 borrow any learner's permit or license issued pursuant to this
973 article, or to display or represent a license or temporary permit
974 not issued to himself. Any person violating this section shall be
975 fined not less than Five Dollars (\$5.00) and costs and not more
976 than Twenty-five Dollars (\$25.00) and costs.

977 **SECTION 20.** Section 63-10-1, Mississippi Code of 1972, is
978 amended as follows:

979 63-10-1. As used in this chapter:

980 (a) "State" means a state, territory or possession of
981 the United States, the District of Columbia or the Commonwealth of
982 Puerto Rico.

983 (b) "Reciprocating state" means any state which extends
984 by its laws to residents of Mississippi, substantially the same
985 rights and privileges as provided for by this chapter.

986 (c) "Citation" means any citation, ticket or other
987 document issued by a state highway patrol officer for the
988 violation of a traffic law, ordinance, rule or regulation,
989 ordering the alleged offender to appear.

990 (d) "License" means any operator's or chauffeur's
991 permit or license, or any other license or permit to operate a
992 motor vehicle issued under the laws of this state or a
993 reciprocating state including:

994 (i) Any * * * learner's permit;

995 (ii) The privilege of any person to operate a
996 motor vehicle whether or not such person holds a valid license;

997 and

998 (iii) Any nonresident's operating privilege
999 conferred upon a nonresident of a state pertaining to the
1000 operation by such person of a motor vehicle in such state.

1001 (e) "Collateral" or "bond" means any cash or other
1002 security deposited to secure an appearance for trial following the
1003 issuance of a citation by a state highway patrol officer for the
1004 violation of a traffic law, ordinance, rule or regulation.

1005 (f) "Personal recognizance" means a signed agreement by
1006 an alleged offender that he will comply with the terms of a
1007 court's directive as the result of a traffic citation served him.

1008 (g) "Nonresident" refers only to a person who is a
1009 resident of or holds a driver's license issued by a reciprocating
1010 state.

1011 **SECTION 21.** This act shall take effect and be in force from
1012 and after July 1, 2006.