

By: Representative Mayo

To: Transportation

## HOUSE BILL NO. 1209

1 AN ACT TO AMEND SECTION 63-1-49, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO NOTIFY THE HOLDER OF A  
3 REGULAR DRIVER'S LICENSE AT LEAST THIRTY DAYS BEFORE EXPIRATION OF  
4 THE LICENSE; TO AUTHORIZE THE DEPARTMENT TO CHARGE AN ADDITIONAL  
5 FEE FOR SUCH NOTICE; AND FOR RELATED 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) (a) An expired license issued pursuant to  
10 this article may be renewed at any time within twelve (12) months  
11 after the expiration date of said license upon application and  
12 payment of the required fee, and the payment of a delinquent fee  
13 of One Dollar (\$1.00), in lieu of a driver examination, unless the  
14 holder of the expired license is required to be examined, or  
15 unless the department has reason to believe the licensee is no  
16 longer qualified to receive a license. If any person shall obtain  
17 a new license, his last previous license having been good and  
18 valid, except for its lapsing, without his having obtained a  
19 renewal within the time required by law, then such reissuance of a  
20 license shall constitute a renewal of the previous license and not  
21 a new license.

22 (b) At least thirty (30) days before the expiration  
23 date of a regular driver's license, the Department of Public  
24 Safety shall notify the licensee, in writing, by United States  
25 first class mail, that the license will expire unless renewed on  
26 or before the expiration date. To defer the costs incurred by the  
27 department in providing such notice, the department shall charge  
28 an additional fee in an amount not to exceed Two Dollars (\$2.00),

29 which fee shall be in addition to any other fees required to be  
30 paid by the licensee at the time of renewal.

31 (2) (a) Any person in the armed services of the United  
32 States, holding a valid license issued pursuant to this article  
33 and being out of state due to military service at the time the  
34 license expires, may renew the license by mail or by on-line  
35 renewal services or at any time within ninety (90) days after  
36 being discharged from such military service or upon returning to  
37 the state, without payment of any delinquent fee or examination,  
38 unless the department has reason to believe that the licensee is  
39 no longer qualified to receive a license. Such person shall make  
40 proof by affidavit of the fact of such military service and of the  
41 time of discharge or return. The expiration of the license of a  
42 military person under the provisions of this paragraph (a) shall  
43 not affect the validity of the license, but such license shall  
44 continue to be valid and permit such person to operate a motor  
45 vehicle for a period of ninety (90) days after he is discharged  
46 from military service or returns to the state or until he renews  
47 his license, whichever event first occurs.

48 (b) The provisions of paragraph (a) of this subsection  
49 (2) also apply to a dependent of a person in the armed services of  
50 the United States who is out of state due to military service if  
51 the dependent resides out of state with the armed services member  
52 and the license of the dependent expires during his or her absence  
53 from the state. The Commissioner of Public Safety may adopt such  
54 rules and regulations as may be necessary to implement the  
55 provisions of this paragraph.

56 (3) Any person holding a valid license issued pursuant to  
57 this article who is going overseas for two (2) to four (4) years  
58 and whose license shall expire during the stay overseas may renew  
59 said license for four (4) years prior to leaving. Said person  
60 shall make proof by affidavit of the fact of such overseas travel.

61 Such reissuance of a license shall constitute a renewal of the  
62 previous license and not a new license.

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