

By: Representative Evans

To: Transportation

HOUSE BILL NO. 1224

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 AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE A
13 CERTIFICATE PERMITTING OR LICENSING A PERSON TO DRIVE A MOTOR
14 VEHICLE UPON THE PUBLIC ROADS, STREETS AND HIGHWAYS IN THIS STATE
15 IF SUCH PERSON DOES NOT PROVIDE TO THE DEPARTMENT CERTAIN
16 DOCUMENTARY EVIDENCE REQUIRED TO BE SUBMITTED BY APPLICANTS FOR
17 DRIVER'S LICENSES AND DRIVER PERMITS; TO PROVIDE THAT SUCH
18 CERTIFICATES SHALL BE ISSUED IN THE SAME FORM AND SHALL CONTAIN
19 THE SAME INFORMATION AS REQUIRED FOR REGULAR LICENSES AND PERMITS;
20 TO PROVIDE THAT SUCH CERTIFICATES SHALL BE ISSUED FOR THE SAME
21 FEES AND SHALL BE VALID AND MAY BE RENEWED FOR THE SAME PERIOD OF
22 TIME AS A REGULAR LICENSE OR PERMIT; TO PROVIDE THAT THE
23 PROVISIONS OF ALL LAWS APPLICABLE TO THE CANCELLATION, SUSPENSION
24 AND REVOCATION OF REGULAR LICENSES AND PERMITS, INCLUDING THE
25 PROVISIONS OF THE MISSISSIPPI MOTOR VEHICLE SAFETY-RESPONSIBILITY
26 LAW, ALSO SHALL BE APPLICABLE TO A PERSON TO WHOM A CERTIFICATE
27 FOR A LICENSE OR PERMIT IS ISSUED; TO REQUIRE EACH SUCH
28 CERTIFICATE FOR A LICENSE OR PERMIT TO BE CLEARLY DISTINGUISHABLE
29 FROM A REGULAR LICENSE OR PERMIT AND SHALL CLEARLY INDICATE ON ITS
30 FACE THAT THE CERTIFICATE IS FOR DRIVING PURPOSES ONLY AND IS NOT
31 VALID FOR FEDERAL IDENTIFICATION; TO AMEND SECTION 63-1-35,
32 MISSISSIPPI CODE OF 1972, TO PRESCRIBE CERTAIN ADDITIONAL
33 INFORMATION THAT MUST APPEAR ON DRIVER'S LICENSES AND PERMITS; TO
34 PROVIDE THAT A TEMPORARY LICENSE OR PERMIT SHALL INDICATE CLEARLY
35 ON ITS FACE THAT THE LICENSE OR PERMIT IS TEMPORARY AND SHALL
36 STATE THE EXPIRATION DATE; TO AMEND SECTION 45-35-5, MISSISSIPPI
37 CODE OF 1972, TO PRESCRIBE CERTAIN ADDITIONAL INFORMATION AND
38 DOCUMENTATION THAT MUST BE PRESENTED TO THE COMMISSIONER OF PUBLIC
39 SAFETY UPON APPLICATION FOR AN IDENTIFICATION CARD; TO REQUIRE THE
40 DEPARTMENT OF PUBLIC SAFETY TO VERIFY THE LEGAL STATUS OF A PERSON
41 WHO APPLIES FOR AN IDENTIFICATION CARD; TO AUTHORIZE THE
42 DEPARTMENT TO CHARGE AN ADDITIONAL FEE FOR COLLECTING, ANALYZING
43 AND VERIFYING INFORMATION AND DOCUMENTS REGARDING LEGAL STATUS; TO
44 PROVIDE THAT A PERSON WHO IS NOT A CITIZEN OR NATIONAL OF THE
45 UNITED STATES AND WHO HAS CERTAIN LEGAL STATUS IN THE UNITED
46 STATES MAY BE ISSUED ONLY A TEMPORARY IDENTIFICATION CARD; TO
47 AMEND SECTION 45-35-7, MISSISSIPPI CODE OF 1972, TO PROVIDE AN
48 EXPIRATION DATE FOR TEMPORARY IDENTIFICATION CARDS; TO REDUCE FROM
49 TEN YEARS TO EIGHT YEARS THE PERIOD OF TIME THAT AN INITIAL OR
50 RENEWAL OF AN IDENTIFICATION CARD ISSUED TO A BLIND PERSON MAY BE
51 VALID; TO AMEND SECTION 45-35-11, MISSISSIPPI CODE OF 1972, TO
52 PRESCRIBE CERTAIN ADDITIONAL INFORMATION THAT MUST APPEAR ON

53 IDENTIFICATION CARDS; TO PROVIDE THAT A TEMPORARY IDENTIFICATION
54 CARD SHALL INDICATE CLEARLY ON ITS FACE THAT THE CARD IS TEMPORARY
55 AND SHALL STATE THE EXPIRATION DATE; TO AMEND SECTIONS 45-35-3,
56 45-35-9, 63-1-9, 63-1-17, 63-1-21, 63-1-23, 63-1-31, 63-1-33,
57 63-1-37, 63-1-43, 63-1-45, 63-1-47, 63-1-49, 63-1-65 AND 63-10-1,
58 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS
59 ACT; AND FOR RELATED PURPOSES.

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

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

63 63-1-19. (1) (a) Every applicant for an initial license or
64 permit issued pursuant to this article * * * shall file an
65 application for such license or permit * * * on a form provided by
66 the Department of Public Safety, with the commissioner or an
67 official license examiner of the department. All persons not
68 holding valid, unexpired licenses issued in this state shall be
69 required to secure a license, except those specifically exempted
70 from licensing under Section 63-1-7. The application shall state
71 the full legal name, date of birth, the social security number of
72 the applicant unless the applicant is not a citizen or national of
73 the United States * * * and is not eligible for a social security
74 number issued by the United States government, the sex, race,
75 color of eyes, color of hair, weight, height and residence
76 address, and whether or not the applicant's privilege to drive has
77 been suspended or revoked at any time, and, if so, when, by whom,
78 and for what cause, and whether any previous application by him
79 has been denied, and whether he has any physical defects which
80 would interfere with his operating a motor vehicle safely upon the
81 highways. Each initial application shall also be accompanied
82 with:

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

86 (ii) Documentation showing the person's date of
87 birth;

88 (iii) Proof of the person's social security
89 account number or verification that the person is not eligible for
90 a social security account number; and

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

93 (b) Every applicant for an initial license or permit
94 shall show proof of domicile in this state. The commissioner
95 shall promulgate any rules and regulations necessary to enforce
96 this requirement and shall prescribe the means by which an
97 applicant for an initial license may show domicile in this state.
98 Proof of domicile shall not be required of applicants under
99 eighteen (18) years of age or of applicants who are not citizens
100 or nationals of the United States and who are not domiciled in the
101 United States. However, persons who are not citizens or nationals
102 of the United States and who are not domiciled in the United
103 States must show proof of residence in Mississippi as provided
104 under paragraph (a)(iv) of this subsection (1).

105 * * *

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

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

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

112 (c) Has conditional permanent resident status in the
113 United States;

114 (d) Has an approved application for asylum in the
115 United States or has entered into the United States in refugee
116 status;

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

119 (f) Has a pending application for asylum in the United
120 States;

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

123 (h) Has approved deferred action status; or

124 (i) Has a pending application for adjustment of status
125 to that of an alien lawfully admitted for permanent residence in
126 the United States or conditional permanent resident status in the
127 United States.

128 (3) A person who is required to present evidence of legal
129 status under any of paragraphs (e) through (i) of subsection (2)
130 of this section, if otherwise authorized to be issued a license or
131 permit under this article, may be issued only a temporary driver's
132 license or permit which shall be in the form provided under
133 Section 63-1-35(2), which shall be valid for such period of time
134 as provided under Section 63-1-47, and which shall be subject to
135 such fees as provided under Section 63-1-43 and as otherwise
136 provided under this article.

137 (4) The Commissioner of Public Safety, by rule or
138 regulation, shall prescribe the minimum information and documents
139 required to be presented to the Department of Public Safety for
140 renewal of a license or permit issued under this article to a
141 person who is a citizen or national of the United States; however,
142 each application for renewal of a license or permit by a person
143 who is not a citizen or national of the United States shall
144 contain and be accompanied with all of the same information and
145 documents required under subsections (1) and (2) of this section
146 for issuance of an initial license or permit.

147 (5) For collecting, analyzing and verifying the information
148 and documents required under subsections (1) and (2) of this
149 section for the issuance of licenses and permits under this
150 article, the Department of Public Safety may charge applicants a
151 fee, which fee shall be in addition to any other fees authorized
152 or required to be charged or collected under this article. The
153 commissioner shall fix the fee in such amount so as to defray the

154 reasonable and necessary costs that the department incurs in
155 verifying the information and documents required under subsections
156 (1) and (2) of this section. The additional fee shall be the same
157 amount for all persons who are subject under this article to the
158 additional fee.

159 (6) No person who is illegally in the United States or
160 Mississippi shall be issued a license or permit under this
161 article. * * * The commissioner shall adopt and promulgate such
162 rules and regulations as he deems appropriate requiring additional
163 documents, materials, information or physical evidence to be
164 provided by the applicant as may be necessary to establish and
165 verify the identity of the applicant and that the applicant is not
166 present in the United States or the State of Mississippi
167 illegally.

168 (7) (a) Whenever a person who has applied for or who has
169 been issued a license or permit under this article moves from the
170 address listed in the application or on the permit or license, or
171 whenever the name of a licensee changes by marriage or otherwise,
172 such person, within thirty (30) days thereafter, shall notify, in
173 writing, the Department of Public Safety, Driver Services
174 Division, and inform the department of his or her previous address
175 and new address and of his or her former name and new name. The
176 department shall not change the name of a licensee or permittee on
177 his or her license or permit unless the applicant appears in
178 person at an office of the department and provides a certified
179 copy of his or her marriage license, court order, birth
180 certificate or divorce decree changing the licensee's or
181 permittee's name.

182 (b) Notwithstanding any other provision of law to the
183 contrary, the department may issue a certificate permitting or
184 licensing a person to drive a motor vehicle upon the public roads,
185 streets and highways in this state to any person who does not
186 satisfy the requirements of subsection (2) of this section and who

187 shows proof of residence in this state by presenting to the
188 license examiner at least two (2) of the following documents:
189 (i) A utility bill, including telephone service,
190 showing a valid residential address;
191 (ii) A bank statement showing a valid Mississippi
192 address;
193 (iii) An acceptable employer verification, such as
194 an employment identification card, a letter from the employer on
195 its official letterhead or a payroll check or payroll check stub;
196 (iv) An automobile, life or health insurance
197 policy showing a valid Mississippi address;
198 (v) A driver's license issued by the State of
199 Mississippi to a parent, legal guardian or spouse;
200 (vi) A Mississippi motor vehicle registration
201 showing a valid Mississippi address;
202 (vii) An Internal Revenue Service Tax Reporting
203 W-2 Form;
204 (viii) A receipt for personal or real estate taxes
205 paid within the last year showing a valid Mississippi address;
206 (ix) A copy of a residential lease showing a valid
207 Mississippi address;
208 (x) If the applicant is a student enrolled in a
209 public or private school in Mississippi, a photo student
210 identification and acceptable documentation that the student
211 resides on campus; or
212 (xi) A photo identification card issued by the
213 government of the applicant's country of origin.
214 (c) If an applicant is unable to provide at least two
215 (2) of the documents described in paragraph (b) of this
216 subsection, he may provide one (1) of the documents described in
217 paragraph (b) of this section and one (1) of the following
218 documents:

219 (i) The Individual Taxpayer Identification Number
220 (ITIN) issued by the Internal Revenue Service;

221 (ii) Form I-94 issued to the applicant by the
222 United States Immigration and Naturalization Service;

223 (iii) An Employment Authorization Card (EAD)
224 issued to the applicant by the United States Immigration and
225 Naturalization Service;

226 (iv) A Permanent Residence Card issued to the
227 applicant by the United States Immigration and Naturalization
228 Service or the Department of Homeland Security;

229 (v) A stamp in a foreign passport issued by the
230 United States Immigration and Naturalization Service or the
231 Department of Homeland Security showing evidence of lawful
232 admission for permanent residence; or

233 (vi) Any other document establishing lawful
234 immigration status issued by the United States Immigration and
235 Naturalization Service or the Department of Homeland Security.

236 (d) The documents described in paragraphs (b) and (c)
237 of this subsection must include the applicant's name or the name
238 of the applicant's spouse, if the applicant has a spouse, or if
239 the applicant is a minor, the name of a parent or legal guardian.
240 These documents must also show the valid residence address of the
241 applicant being used on the application for the certificate.

242 (e) A certificate for a license or permit authorized to
243 be issued under this section shall be issued in the same form and
244 shall contain the same information as required under Section
245 63-1-35 for regular licenses and permits issued by the department
246 under this article; a certificate for a particular license or
247 permit applied for shall be issued for the same fees and shall be
248 valid for the same period of time that regular licenses and
249 permits are issued and renewed under this article; and the
250 provisions of all laws applicable under this article to the
251 cancellation, suspension and revocation of regular licenses and

252 permits issued under this article, including the provisions of the
253 Mississippi Motor Vehicle Safety-Responsibility Law, also shall be
254 applicable to a person to whom a certificate for a license or
255 permit is issued under this section; however, each certificate for
256 a license or permit shall be clearly distinguishable from regular
257 licenses and permits issued under this article and shall clearly
258 display on its face a phrase substantially similar to "FOR DRIVING
259 PURPOSES ONLY - NOT VALID FOR FEDERAL IDENTIFICATION."

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

266 (b) The department shall forward in an electronic
267 format the necessary personal information of the applicant to the
268 Selective Service System. The applicant's submission of the
269 application shall serve as an indication that the applicant either
270 has already registered with the Selective Service System or that
271 he is authorizing the department to forward to the Selective
272 Service System the necessary information for registration. The
273 commissioner shall notify the applicant on, or as a part of, the
274 application that his submission of the application will serve as
275 his consent to registration with the Selective Service System, if
276 so required. The commissioner also shall notify any male
277 applicant under the age of eighteen (18) that he will be
278 registered upon turning age eighteen (18) as required by federal
279 law.

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

282 63-1-35. (1) The Commissioner of Public Safety shall
283 prescribe the form of licenses and permits issued pursuant to this
284 article which shall, among other features, include the full legal

285 name of the licensee or permittee, the person's date of birth, the
286 person's sex, the person's address of principle residence, the
287 person's signature, the expiration date of the license or permit
288 and a driver's license number or permit number assigned by the
289 Department of Public Safety which, at the option of the licensee
290 or permittee, may or may not be the social security number of the
291 licensee. A licensee or permittee who has a social security
292 number but who chooses not to use his social security number as
293 his driver's license or permit number, * * * shall list his social
294 security number with the department which shall cross reference
295 the social security number with the driver's license or permit
296 number for purposes of identification. A person who is not a
297 citizen or national of the United States and who is not eligible
298 for a social security number but who otherwise qualifies for
299 issuance of a license or permit under this article shall be
300 assigned a license or permit number by the department.
301 Additionally, each license or permit shall bear a full face color
302 photograph of the licensee or permittee in such form that the
303 license or permit and the photograph cannot be separated. * * *
304 The department shall use a process in the issuance of a license or
305 permit with a color photograph which shall prevent as nearly as
306 possible any alteration, counterfeiting, duplication,
307 reproduction, forging or modification of such license or permit or
308 the superimposition of a photograph without ready detection. Such
309 photograph shall be replaced by the department at the time of
310 renewal. Driver licenses and permits, including photographs
311 appearing thereon, may be renewed by electronic means according to
312 rules and regulations promulgated by the commissioner. The
313 Department of Public Safety may accept bank credit cards and debit
314 cards in payment of fees for driver license renewals or permit
315 renewals that are processed by electronic means and, if authorized
316 by general law, may charge an additional fee for the use of such
317 cards.

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

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

326 45-35-5. * * *

327 (1) (a) Every applicant for an initial identification card
328 shall file an application for such identification card with the
329 commissioner on a form provided by the department. The
330 application shall state the full legal name, date of birth, the
331 social security number of the applicant unless the applicant is
332 not a citizen or national of the United States and is not eligible
333 for a social security number issued by the United States
334 government, the sex, race, color of eyes, color of hair, weight,
335 height and residence address. Each initial application shall also
336 be accompanied with:

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

340 (ii) Documentation showing the person's date of
341 birth;

342 (iii) Proof of the person's social security
343 account number or verification that the person is not eligible for
344 a social security account number; and

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

347 (b) Every applicant for an initial identification card
348 shall show proof of domicile in this state. The commissioner
349 shall promulgate any rules and regulations necessary to enforce
350 this requirement and shall prescribe the means by which an

351 applicant for an identification card may show domicile in this
352 state. Proof of domicile shall not be required of applicants
353 under eighteen (18) years of age or of applicants who are not
354 citizens or nationals of the United States and who are not
355 domiciled in the United States. However, persons who are not
356 citizens or nationals of the United States and who are not
357 domiciled in the United States, regardless of age, must show proof
358 of residence in Mississippi as provided under paragraph (a)(iv) of
359 this subsection (1).

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

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

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

366 (c) Has conditional permanent resident status in the
367 United States;

368 (d) Has an approved application for asylum in the
369 United States or has entered into the United States in refugee
370 status;

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

373 (f) Has a pending application for asylum in the United
374 States;

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

377 (h) Has approved deferred action status; or

378 (i) Has a pending application for adjustment of status
379 to that of an alien lawfully admitted for permanent residence in
380 the United States or conditional permanent resident status in the
381 United States.

382 (3) A person who is required to present evidence of legal
383 status under any of paragraphs (e) through (i) of subsection (2)

384 of this section, if otherwise authorized to be issued an
385 identification card under this chapter, may be issued only a
386 temporary identification card which shall be in the form as
387 provided under Section 45-35-11, shall be valid for such period of
388 time as provided under Section 45-35-7, and shall be subject to
389 such fees as provided under this section and Section 45-35-7.

390 (4) The Commissioner of Public Safety, by rule or
391 regulation, shall prescribe the minimum information and documents
392 required to be presented to the Department of Public Safety for
393 renewal of an identification card issued under this chapter to a
394 person who is a citizen or national of the United States; however,
395 each application for renewal of an identification card by a person
396 who is not a citizen or national of the United States shall
397 contain and be accompanied with all of the same information and
398 documents required under subsections (1) and (2) of this section
399 for issuance of an initial identification card.

400 (5) For collecting, analyzing and verifying the information
401 and documents required under subsections (1) and (2) of this
402 section for the issuance of an identification card under this
403 chapter, the Department of Public Safety may charge applicants a
404 fee, which fee shall be in addition to any other fees authorized
405 or required to be charged or collected under this chapter. The
406 commissioner shall fix the fee in such amount so as to defray the
407 reasonable and necessary costs that the department incurs in
408 verifying the information and documents required under subsections
409 (1) and (2) of this section. The additional fee shall be the same
410 amount for all persons who are subject under this chapter to the
411 additional fee.

412 (6) No person who is illegally in the United States or
413 Mississippi shall be issued an identification card under this
414 chapter. The commissioner shall adopt and promulgate such rules
415 and regulations as he deems appropriate requiring additional
416 documents, materials, information or physical evidence to be

417 provided by the applicant as may be necessary to establish and
418 verify the identity of the applicant and that the applicant is not
419 present in the United States or the State of Mississippi
420 illegally.

421 (7) Whenever a person who has applied for or who has been
422 issued an identification card under this chapter moves from the
423 address listed in the application or on the identification card,
424 or whenever the name of the holder of an identification card
425 changes by marriage or otherwise, such person, within thirty (30)
426 days thereafter, shall notify, in writing, the Department of
427 Public Safety, Driver Services Division, and inform the department
428 of his or her previous address and new address and of his or her
429 former name and new name. The department shall not change the
430 name on his or her identification card unless the applicant
431 appears in person at an office of the department and provides a
432 certified copy of his or her marriage license, court order, birth
433 certificate or divorce decree changing the cardholder's name.

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

436 45-35-7. (1) Except as provided in subsection (3) of this
437 section, each applicant for an initial identification card issued
438 pursuant to this chapter who is entitled to issuance of such a
439 card shall be issued a four-year card which shall expire at
440 midnight on the last day of the cardholder's birth month.

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

445 (3) (a) Except as otherwise provided in this subsection,
446 any applicant who is blind, as defined in Section 43-6-1, upon
447 payment of the required fees * * *, shall be issued an initial
448 identification card which shall remain valid for a period of eight

449 (8) years. All renewal identification cards issued to such
450 persons shall also be valid for a period of eight (8) years.

451 (b) An initial identification card issued to any
452 applicant who is not a citizen or national of the United States
453 * * * and who is only eligible to be issued a temporary
454 identification card as provided under Section 45-35-5(3) shall be
455 valid only during the period of time of the applicant's authorized
456 stay in the United States or, if there is no definite end to the
457 period of authorized stay, for a period of one (1) year from the
458 date of issuance. Such identification card may be renewed, if
459 such person is otherwise qualified to renew such card, within
460 thirty (30) days of expiration and shall be valid only during the
461 period of time of the applicant's authorized stay in the United
462 States or, if there is no definite end to the period of authorized
463 stay, for a period of one (1) year from the date of issuance.

464 (4) A fee of Eleven Dollars (\$11.00) shall be collected for
465 the issuance of an initial or renewal identification card plus the
466 applicable photograph fee as provided in subsection (5) of this
467 section. The fee of Eleven Dollars (\$11.00) shall be deposited
468 into the State General Fund. The photograph fee shall be
469 deposited into a special photograph fee account or the State
470 General Fund as provided under subsection (5) of this section.

471 (5) The Commissioner of Public Safety, by rule or
472 regulation, shall establish an identification card photograph fee
473 which shall be the actual cost of the photograph rounded off to
474 the next highest dollar. Monies collected for the photograph fee
475 shall be deposited into a special photograph fee account which the
476 Department of Public Safety shall use to pay the actual cost of
477 producing the photographs. Any monies collected in excess of the
478 actual costs of the photography shall be deposited to the General
479 Fund of the State of Mississippi.

480 (6) Any person who, for medical reasons, surrenders his
481 unexpired driver's license, and any person whose unexpired

482 driver's license is suspended for medical reasons by the
483 Commissioner of Public Safety under Section 63-1-53(e), may be
484 issued an identification card without payment of a fee. The
485 identification card shall be valid for a period of four (4) years
486 from its date of issue. All renewals of such card shall be
487 subject to the fees prescribed in subsections (4) and (5) of this
488 section. The provisions of this subsection shall not be
489 applicable to persons who are not citizens or nationals of the
490 United States and who are only eligible to be issued a temporary
491 driver's license or permit.

492 (7) In addition to the fees required to be charged and
493 collected under this section, the Department of Public Safety
494 shall charge and collect a fee as provided under Section
495 45-35-5(5) from every person upon application for issuance of an
496 initial identification card under this chapter and from persons
497 who are not citizens or nationals of the United States upon each
498 application by any such person for renewal of an identification
499 card issued under this chapter.

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

503 (9) (a) Any male who is at least eighteen (18) years of age
504 but less than twenty-six (26) years of age and who applies for an
505 identification card or a renewal of an identification card under
506 this chapter shall be registered in compliance with the
507 requirements of Section 3 of the Military Selective Service Act,
508 50 USCS Appx 451 et seq., as amended.

509 (b) The department shall forward in an electronic
510 format the necessary personal information of the applicant to the
511 Selective Service System. The applicant's submission of the
512 application shall serve as an indication that the applicant either
513 has already registered with the Selective Service System or that
514 he is authorizing the department to forward to the Selective

515 Service System the necessary information for registration. The
516 commissioner shall notify the applicant on, or as a part of, the
517 application that his submission of the application will serve as
518 his consent to registration with the Selective Service System, if
519 so required. The commissioner also shall notify any male
520 applicant under the age of eighteen (18) that he will be
521 registered upon turning age eighteen (18) as required by federal
522 law.

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

525 45-35-11. (1) All identification cards shall be centrally
526 issued by the department * * *.

527 (2) The Commissioner of Public Safety shall prescribe the
528 form of identification cards issued pursuant to this chapter
529 which, among other features, shall include the full legal name of
530 the cardholder, the person's date of birth, the person's sex, the
531 person's address of principle residence, the person's signature,
532 the expiration date of the identification card and an
533 identification card number assigned by the Department of Public
534 Safety which, at the option of the cardholder, may or may not be
535 the social security number of the cardholder. A cardholder who
536 has a social security number but who chooses not to use his social
537 security number as his identification card number, shall list his
538 social security number with the department which shall cross
539 reference the social security number with the identification card
540 number for purposes of identification. A person who is not a
541 citizen or national of the United States and who is not eligible
542 for a social security number but who otherwise qualifies for
543 issuance of an identification card under this chapter shall be
544 assigned an identification card number by the department.
545 Additionally, each identification card shall bear a full face
546 color photograph of the cardholder in such form that the card and
547 the photograph cannot be separated. The department shall use a

548 process in the issuance of an identification card with a color
549 photograph which shall prevent as nearly as possible any
550 alteration, counterfeiting, duplication, reproduction, forging or
551 modification of such license or permit or the superimposition of a
552 photograph without ready detection. Such photograph shall be
553 replaced by the department at the time of renewal. Identification
554 cards, including photographs appearing thereon, may be renewed by
555 electronic means according to rules and regulations promulgated by
556 the commissioner. The Department of Public Safety may accept bank
557 credit cards and debit cards in payment of fees for identification
558 card renewals that are processed by electronic means and, if
559 authorized by general law, may charge an additional fee for the
560 use of such credit cards and debit cards.

561 (3) The form of any temporary identification card issued to
562 a person as provided under Section 45-35-5(3), in addition to
563 meeting the requirements of subsection (1) of this section, shall
564 clearly indicate on the face of the identification card that it is
565 temporary and shall state the date on which the identification
566 card expires.

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

569 45-35-3. Any person six (6) years of age or older may be
570 issued an identification card by the department by making
571 application for, presenting the documentation and identifying data
572 as required by, and meeting the requirements of Section 45-35-5.

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

575 45-35-9. (1) If an identification card issued under this
576 chapter is lost, destroyed or mutilated, or a new name is
577 required, the person to whom it was issued may obtain a duplicate
578 by furnishing satisfactory proof of such fact to the department.
579 The same identifying data shall be furnished for a duplicate as
580 for an initial card. A fee of Three Dollars (\$3.00) plus the

581 applicable photograph fee shall be collected for the first
582 duplicate card issued and a fee of Eight Dollars (\$8.00) plus the
583 applicable photograph fee shall be collected for the second and
584 each subsequent duplicate copy. However, whenever a duplicate
585 copy of an identification card is issued only because a new name
586 is required and the previously issued identification card is
587 returned to the department, the fee for the issuance of such
588 duplicate shall be Three Dollars (\$3.00) plus the applicable
589 photograph fee, regardless of whether the duplicate is the first,
590 second or subsequent duplicate copy. All fees collected under
591 this section, except photograph fees, shall be deposited into the
592 State General Fund. Photograph fees collected under this section
593 shall be deposited into a special photograph fee account or into
594 the State General Fund in the same manner as photograph fees
595 collected from the issuance of drivers' licenses under Section
596 63-1-43.

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

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

602 63-1-9. (1) No driver's license, intermediate license or
603 learner's permit shall be issued pursuant to this article:

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

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

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

613 (d) To any person who would not be able by reason of
614 physical or mental disability, in the opinion of the commissioner
615 or other person authorized to grant an operator's license, to
616 operate a motor vehicle on the highways with safety. However,
617 persons who have one (1) arm or leg, or have arms or legs
618 deformed, and have their car provided with mechanical devices
619 whereby they are able to drive in a safe manner over the highways,
620 if otherwise qualified, shall receive an operator's license the
621 same as other persons. Moreover, deafness shall not be a bar to
622 obtaining a license.

623 (e) To any person who is under the age of seventeen
624 (17) years to drive any motor vehicle while in use as a school bus
625 for the transportation of pupils to or from school, or to drive
626 any motor vehicle while in use as a public or common carrier of
627 persons or property.

628 (f) To any person as an operator who has previously
629 been adjudged to be afflicted with and suffering from any mental
630 disability and who has not at time of application been restored to
631 mental competency.

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

637 (i) Is enrolled and making satisfactory progress
638 in a course leading to a general education development
639 certificate;

640 (ii) Is enrolled in school in this state or any
641 other state;

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

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

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

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

650 (2) * * *

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

654 (b) An intermediate license may be issued to any person
655 who is at least fifteen (15) years of age who otherwise meets the
656 requirements of this article and who has held a learner's permit
657 for at least six (6) months without any conviction under Section
658 63-11-30 or of a moving violation. Any conviction under Section
659 63-11-30 or of a moving violation shall restart the six-month
660 requirement for the holding of a learner's permit before an
661 applicant can qualify for an intermediate license.

662 (c) A driver's license may be issued to any person who
663 is at least sixteen (16) years of age who otherwise meets the
664 requirements of this article and who has held an intermediate
665 license for at least six (6) months without any conviction under
666 Section 63-11-30 or of a moving violation. Any conviction under
667 Section 63-11-30 or of a moving violation shall restart the
668 six-month requirement for the holding of an intermediate license
669 before an applicant can qualify for a driver's license. However,
670 a person who is at least seventeen (17) years of age who has been
671 issued a learner's permit and who has never been convicted under
672 Section 63-11-30 or of a moving violation shall not be required to
673 have held an intermediate license.

674 (d) An applicant for a Mississippi driver's license
675 who, at the time of application, is at least sixteen (16) years of
676 age and who has held a valid motor vehicle driver's license issued
677 by another state for at least six (6) months shall not be required

678 to hold a learner's permit or an intermediate license before being
679 issued a driver's license.

680 (3) The commissioner shall ensure that the learner's permit,
681 intermediate license, and driver's license issued under this
682 article are clear, distinct and easily distinguishable from one
683 another.

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

686 63-1-17. As the license examiners file their statements
687 showing the serial numbers of licenses and learner's permits
688 issued pursuant to this article during the preceding month, the
689 commissioner shall keep a record of all licenses and permits
690 issued pursuant to this article by such examiners, a record of all
691 licenses and permits revoked, a record of all perforated sections
692 mailed to him by the trial judges, and such other information that
693 he deems necessary to carry out the provisions of this article.

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

696 63-1-21. (1) Every applicant for a new or initial driver's
697 or operator's license, except persons holding an out-of-state
698 license, shall first obtain a learner's permit upon the payment of
699 a fee of One Dollar (\$1.00) to the Department of Public Safety and
700 upon the successful completion of the examination provided for in
701 Section 63-1-33 and the payment of the fee for such examination
702 provided for in Section 63-1-43.

703 (2) A learner's permit entitles the holder, provided the
704 permit is in his immediate possession, to drive a motor vehicle
705 other than a motorcycle on the highways of the State of
706 Mississippi only when accompanied by a licensed operator who is at
707 least twenty-one (21) years of age and who is actually occupying
708 the seat beside the driver. A learner's permit may be issued to
709 any applicant who is at least fifteen (15) years of age. A

710 learner's permit shall be valid for a period of one (1) year from
711 the date of issue.

712 (3) An intermediate license allows unsupervised driving from
713 6:00 a.m. to 10:00 p.m. At all other times the intermediate
714 licensee must be supervised by a parent, guardian or other person
715 age twenty-one (21) years or older who holds a valid driver's
716 license under this article and who is actually occupying the seat
717 beside the driver.

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

720 Except as otherwise provided by Section 63-1-6, every
721 applicant for a restricted motorcycle operator's license or a
722 motorcycle endorsement shall first obtain a * * * motorcycle
723 learner's permit upon the payment of a fee of One Dollar (\$1.00)
724 to the Department of Public Safety, and upon the successful
725 completion of the examination provided for in Section 63-1-33, and
726 payment of the fee for said examination provided for in Section
727 63-1-43. All applicants for such learner's permit shall (a) be at
728 least fifteen (15) years of age; (b) operate a motorcycle only
729 under the direct supervision of a person at least twenty-one (21)
730 years of age who possesses either a valid driver's or operator's
731 license with a motorcycle endorsement or a valid restricted
732 motorcycle operator's license; (c) be prohibited from transporting
733 a passenger on a motorcycle; (d) be prohibited from operating a
734 motorcycle upon any controlled access highway; and (e) be
735 prohibited from operating a motorcycle during the hours of 6:00
736 p.m. through 6:00 a.m. * * * Motorcycle learner's permits shall
737 be valid for the same period of time and may be renewed upon the
738 same conditions as learner's permits issued for vehicles other
739 than motorcycles.

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

742 63-1-23. The application of any person under the age of
743 seventeen (17) years for a learner's permit, intermediate license
744 or license issued pursuant to this article shall be signed and
745 verified before a person authorized to administer oaths by both
746 the father and mother of the applicant, if both are living and
747 have custody of him, or in the event neither parent is living then
748 by the person or guardian having such custody or by an employer of
749 him, or in the event there is no guardian or employer then by any
750 other responsible person who is willing to assume the obligation
751 imposed under Section 63-1-25 upon a person signing the
752 application of a minor.

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

755 63-1-31. When a person is denied a license or any learner's
756 permit after filing the proper application, he shall have the
757 right within sixty (60) days thereafter to file a petition, in the
758 county circuit or chancery court in the county wherein such
759 application was filed, praying for a hearing in the matter before
760 the judge of the court in which such application is presented.
761 Such judge or chancellor is hereby vested with jurisdiction to
762 hear such matters forthwith within term time or during vacation,
763 upon five (5) days' written notice to the officer who refused to
764 issue such license or any learner's permit. Said hearing shall be
765 conducted at such place as may suit the convenience of the court.
766 On the hearing of the petition, testimony may be taken, and the
767 court shall render such judgment in the matter as it deems right
768 and proper under the law and evidence.

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

771 63-1-33. It shall be the duty of the license examiner, when
772 application is made for an operator's license or learner's permit,
773 to test the applicant's ability to read and understand road signs
774 and to give the required signals as adopted by the National

775 Advisory Committee on Uniform Traffic Control Devices and the
776 American Association of Motor Vehicle Administrators.

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

781 Prior to the administration of the test the license examiner
782 shall inspect the horn, lights, brakes, inspection certificate and
783 vehicle registration of the motor vehicle which the applicant
784 expects to operate while being tested, and if he finds that any of
785 the aforementioned items are deficient, no license or endorsement
786 shall be issued to the applicant until same have been repaired.

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

791 Except as otherwise provided by Section 63-1-6, when
792 application is made for an initial motorcycle endorsement or a
793 restricted motorcycle operator's license, the applicant shall be
794 required to pass a written test which consists of questions
795 relating to the safe operation of a motorcycle and a skill test
796 similar to the "Motorcycle Operator Skill Test," which is endorsed
797 by the American Association of Motor Vehicle Administrators. The
798 commissioner may exempt any applicant from the skill test if the
799 applicant presents a certificate showing successful completion of
800 a course approved by the commissioner, which includes a similar
801 examination of skills needed in the safe operation of a
802 motorcycle.

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

805 63-1-37. In the event that a license or learner's permit
806 issued under the provisions of this article is lost or destroyed,
807 the licensee shall obtain from the commissioner a duplicate copy

808 thereof and shall pay a fee in the amount of Three Dollars (\$3.00)
809 plus the applicable photograph fee for the first duplicate copy
810 and a fee in the amount of Eight Dollars (\$8.00) plus the
811 applicable photograph fee for the second and each subsequent
812 duplicate copy. The license or permit shall be marked
813 "Duplicate."

814 All fees collected under this section, except photograph
815 fees, shall be deposited into the State General Fund. Photograph
816 fees collected under this section shall be deposited pursuant to
817 the provisions of Section 63-1-43.

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

820 63-1-43. (1) The fee for receiving the application and
821 issuing the regular driver's or operator's license and the fee for
822 renewing the license shall be:

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

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

828 (c) Eight Dollars (\$8.00) plus the applicable
829 photograph fee for a temporary driver's license for each applicant
830 who is not a citizen or national of the United States * * * and
831 who is required to present evidence of legal status under Section
832 63-1-19(3).

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

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

839 (3) The fee for receiving the application and issuing a
840 restricted motorcycle operator's license and the fee for renewing
841 such license shall be:

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

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

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

853 (4) From and after January 1, 1990, every person who makes
854 application for an initial license or a renewal license to operate
855 a vehicle as a common carrier by motor vehicle, taxicab, passenger
856 coach, dray, contract carrier or private commercial carrier as
857 such terms are defined in Section 27-19-3, except for those
858 vehicles for which a Class A, B or C license is required under
859 Article 2 of this chapter, shall, in lieu of the regular driver's
860 license above provided for, apply for and obtain a Class D
861 commercial driver's license. Except as otherwise provided in
862 subsection (5) of this section, the fee for the issuance of a
863 Class D commercial driver's license shall be Twenty-three Dollars
864 (\$23.00) plus the applicable photograph fee for a period of four
865 (4) years; however, except as required under Article 2 of this
866 chapter, no driver of a pickup truck shall be required to have a
867 commercial license regardless of the purpose for which the pickup
868 truck is used.

869 Except as otherwise provided in subsection (5) of this
870 section, all initial and renewals of commercial licenses issued
871 under this section shall be valid for a period of four (4) years,

872 in compliance with Section 63-1-47. Only persons who operate the
873 above-mentioned vehicles in the course of the regular and
874 customary business of the owner shall be required to obtain a
875 Class D commercial operator's license, and persons operating such
876 vehicles for private purposes or in emergencies shall not be
877 required to obtain such license.

878 (5) The initial and each renewal of a commercial driver's
879 license issued under this section to a person who is not a citizen
880 or national of the United States * * * and who is only eligible to
881 be issued a temporary license under Section 63-1-19(3), shall be
882 issued for a * * * fee of Eight Dollars (\$8.00) plus the
883 applicable photograph fee * * *. Such person may renew a
884 commercial license issued under this section within thirty (30)
885 days of expiration of the license if such person otherwise
886 qualifies for issuance of such license.

887 (6) The Commissioner of Public Safety, by rule or
888 regulation, shall establish a driver's license photograph fee
889 which shall be the actual cost of the photograph rounded off to
890 the next highest dollar. Monies collected for the photograph fee
891 shall be deposited into a special photograph fee account which the
892 Department of Public Safety shall use to pay the actual cost of
893 producing the photographs. Any monies collected in excess of the
894 actual costs of the photography shall be deposited to the General
895 Fund of the State of Mississippi.

896 (7) In addition to the fees required to be charged and
897 collected under this section, the Department of Public Safety
898 shall charge and collect a fee as provided under Section
899 63-1-19(5) from every person upon application for issuance of an
900 initial license or permit under this article and from persons who
901 are not citizens or nationals of the United States upon each
902 application by any such person for renewal of a license or permit
903 issued under this article.

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

906 63-1-45. License examiners shall keep a complete record of
907 all funds received from applicants upon forms to be prescribed and
908 furnished by the department out of the operating funds of the
909 department. Application forms shall be printed in book form and
910 serially numbered and in such form that the original thereof may
911 be transmitted by the license examiner to the commissioner,
912 together with the renewal fee. A copy thereof, signed by the
913 examiner, shall be given to the applicant, and a copy thereof
914 shall be retained by the examiner. The license examiner shall,
915 not later than ten (10) days from the date of an application,
916 transmit the same, together with the fee, to the commissioner.
917 Such application blanks and funds shall be subject to audit at any
918 time. The commissioner shall maintain records of all application
919 forms on hand and issued to the examiners, who shall be charged
920 therewith. The receipt provided for herein shall be the only
921 valid and recognized form of receipt for fees paid by applicants,
922 and such receipt shall be sufficient in lieu of the renewed
923 license for a period of sixty (60) days or until such renewed
924 license has been issued to the applicant by the commissioner.
925 There shall be tendered with all applications for a learner's
926 permit or * * * motorcycle learner's permit, or for the initial
927 issuance of any license issued pursuant to this article, the
928 proper fee required by law, in cash, or by money order, cashier's
929 or certified check. The required fee for issuance of renewal
930 licenses, duplicate licenses or other services, for which a fee is
931 charged, shall be tendered with the application therefor by cash,
932 check or money order. In the event a check for renewal of a
933 license is dishonored for any reason, the person whose license was
934 being renewed by such check shall be notified in writing and be
935 given thirty (30) days after such written notice in which to pay
936 the renewal fee. This shall be done by forwarding a certified

937 check or postal money order in the correct amount to the
938 department. If, at the end of thirty (30) days, such certified
939 check or postal money order has not been received by the
940 department, the commissioner shall cancel that person's license,
941 and, in order for that license to be reinstated, a reinstatement
942 fee of Ten Dollars (\$10.00) plus the amount due on the returned
943 check must be received by the department.

944 The Commissioner of Public Safety shall deposit the amount of
945 fees, together with all fees for duplicate licenses, permits,
946 delinquent fees and reinstatement fees collected by him into the
947 General Fund of the State Treasury, in accordance with the
948 provisions of Section 45-1-23(2); however, Seven Dollars (\$7.00)
949 of the fee derived from the fee charged for initial and renewal
950 operators' licenses imposed under Section 63-1-43(1) and Four
951 Dollars (\$4.00) of the fee derived from the fee charged for
952 initial and renewal Class D commercial drivers' licenses under
953 Section 63-1-43(4) shall be deposited into a special fund that is
954 created in the State Treasury. Monies in the fund may be expended
955 pursuant to legislative appropriation solely for the purchase by
956 the Mississippi Highway Safety Patrol of patrol cars,
957 communications equipment and weapons.

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

960 63-1-47. (1) Except as otherwise provided in this article,
961 each applicant for an initial license issued pursuant to this
962 article, who is entitled to issuance of same, and who is eighteen
963 (18) years of age or older, shall be issued a four-year license
964 which will expire at midnight on the licensee's birthday.

965 * * * Except as otherwise provided in this section, all
966 renewal licenses of operators eighteen (18) years of age or older
967 shall be for four-year periods and may be renewed any time within
968 six (6) months before the expiration of the license upon

969 application and payment of the required fee, unless required to be
970 reexamined.

971 * * *

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

979 * * *

980 (3) Except as otherwise provided in this article, each
981 applicant for an initial driver's license issued pursuant to this
982 article, who is entitled to issuance of same, being under eighteen
983 (18) years of age, shall be issued a one-year license which will
984 expire at midnight on the licensee's birthday. Renewal drivers'
985 licenses of operators under the age of eighteen (18) shall be for
986 one-year periods and may be renewed any time within two (2) months
987 before the expiration of the license upon application and payment
988 of the required fee, unless required to be reexamined. An
989 intermediate license shall be valid for one (1) year from its date
990 of issue and may be renewed any time within fourteen (14) days
991 before expiration of the license. All applications by an operator
992 under the age of eighteen (18) must be accompanied by
993 documentation that the applicant is in compliance with the
994 education requirements of Section 63-1-9(1)(g), and the
995 documentation must be dated no more than thirty (30) days prior to
996 the date of application.

997 (4) Any license or permit issued under this article to a
998 person who is not a citizen or national of the United States
999 * * * and who is only eligible to be issued a temporary license
1000 or permit under Section 63-1-19(3), shall be valid only during the
1001 period of time of the applicant's authorized stay in the United

1002 States or, if there is no definite end to the period of authorized
1003 stay, a period of one (1) year from the date of issuance. Such
1004 license or permit may be renewed, if such person is otherwise
1005 qualified to renew such license, within thirty (30) days of
1006 expiration and shall be valid only during the period of time of
1007 the applicant's authorized stay in the United States or, if there
1008 is no definite end to the period of authorized stay, a period of
1009 one (1) year from the date of issuance. The fee for any such
1010 license and for renewal shall be as prescribed in Section 63-1-43.

1011 **SECTION 18.** Section 63-1-49, Mississippi Code of 1972, is
1012 amended as follows:

1013 63-1-49. (1) An expired license issued pursuant to this
1014 article may be renewed at any time within twelve (12) months after
1015 the expiration date of said license upon application and payment
1016 of the required fee, and the payment of a delinquent fee of One
1017 Dollar (\$1.00), in lieu of a driver examination, unless the holder
1018 of the expired license is required to be examined, or unless the
1019 department has reason to believe the licensee is no longer
1020 qualified to receive a license. If any person shall obtain a new
1021 license, his last previous license having been good and valid,
1022 except for its lapsing, without his having obtained a renewal
1023 within the time required by law, then such reissuance of a license
1024 shall constitute a renewal of the previous license and not a new
1025 license.

1026 (2) (a) Any person in the armed services of the United
1027 States, holding a valid license issued pursuant to this article
1028 and being out of state due to military service at the time the
1029 license expires, may renew the license by mail or by on-line
1030 renewal services or at any time within ninety (90) days after
1031 being discharged from such military service or upon returning to
1032 the state, without payment of any delinquent fee or examination,
1033 unless the department has reason to believe that the licensee is
1034 no longer qualified to receive a license. Such person shall make

1035 proof by affidavit of the fact of such military service and of the
1036 time of discharge or return. The expiration of the license of a
1037 military person under the provisions of this paragraph (a) shall
1038 not affect the validity of the license, but such license shall
1039 continue to be valid and permit such person to operate a motor
1040 vehicle for a period of ninety (90) days after he is discharged
1041 from military service or returns to the state or until he renews
1042 his license, whichever event first occurs.

1043 (b) The provisions of paragraph (a) of this subsection
1044 (2) also apply to a dependent of a person in the armed services of
1045 the United States who is out of state due to military service if
1046 the dependent resides out of state with the armed services member
1047 and the license of the dependent expires during his or her absence
1048 from the state. The Commissioner of Public Safety may adopt such
1049 rules and regulations as may be necessary to implement the
1050 provisions of this paragraph.

1051 (3) Any person holding a valid license issued pursuant to
1052 this article who is going overseas for two (2) to four (4) years
1053 and whose license shall expire during the stay overseas may renew
1054 said license for four (4) years prior to leaving. Said person
1055 shall make proof by affidavit of the fact of such overseas travel.
1056 Such reissuance of a license shall constitute a renewal of the
1057 previous license and not a new license.

1058 (4) None of the provisions of this section shall be
1059 construed to authorize renewal of the license or permit of a
1060 person who is not a citizen or national of the United States
1061 except upon verification by the Department of Public Safety of the
1062 legal status of such person and payment of the applicable fees for
1063 renewal of such license or permit for the prescribed period of
1064 time for which such license of such person may be renewed, all as
1065 otherwise provided under this article.

1066 **SECTION 19.** Section 63-1-65, Mississippi Code of 1972, is
1067 amended as follows:

1068 63-1-65. It shall be unlawful for any person to lend or
1069 borrow any learner's permit or license issued pursuant to this
1070 article, or to display or represent a license or temporary permit
1071 not issued to himself. Any person violating this section shall be
1072 fined not less than Five Dollars (\$5.00) and costs and not more
1073 than Twenty-five Dollars (\$25.00) and costs.

1074 **SECTION 20.** Section 63-10-1, Mississippi Code of 1972, is
1075 amended as follows:

1076 63-10-1. As used in this chapter:

1077 (a) "State" means a state, territory or possession of
1078 the United States, the District of Columbia or the Commonwealth of
1079 Puerto Rico.

1080 (b) "Reciprocating state" means any state which extends
1081 by its laws to residents of Mississippi, substantially the same
1082 rights and privileges as provided for by this chapter.

1083 (c) "Citation" means any citation, ticket or other
1084 document issued by a state highway patrol officer for the
1085 violation of a traffic law, ordinance, rule or regulation,
1086 ordering the alleged offender to appear.

1087 (d) "License" means any operator's or chauffeur's
1088 permit or license, or any other license or permit to operate a
1089 motor vehicle issued under the laws of this state or a
1090 reciprocating state including:

1091 (i) Any * * * learner's permit;

1092 (ii) The privilege of any person to operate a
1093 motor vehicle whether or not such person holds a valid license;
1094 and

1095 (iii) Any nonresident's operating privilege
1096 conferred upon a nonresident of a state pertaining to the
1097 operation by such person of a motor vehicle in such state.

1098 (e) "Collateral" or "bond" means any cash or other
1099 security deposited to secure an appearance for trial following the

1100 issuance of a citation by a state highway patrol officer for the
1101 violation of a traffic law, ordinance, rule or regulation.

1102 (f) "Personal recognizance" means a signed agreement by
1103 an alleged offender that he will comply with the terms of a
1104 court's directive as the result of a traffic citation served him.

1105 (g) "Nonresident" refers only to a person who is a
1106 resident of or holds a driver's license issued by a reciprocating
1107 state.

1108 **SECTION 21.** This act shall take effect and be in force from
1109 and after July 1, 2006.