

By: Senator(s) White

To: Highways and  
Transportation

SENATE BILL NO. 2192

1 AN ACT TO AMEND SECTION 63-1-19, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT NO APPLICANT SHALL BE ISSUED A DRIVER'S LICENSE  
3 WITHOUT SIGNING A STATEMENT THAT HE UNDERSTANDS THE CRIMINAL  
4 PENALTIES FOR VIOLATION OF THE HIGHWAY LITTER LAW, AND SIGNS A  
5 STATEMENT AGREEING TO REPORT ANY OFFENDERS OF THIS LAW TO PROPER  
6 LAW ENFORCEMENT OFFICERS; TO AMEND SECTION 63-1-33, MISSISSIPPI  
7 CODE OF 1972, TO DIRECT THE COMMISSIONER OF PUBLIC SAFETY TO  
8 INCLUDE QUESTIONS RELATING TO THE HIGHWAY LITTER LAW ON THE  
9 DRIVER'S LICENSE EXAMINATION; AND FOR RELATED PURPOSES.

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

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

13 63-1-19. (1) (a) Every applicant for a license or permit  
14 issued pursuant to this article, or for renewal of such license or  
15 permit, shall file an application for such license, permit or  
16 renewal, on a form provided by the Department of Public Safety,  
17 with the commissioner or an official license examiner of the  
18 department. All persons not holding valid, unexpired licenses  
19 issued in this state shall be required to secure an original  
20 license, except those specifically exempted from licensing under  
21 Section 63-1-7. The application shall state the name, date of  
22 birth, the social security number of the applicant unless the  
23 applicant is not a United States citizen and does not possess a  
24 social security number issued by the United States government,  
25 sex, race, color of eyes, color of hair, weight, height and  
26 residence address, and whether or not the applicant's privilege to  
27 drive has been suspended or revoked at any time, and, if so, when,  
28 by whom, and for what cause, and whether any previous application  
29 by him has been denied, and whether he has any physical defects

30 which would interfere with his operating a motor vehicle safely  
31 upon the highways.

32 (b) Every applicant for an original license shall show  
33 proof of domicile in this state. The commissioner shall  
34 promulgate any rules and regulations necessary to enforce this  
35 requirement and shall prescribe the means by which an applicant  
36 for an original license may show domicile in this state. Proof of  
37 domicile shall not be required of applicants under eighteen (18)  
38 years of age.

39 (c) Unless the applicant is not a United States citizen  
40 and does not possess a social security number issued by the United  
41 States government, each application or filing made under this  
42 section shall include the social security number(s) of the  
43 applicant in accordance with Section 93-11-64, Mississippi Code of  
44 1972.

45 (2) No person who is illegally in the United States or  
46 Mississippi shall be issued a license. The application of a  
47 person who is not a United States citizen and who does not possess  
48 a social security number issued by the United States government  
49 shall state the name, date of birth, sex, race, color of eyes,  
50 color of hair, weight, height and residence address, and whether  
51 or not the applicant's privilege to drive has been suspended or  
52 revoked at any time, and, if so, when, by whom, and for what  
53 cause, and whether any previous application by him has been  
54 denied, and whether he has any physical defects which would  
55 interfere with his operating a motor vehicle safely upon the  
56 highways. The commissioner shall adopt and promulgate such rules  
57 and regulations as he deems appropriate requiring additional  
58 documents, materials, information or physical evidence to be  
59 provided by the applicant as may be necessary to establish the  
60 identity of the applicant and that the applicant is not present in  
61 the United States or the State of Mississippi illegally.

62           (3) Whenever a person who has applied for or who has been  
63 issued a license or permit under this article moves from the  
64 address listed in the application or on the permit or license, or  
65 whenever the name of a licensee changes by marriage or otherwise,  
66 such person, within thirty (30) days thereafter, shall notify, in  
67 writing, the Department of Public Safety, Driver Services  
68 Division, and inform the department of his or her previous address  
69 and new address and of his or her former name and new name. The  
70 department shall not change the name of a licensee or permittee on  
71 his or her license or permit unless the applicant appears in  
72 person at an office of the department and provides a certified  
73 copy of his or her marriage license, court order, birth  
74 certificate or divorce decree changing the licensee's or  
75 permittee's name.

76           (4) (a) Any male who is at least eighteen (18) years of age  
77 but less than twenty-six (26) years of age and who applies for a  
78 permit or license or a renewal of a permit or license under this  
79 chapter shall be registered in compliance with the requirements of  
80 Section 3 of the Military Selective Service Act, 50 USCS Appx 451  
81 et seq., as amended.

82           (b) The department shall forward in an electronic  
83 format the necessary personal information of the applicant to the  
84 Selective Service System. The applicant's submission of the  
85 application shall serve as an indication that the applicant either  
86 has already registered with the Selective Service System or that  
87 he is authorizing the department to forward to the Selective  
88 Service System the necessary information for registration. The  
89 commissioner shall notify the applicant on, or as a part of, the  
90 application that his submission of the application will serve as  
91 his consent to registration with the Selective Service System, if  
92 so required. The commissioner also shall notify any male  
93 applicant under the age of eighteen (18) that he will be

94 registered upon turning age eighteen (18) as required by federal  
95 law.

96 (5) (a) From and after July 1, 2006, no applicant shall be  
97 issued a license to operate a motor vehicle under this section  
98 unless and until he signs a statement certifying that he  
99 understands that littering the roads and highways of this state is  
100 a violation of Section 97-15-29, Mississippi Code of 1972, and  
101 that violators are guilty of a misdemeanor and may be fined,  
102 required to perform community service and pay prosecutorial  
103 expenses as provided in Section 97-15-29.

104 (b) As a further condition for issuance of a license,  
105 the applicant shall sign a statement that he will not litter the  
106 roads and highways and will report any offender of the antilitter  
107 law to the proper law enforcement authorities by calling a toll  
108 free number to be provided by the commissioner on the reverse side  
109 of the license.

110 **SECTION 2.** Section 63-1-33, Mississippi Code of 1972, is  
111 amended as follows:

112 63-1-33. It shall be the duty of the license examiner, when  
113 application is made for an operator's license or temporary driving  
114 permit, to test the applicant's ability to read and understand  
115 road signs and to give the required signals as adopted by the  
116 National Advisory Committee on Uniform Traffic Control Devices and  
117 the American Association of Motor Vehicle Administrators.

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

122 From and after July 1, 2006, the commissioner shall include a  
123 copy of the antilitter law contained in Section 97-15-29,  
124 Mississippi Code of 1972, in the instructional material issued to  
125 first-time applicants for study in preparation for the written  
126 driver's test, and shall include in the test not less than one (1)

127 question relating to the law and the criminal penalties for  
128 violation of the law.

129         Prior to the administration of the test the license examiner  
130 shall inspect the horn, lights, brakes, inspection certificate and  
131 vehicle registration of the motor vehicle which the applicant  
132 expects to operate while being tested, and if he finds that any of  
133 the aforementioned items are deficient, no license or endorsement  
134 shall be issued to the applicant until same have been repaired.

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

139         Except as otherwise provided by Section 63-1-6, when  
140 application is made for an original motorcycle endorsement or a  
141 restricted motorcycle operator's license, the applicant shall be  
142 required to pass a written test which consists of questions  
143 relating to the safe operation of a motorcycle and a skill test  
144 similar to the "Motorcycle Operator Skill Test," which is endorsed  
145 by the American Association of Motor Vehicle Administrators. The  
146 commissioner may exempt any applicant from the skill test if the  
147 applicant presents a certificate showing successful completion of  
148 a course approved by the commissioner, which includes a similar  
149 examination of skills needed in the safe operation of a  
150 motorcycle.

151         **SECTION 3.** This act shall take effect and be in force from  
152 and after July 1, 2005.