

By: Senator(s) Butler

To: Judiciary, Division B

SENATE BILL NO. 2839
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 63-1-9, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE LENGTH OF TIME A PERSON UNDER THE AGE OF 17 MUST
3 PRACTICE SUPERVISED DRIVING UNDER A TEMPORARY PERMIT IN ORDER TO
4 BE ELIGIBLE FOR AN INTERMEDIATE LICENSE; TO REVISE THE LENGTH OF
5 TIME AN INTERMEDIATE LICENSE MUST BE HELD; AND FOR RELATED
6 PURPOSES.

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

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

10 63-1-9. (1) No driver's license, intermediate license or
11 temporary learning permit shall be issued pursuant to this
12 article:

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

15 (b) To any person whose license to operate a motor
16 vehicle on the highways of Mississippi has been previously revoked
17 or suspended by this state or any other state * * * or territory
18 of the United States or the District of Columbia, and such
19 revocation or suspension period has not expired.

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

22 (d) To any person who would not be able by reason of
23 physical or mental disability, in the opinion of the commissioner
24 or other person authorized to grant an operator's license, to
25 operate a motor vehicle on the highways with safety. However,
26 persons who have one (1) arm or leg, or have arms or legs
27 deformed, and have their car provided with mechanical devices
28 whereby they are able to drive in a safe manner over the highways,
29 if otherwise qualified, shall receive an operator's license the

30 same as other persons. Moreover, deafness shall not be a bar to
31 obtaining a license.

32 (e) To any person who is under the age of seventeen
33 (17) years to drive any motor vehicle while in use as a school bus
34 for the transportation of pupils to or from school, or to drive
35 any motor vehicle while in use as a public or common carrier of
36 persons or property.

37 (f) To any person as an operator who has previously
38 been adjudged to be afflicted with and suffering from any mental
39 disability and who has not at time of application been restored to
40 mental competency.

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

46 (i) Is enrolled and making satisfactory progress
47 in a course leading to a general education development
48 certificate;

49 (ii) Is enrolled in school in this state or any
50 other state;

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

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

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

57 (2) All permits and licenses issued on or before June 30,
58 2006, shall be valid according to the terms upon which issued.
59 From and after July 1, 2006:

60 (a) A temporary driving permit may be issued to any
61 person who is at least fifteen (15) years of age who otherwise
62 meets the requirements of this article.

63 (b) An intermediate license may be issued to any person
64 who is at least fifteen (15) years of age who otherwise meets the
65 requirements of this article and who has held a temporary driving
66 permit for at least one (1) year without any conviction under
67 Section 63-11-30 or of a moving violation. Any conviction under
68 Section 63-11-30 or of a moving violation shall restart the
69 one-year requirement for the holding of a temporary driving permit
70 before an applicant can qualify for an intermediate license.

71 (c) A driver's license may be issued to any person who
72 is at least sixteen (16) years of age who otherwise meets the
73 requirements of this article and who has held an intermediate
74 license for at least six (6) months without any conviction under
75 Section 63-11-30 or of a moving violation. Any conviction under
76 Section 63-11-30 or of a moving violation shall restart the
77 six-month requirement for the holding of an intermediate license
78 before an applicant can qualify for a driver's license. However,
79 a person who is at least seventeen (17) years of age who has been
80 issued a temporary driving permit and who has never been convicted
81 under Section 63-11-30 or of a moving violation shall not be
82 required to have held an intermediate license.

83 (d) An applicant for a Mississippi driver's license
84 who, at the time of application, is at least sixteen (16) years of
85 age and who has held a valid motor vehicle driver's license issued
86 by another state for at least six (6) months shall not be required
87 to hold a temporary driving permit or an intermediate license
88 before being issued a driver's license.

89 (3) The commissioner shall ensure that the temporary driving
90 permit, intermediate license and driver's license issued under
91 this article are clear, distinct and easily distinguishable from
92 one another.

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