

By: Representative Fleming

To: Transportation

HOUSE BILL NO. 215

1 AN ACT TO AMEND SECTIONS 63-1-43 AND 63-1-47, MISSISSIPPI  
2 CODE OF 1972, TO PROVIDE THAT THE DRIVER'S LICENSE OF A PERSON WHO  
3 IS EIGHTY-FIVE YEARS OF AGE OR OLDER SHALL EXPIRE AND MUST BE  
4 RENEWED EVERY TWO YEARS; AND FOR RELATED PURPOSES.

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

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

8 63-1-43. (1) The fee for receiving the application and  
9 issuing the regular driver's or operator's license and the fee for  
10 renewing the license shall be:

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

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

16 (c) Eight Dollars (\$8.00) plus the applicable  
17 photograph fee for a one-year license for each applicant who is  
18 not a United States citizen and who does not possess a social  
19 security number issued by the United States government; and

20 (d) Nine Dollars (\$9.00) plus the applicable photograph  
21 fee for a two-year license.

22 All originals and renewals of regular operators' licenses  
23 shall be in compliance with Section 63-1-47.

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



28           (3) The fee for receiving the application and issuing a  
29 restricted motorcycle operator's license and the fee for renewing  
30 such license shall be:

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

33                   (b) Eight Dollars (\$8.00) plus the applicable  
34 photograph fee for a one-year license.

35           All originals and renewals of restricted motorcycle licenses  
36 shall be valid for the same period of time that an original  
37 regular driver's license may be issued to such person in  
38 compliance with Section 63-1-47.

39           (4) From and after January 1, 1990, every person who makes  
40 application for an original license or a renewal license to  
41 operate a vehicle as a common carrier by motor vehicle, taxicab,  
42 passenger coach, dray, contract carrier or private commercial  
43 carrier as such terms are defined in Section 27-19-3, except for  
44 those vehicles for which a Class A, B or C license is required  
45 under Article 2 of this chapter, shall, in lieu of the regular  
46 driver's license above provided for, apply for and obtain a Class  
47 D commercial driver's license. Except as otherwise provided in  
48 subsection (5) of this section, the fee for the issuance of a  
49 Class D commercial driver's license shall be Twenty-three Dollars  
50 (\$23.00) plus the applicable photograph fee for a period of four  
51 (4) years; however, except as required under Article 2 of this  
52 chapter, no driver of a pickup truck shall be required to have a  
53 commercial license regardless of the purpose for which the pickup  
54 truck is used.

55           Except as otherwise provided in subsection (5) of this  
56 section, all originals and renewals of commercial licenses issued  
57 under this section shall be valid for a period of four (4) years,  
58 in compliance with Section 63-1-47. Only persons who operate the  
59 above-mentioned vehicles in the course of the regular and  
60 customary business of the owner shall be required to obtain a



61 Class D commercial operator's license, and persons operating such  
62 vehicles for private purposes or in emergencies shall not be  
63 required to obtain such license.

64 (5) The original and each renewal of a commercial driver's  
65 license issued under this section to a person who is not a United  
66 States citizen and who does not possess a social security number  
67 issued by the United States government shall be issued for a  
68 period of one (1) year for a fee of Eight Dollars (\$8.00) plus the  
69 applicable photograph fee and shall expire one (1) year from the  
70 date of issuance. Such person may renew a commercial license  
71 issued under this section within thirty (30) days of expiration of  
72 the license.

73 (6) The Commissioner of Public Safety, by rule or  
74 regulation, shall establish a driver's license photograph fee  
75 which shall be the actual cost of the photograph rounded off to  
76 the next highest dollar. Monies collected for the photograph fee  
77 shall be deposited into a special photograph fee account which the  
78 Department of Public Safety shall use to pay the actual cost of  
79 producing the photographs. Any monies collected in excess of the  
80 actual costs of the photography shall be deposited to the General  
81 Fund of the State of Mississippi.

82 **SECTION 2.** Section 63-1-47, Mississippi Code of 1972, is  
83 amended as follows:

84 63-1-47. (1) Except as otherwise provided in this section,  
85 each applicant for an original license issued pursuant to this  
86 article, who is entitled to issuance of same, and who is eighteen  
87 (18) years of age or older, shall be issued a four-year license  
88 which will expire at midnight on the licensee's birthday.

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



93 application and payment of the required fee, unless required to be  
94 reexamined.

95 (b) From and after January 1, 1990, no commercial  
96 driver's license shall be issued under the provisions of this  
97 article for any commercial motor vehicle, the lawful operation of  
98 which requires the driver to obtain a Class A, B or C commercial  
99 driver's license under Article 2 of this chapter; however, from  
100 time to time, the holder of a commercial license may apply for a  
101 commercial driver's license under Article 2 of this chapter; and,  
102 if he fails to pass the required test for such license, he shall  
103 be entitled to an extension of his license that shall be valid for  
104 one hundred twenty (120) days or until he again is tested under  
105 Article 2 of this chapter, whichever occurs first. The extension  
106 shall entitle the license holder to operate all vehicles which  
107 such license authorized him to operate prior to taking the  
108 required test. The first extension shall be without charge;  
109 however, a fee of Fifteen Dollars (\$15.00) shall be imposed for  
110 any subsequent extension. No extension shall be valid past March  
111 31, 1992.

112 (2) Any commercial driver's license issued under this  
113 article before January 1, 1990, which expires after March 31,  
114 1992, shall be void on April 1, 1992, for the operation of any  
115 commercial vehicle requiring a commercial license to be issued  
116 under Article 2 of this chapter; however, if the holder of any  
117 such license applies for a commercial driver's license under  
118 Article 2 of this chapter, passes the required tests for such  
119 license, pays all applicable fees under Article 2 of this chapter  
120 except the Forty Dollars (\$40.00) license fee and otherwise meets  
121 all requirements for the issuance of such license, then such  
122 person shall be issued a license under Article 2 of this chapter  
123 which shall expire on the expiration date of the commercial  
124 driver's license being replaced.



125           (3) The fee for the issuance of an original and renewals of  
126 a Class D commercial driver's license under this article to an  
127 applicant who is not a United States citizen and who does not  
128 possess a social security number issued by the United States  
129 government and the period for which such license will be valid and  
130 expire shall be as prescribed in Section 63-1-43.

131           (4) The Commissioner of Public Safety shall notify, by  
132 United States mail addressed to the last known address of record  
133 with the Department of Public Safety, all holders of a commercial  
134 driver's license issued under this article before January 1, 1990,  
135 and which expire after March 31, 1992, that such license will be  
136 void on and after April 1, 1992, for the operation of any vehicle  
137 for which a commercial driver's license is required to be issued  
138 under Article 2 of this chapter.

139           (5) Any person holding a valid commercial driver's license  
140 issued under this article before January 1, 1990, shall continue  
141 thereafter, until expiration of such license, to be entitled to  
142 operate all vehicles which such license authorized him to operate  
143 immediately before January 1, 1990, except that from and after  
144 April 1, 1992, such license shall not entitle the licensee to  
145 operate a commercial motor vehicle the lawful operation of which  
146 requires a commercial driver's license under Article 2 of this  
147 chapter.

148           (6) Except as otherwise provided in this article, each  
149 applicant for an original driver's license issued pursuant to this  
150 article, who is entitled to issuance of same, being under eighteen  
151 (18) years of age, shall be issued a one-year license which will  
152 expire at midnight on the licensee's birthday. Renewal drivers'  
153 licenses of operators under the age of eighteen (18) shall be for  
154 one-year periods and may be renewed any time within two (2) months  
155 before the expiration of the license upon application and payment  
156 of the required fee, unless required to be reexamined. An  
157 intermediate license shall be valid for one (1) year from its date



158 of issue and may be renewed any time within fourteen (14) days  
159 before expiration of the license. All applications by an operator  
160 under the age of eighteen (18) must be accompanied by  
161 documentation that the applicant is in compliance with the  
162 education requirements of Section 63-1-9(1)(g), and the  
163 documentation must be dated no more than thirty (30) days prior to  
164 the date of application.

165 (7) Any license issued under this article to a person who is  
166 not a United States citizen and who does not possess a social  
167 security number issued by the United States government shall  
168 expire one (1) year from the date of issuance and may be renewed,  
169 if such person is otherwise qualified to renew such license,  
170 within thirty (30) days of expiration. The fee for any such  
171 license and for renewal shall be as prescribed in Section 63-1-43.

172 (8) All renewal licenses of operators who, at the time of  
173 renewal, are eighty-five (85) years of age or older shall be for  
174 two-year periods and may be renewed any time within six (6) months  
175 before the expiration of the license upon application and payment  
176 of the required fee, unless required to be reexamined.

177 **SECTION 3.** This act shall take effect and be in force from  
178 and after July 1, 2007.

