

By: Representative Cockerham

To: Transportation

HOUSE BILL NO. 1450

1 AN ACT TO AMEND SECTION 63-1-21, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL ISSUE A
3 LEARNER'S PERMIT TO A PERSON UNDER FIFTEEN YEARS OF AGE WHO IS A
4 STUDENT IN A PUBLIC OR NONPUBLIC SCHOOL IN THIS STATE AND WHO IS
5 ENROLLED IN AN APPROVED COURSE OF DRIVER EDUCATION, REGARDLESS OF
6 WHETHER SUCH STUDENT IS A RESIDENT OR NONRESIDENT OF THIS STATE;
7 AND FOR RELATED PURPOSES.

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

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

11 63-1-21. (1) Every applicant for a new or original driver's
12 or operator's license, except persons holding an out-of-state
13 license, shall first obtain a temporary driving permit upon the
14 payment of a fee of One Dollar (\$1.00) to the Department of Public
15 Safety and upon the successful completion of the examination
16 provided for in Section 63-1-33 and the payment of the fee for
17 such examination provided for in Section 63-1-43.

18 (2) A temporary driving permit entitles the holder, provided
19 the permit is in his immediate possession, to drive a motor
20 vehicle other than a motorcycle on the highways of the State of
21 Mississippi only when accompanied by a licensed operator who is at
22 least twenty-one (21) years of age and who is actually occupying
23 the seat beside the driver. A temporary driving permit may be
24 issued to any applicant who is at least fifteen (15) years of age.
25 A temporary driving permit shall be valid for a period of one (1)
26 year from the date of issue.

27 (3) An intermediate license allows unsupervised driving from
28 6:00 a.m. to 10:00 p.m. At all other times the intermediate
29 licensee must be supervised by a parent, guardian or other person

30 age twenty-one (21) years or older who holds a valid driver's
31 license under this article and who is actually occupying the seat
32 beside the driver.

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

35 (5) Except as otherwise provided by Section 63-1-6, every
36 applicant for a restricted motorcycle operator's license or a
37 motorcycle endorsement shall first obtain a temporary motorcycle
38 driving permit upon the payment of a fee of One Dollar (\$1.00) to
39 the Department of Public Safety, and upon the successful
40 completion of the examination provided for in Section 63-1-33, and
41 payment of the fee for said examination provided for in Section
42 63-1-43. All applicants for such temporary permit shall (a) be at
43 least fifteen (15) years of age; (b) operate a motorcycle only
44 under the direct supervision of a person at least twenty-one (21)
45 years of age who possesses either a valid driver's or operator's
46 license with a motorcycle endorsement or a valid restricted
47 motorcycle operator's license; (c) be prohibited from transporting
48 a passenger on a motorcycle; (d) be prohibited from operating a
49 motorcycle upon any controlled access highway; and (e) be
50 prohibited from operating a motorcycle during the hours of 6:00
51 p.m. through 6:00 a.m. Temporary motorcycle driving permits shall
52 be valid for the same period of time and may be renewed upon the
53 same conditions as temporary driving permits issued for vehicles
54 other than motorcycles.

55 (6) The Department of Public Safety shall issue a learner's
56 permit to a person at least fourteen (14) years of age but under
57 fifteen (15) years of age who is a student in a public or
58 nonpublic school in this state and who is enrolled in an approved
59 course of driver education as provided under Section 37-25-7,
60 regardless of whether such student is a resident or nonresident of
61 this state, upon such person's successful completion of the
62 examination provided for the issuance of a temporary driving

63 permit under Section 63-1-33 and upon the payment of a fee of One
64 Dollar (\$1.00).

65 **SECTION 2.** This act shall take effect and be in force from
66 and after July 1, 2007.