

By: Senator(s) Dawkins

To: Judiciary, Division B

SENATE BILL NO. 2317

1 AN ACT TO AMEND SECTION 63-1-21, MISSISSIPPI CODE OF 1972, TO
2 RESTRICT THE DRIVING ACTIVITIES AS TO ALLOWABLE PASSENGERS
3 PERMITTED TO THE HOLDER OF AN INTERMEDIATE DRIVER'S LICENSE; AND
4 FOR RELATED PURPOSES.

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

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

8 63-1-21. (1) Every applicant for a new or original driver's
9 or operator's license, except persons holding an out-of-state
10 license, shall first obtain a temporary driving permit upon the
11 payment of a fee of One Dollar (\$1.00) to the Department of Public
12 Safety and upon the successful completion of the examination
13 provided for in Section 63-1-33 and the payment of the fee for
14 such examination provided for in Section 63-1-43.

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

24 (3) (a) An intermediate license allows unsupervised driving
25 from 6:00 a.m. to 10:00 p.m. At all other times the intermediate
26 licensee must be supervised by a parent, guardian or other person
27 age twenty-one (21) years or older who holds a valid driver's

28 license under this article and who is actually occupying the seat
29 beside the driver.

30 (b) A person driving under an intermediate driver's
31 license shall not operate a motor vehicle with more than one (1)
32 passenger in the motor vehicle unless:

33 (i) The intermediate licensee is supervised by a
34 parent, guardian or other person who is twenty-one (21) years of
35 age or older who holds a valid driver's license under this
36 article, and who is actually occupying the vehicle; or

37 (ii) Any minor passengers in excess of the one
38 permitted under this paragraph are siblings or stepsiblings of the
39 driver or are adopted or foster children residing in the same
40 household as the driver, and the driver is in possession of a
41 letter from the driver's parent or legal guardian authorizing the
42 passengers to be in the motor vehicle for the sole purpose of
43 going to or from school.

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

46 (5) Except as otherwise provided by Section 63-1-6, every
47 applicant for a restricted motorcycle operator's license or a
48 motorcycle endorsement shall first obtain a temporary motorcycle
49 driving permit upon the payment of a fee of One Dollar (\$1.00) to
50 the Department of Public Safety, and upon the successful
51 completion of the examination provided for in Section 63-1-33, and
52 payment of the fee for said examination provided for in Section
53 63-1-43. All applicants for such temporary permit shall (a) be at
54 least fifteen (15) years of age; (b) operate a motorcycle only
55 under the direct supervision of a person at least twenty-one (21)
56 years of age who possesses either a valid driver's or operator's
57 license with a motorcycle endorsement or a valid restricted
58 motorcycle operator's license; (c) be prohibited from transporting
59 a passenger on a motorcycle; (d) be prohibited from operating a
60 motorcycle upon any controlled access highway; and (e) be

61 prohibited from operating a motorcycle during the hours of 6:00
62 p.m. through 6:00 a.m. Temporary motorcycle driving permits shall
63 be valid for the same period of time and may be renewed upon the
64 same conditions as temporary driving permits issued for vehicles
65 other than motorcycles.

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