

By: Senator(s) Dawkins

To: Judiciary, Division B

SENATE BILL NO. 2750

1 AN ACT TO AMEND SECTION 63-1-9, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE DRIVERS UNDER THE AGE OF 17 TO HAVE COMPLETED A DRIVER'S
3 EDUCATION COURSE IN ORDER TO HOLD AN INTERMEDIATE LICENSE; AND FOR
4 RELATED PURPOSES.

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

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

8 63-1-9. (1) No driver's license, intermediate license or
9 temporary learning permit shall be issued pursuant to this
10 article:

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

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

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

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



28 license the same as other persons. Moreover, deafness shall not
29 be a bar to obtaining a license.

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

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

39 (g) To any unmarried person under the age of eighteen
40 (18) years who does not at the time of application present a
41 diploma or other certificate of high school graduation or a
42 general educational development certificate issued to the person
43 in this state or any other state; or on whose behalf documentation
44 has not been received by the Department of Public Safety from that
45 person or a school official verifying that the person:

46 (i) Is enrolled and making satisfactory progress
47 in a course leading to a general educational 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 July 31,
58 2009, shall be valid according to the terms upon which issued.
59 From and after August 1, 2009:



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 sixteen (16) years of age who has completed a
65 driver's education course approved by the Department of Education
66 or taught by a person qualified as a driving instructor by the
67 Department of Education as evidenced by a passing grade or
68 certificate, who otherwise meets the requirements of this article
69 and who has held a temporary driving permit for at least one (1)
70 year without any conviction under Section 63-11-30 or of a moving
71 violation. Any conviction under Section 63-11-30 or of a moving
72 violation shall restart the one-year (1) requirement for the
73 holding of a temporary driving permit before an applicant can
74 qualify for an intermediate license.

75 (c) A driver's license may be issued to any person who
76 is at least sixteen and one-half (16-1/2) years of age who
77 otherwise meets the requirements of this article and who has held
78 an intermediate license for at least six (6) months without any
79 conviction under Section 63-11-30 or of a moving violation. Any
80 conviction under Section 63-11-30 or of a moving violation shall
81 restart the six (6) month requirement for the holding of an
82 intermediate license before an applicant can qualify for a
83 driver's license. However, a person who is at least seventeen
84 (17) years of age who has been issued a temporary driving permit
85 and who has never been convicted under Section 63-11-30 or of a
86 moving violation shall not be required to have held an
87 intermediate license or to have completed a driver's education
88 course.

89 (d) An applicant for a Mississippi driver's license
90 who, at the time of application, is at least sixteen and one-half
91 (16-1/2) years of age and who has held a valid motor vehicle
92 driver's license issued by another state for at least six (6)



93 months shall not be required to hold a temporary driving permit or
94 an intermediate license before being issued a driver's license.

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

99 **SECTION 2.** This act shall take effect and be in force from
100 and after September 1, 2011.

