

By: Senator(s) Simmons (13th)

To: Education;  
Appropriations

SENATE BILL NO. 2134

1 AN ACT TO ESTABLISH A MOTIVATING PARENTS AND CHILDREN (MPAC)  
 2 PILOT PROGRAM WITHIN THE STATE DEPARTMENT OF EDUCATION FOR THE  
 3 PURPOSE OF MAKING GRANTS TO SCHOOL DISTRICTS THAT PROVIDE PARENTAL  
 4 INVOLVEMENT SERVICES TO FAMILIES OF COMPULSORY-SCHOOL-AGE CHILDREN  
 5 RESIDING IN SUCH SCHOOL DISTRICT; TO SET FORTH THE PURPOSES OF THE  
 6 MPAC PILOT PROGRAM; TO AUTHORIZE THE STATE DEPARTMENT OF EDUCATION  
 7 TO DEVELOP AND IMPLEMENT THE MPAC PILOT PROGRAM; TO PRESCRIBE THE  
 8 BASIC COMPONENTS OF SERVICES TO BE OFFERED BY SCHOOL DISTRICTS  
 9 UNDER THE MPAC PILOT PROGRAM; TO PROVIDE AN APPLICATION AND  
 10 SELECTION PROCEDURE FOR SCHOOL DISTRICTS PARTICIPATING IN THE MPAC  
 11 PILOT PROGRAM; TO AMEND SECTION 37-11-53, MISSISSIPPI CODE OF  
 12 1972, TO REQUIRE PARENTS TO ATTEND CONFERENCES AND OTHER FUNCTIONS  
 13 OF SCHOOL DISTRICTS PARTICIPATING IN THE MPAC PILOT PROGRAM; TO  
 14 AMEND SECTION 63-1-10, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT  
 15 CHILDREN UNDER 18 RESIDING IN SCHOOL DISTRICTS PARTICIPATING IN  
 16 THE MPAC PILOT PROGRAM WHO WITHDRAW FROM SCHOOL MAY HAVE THEIR  
 17 DRIVER'S LICENSE SUSPENDED; TO AMEND SECTION 63-1-46, MISSISSIPPI  
 18 CODE OF 1972, TO EXEMPT SUCH MINORS FROM LICENSE REINSTATEMENT  
 19 FEES; TO AMEND SECTION 63-1-53, MISSISSIPPI CODE OF 1972, IN  
 20 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

22 **SECTION 1.** (1) The Legislature finds that:

23 (a) Students who exhibit serious behavior problems in  
24 school become juvenile and adult offenders;

25 (b) A major contributing factor to this problem is a  
26 lack of positive parental involvement with both their children and  
27 school personnel;

28 (c) Growing numbers of children live in conditions that  
29 place them at risk of school failure;

30 (d) The provision of school and support services to  
31 these children and their families by public and nonprofit agencies  
32 is fragmented and does not prepare these children to learn  
33 effectively and have a successful school experience;



34 (e) The lack of collaboration among schools, families,  
35 local agencies and other groups involved in family support and  
36 youth development activities results in the inefficient and  
37 ineffective use of resources to meet the needs of these children;

38 (f) Schools are dedicating an increasing amount of  
39 their time and resources to responding to disruptive and violent  
40 behavior rather than fulfilling their mission to challenge, with  
41 high expectations, each child to learn, to achieve and to fulfill  
42 his or her potential;

43 (g) The relationships between school failure,  
44 disruptive and violent behavior in schools, unemployment and  
45 criminal behavior are clear;

46 (h) Responding to the needs of students who are at risk  
47 of school failure and providing for a safe and secure learning  
48 environment are cost-effective because it enables the state to  
49 substitute preventive measures for expensive and reactionary  
50 crisis intervention through use of collocation of services and  
51 repositioning of staff; and

52 (i) Differing local needs and local resources  
53 necessitate the development of locally generated, community-based  
54 plans that coordinate and leverage existing resources, not the  
55 imposition of uniform and inflexible state-mandated plans.

56 (2) There is hereby established within the State Department  
57 of Education the Motivating Parents and Children (MPAC) pilot  
58 program. The purpose of the program is (a) to provide grants to  
59 certain local school districts for innovative local programs that  
60 target juvenile crime by coordinating school and support services  
61 to children-at-risk and their families with required parental  
62 involvement; (b) enhance educational attainment through  
63 coordinated services to respond to the needs of students who are  
64 at risk of school failure and at risk of participation in juvenile  
65 crime; and (c) provide a safe and secure learning environment.



66           (3) The Motivating Parents and Children (MPAC) pilot program  
67 described in this section shall be conducted in six (6) school  
68 districts selected by the State Superintendent of Education with  
69 the approval of the State Board of Education, which school  
70 districts shall represent the different geographical areas,  
71 population levels and economic levels of the state. Three (3)  
72 districts shall be selected from urban areas of the state and  
73 three (3) districts shall be selected from rural areas of the  
74 state. The department shall give preference to school districts  
75 that express a desire to participate in the pilot program. The  
76 program shall apply to all compulsory-school-age children residing  
77 in the pilot school districts and their custodial and noncustodial  
78 parents or legal guardians.

79           (4) The State Department of Education shall develop policies  
80 and procedures to administer the Motivating Parents and Children  
81 (MPAC) pilot program.

82           (5) The selected pilot school districts shall implement the  
83 MPAC program, and in doing so shall:

84                 (a) Employ a District MPAC Program Coordinator who will  
85 be responsible for planning and coordinating activities for  
86 parents of school children, and the delivery of integrated and  
87 comprehensive services to children and their families.

88                 (b) Employ three (3) licensed social workers and three  
89 (3) certified guidance counselors, one (1) each to be assigned to  
90 the high schools, middle schools and elementary schools within the  
91 district who will work in conjunction to assist families in  
92 resolving social and other problems that may impact the child's  
93 school performance.

94                 (c) Develop and implement a program of family support  
95 services that is school-based and/or school-linked designed  
96 according to the Communities In Schools (CIS) model. The CIS  
97 model is a well-known national dropout prevention model that has  
98 developed effective and proven step-by-step guidelines that can be



99 used to increase parent and community involvement. The MPAC  
100 program services provided shall include a community advisory  
101 board, private/public partnerships, an assessment of community  
102 needs, colocation of services, repositioned staff, parenting  
103 classes that would include parent-child activities, and a  
104 structured plan for referrals and evaluation. The MPAC pilot  
105 program may also provide after-school care, adult literacy  
106 programs, early childhood education for children in high-risk  
107 populations, alternate learning programs, peer mediation and  
108 conflict resolution activities.

109 (d) Train the MPAC program staff in the CIS model.  
110 Principles and practices evaluated and proven effective shall be  
111 incorporated into the program design. Upon determination of the  
112 pilot sites involved, an orientation must be provided to all  
113 district staff. In addition, staff must be trained and developed  
114 on an ongoing basis to ensure maximum coordination and cooperation  
115 with emphasis placed on learning how to effectively work with  
116 parents to enhance their participation level. The MPAC program  
117 services shall be designed to (i) prepare children to attain  
118 academic and social success; (ii) enhance the ability of families  
119 to become advocates for and supporters of education for the  
120 children in their families; (iii) provide parenting classes to the  
121 parents of children who are at risk of school failure; (iv)  
122 provide adult literacy and employability skills classes for  
123 parents; (v) serve as a referral source for children and their  
124 families to ensure that needed services are accessed by the  
125 family; and (vi) otherwise enhance the ability of families to  
126 function as nurturing and effective family units.

127 (e) Require a parent or guardian to spend a day in  
128 school with his child after violation of a major rule. Such  
129 action would be taken when the rule violated is major but not  
130 serious enough to warrant expulsion in order to invite parental  
131 intervention before a child is suspended or expelled. The parent



132 or guardian may be required either to attend class with his child  
133 for a full day or to attend parenting classes offered at alternate  
134 times to accommodate the parent's or guardian's work schedules and  
135 transportation issues. Failure to attend one (1) of the options  
136 will result in suspension of the child.

137 (f) Create an incentive program for children whose  
138 parent or guardian attends meetings of PTA/PTO's, parenting  
139 classes, and volunteers a minimum of ten (10) hours in the  
140 classroom. Examples of an incentive program are: (i) the  
141 issuance of an activity card that grants the child full admission  
142 to all school-sponsored activities such as football and basketball  
143 games; and (ii) exemption from certain classroom or laboratory  
144 fees as determined feasible by the local school board.

145 (g) Create a program using volunteers to provide child  
146 care services for parents who volunteer, attend parenting classes,  
147 and attend after-school or evening programs.

148 (h) Create a summer employability skills/on-the-job  
149 training (OJT) fund, utilizing TANF and other federal  
150 Welfare-to-Work program funds. These funds may be expended by  
151 local school boards to provide job opportunities for juniors and  
152 seniors in high school. Employers and nonprofit organizations who  
153 participate in "Adopt-a-School" programs may qualify to employ  
154 such students during the summer. Wages up to Seven Dollars  
155 (\$7.00) per hour will be paid from the fund to eligible students  
156 who work for the employers or nonprofit organizations who are  
157 committed to participating in the "Adopt-a-School" program within  
158 the next school year.

159 (i) Require the pilot school districts to conduct a  
160 Family Needs Assessment (FNA) using social workers and licensed  
161 counselors once every three (3) years. The assessment should be  
162 coordinated with other community organizations such as Head Start  
163 to encourage collaboration and lessen duplication.



164 (6) (a) A local school district may apply for a Motivating  
165 Parents and Children (MPAC) pilot program grant, and up to three  
166 (3) adjacent local school districts may apply jointly for a grant.

167 (b) The application shall include the following  
168 information:

169 (i) Data on the incidence of juvenile crime in the  
170 geographical area to be served by the grant. Sources of data may  
171 include the youth court in the county, the district attorney and  
172 local law enforcement officials.

173 (ii) An assessment of local resources from all  
174 sources for, and local deficiencies with regard to, responding to  
175 the needs of children who live in conditions that place them at  
176 risk of school failure.

177 (iii) A detailed plan for removing barriers to  
178 success in school that exist for these children and coordinating  
179 services for parents and children as authorized under this  
180 section.

181 (7) In reviewing grant applications, the State  
182 Superintendent of Education shall consider the prevalence of  
183 underserved students and families in low-income neighborhoods and  
184 in isolated rural areas in the area for which the grant is  
185 requested, the severity of the local problems with regard to  
186 children-at-risk of school failure and with regard to school  
187 discipline, whether the proposed program meets state standards,  
188 and the likelihood that the locally designed plan will deal with  
189 the problems successfully. During the review process, the  
190 superintendent may recommend modifications in grant applications  
191 to applicants. The superintendent shall submit recommendations to  
192 the State Board of Education as to which applicants should receive  
193 grants and the amount they should receive.

194 In selecting grant recipients, the State Board of Education  
195 shall consider (a) the recommendations of the superintendent, (b)  
196 the geographic location of the applicants, and (c) the demographic



197 profile of the applicants. After considering these factors, the  
198 State Board of Education shall give priority to grant applications  
199 that will serve areas that have a high incidence of juvenile crime  
200 to serve as models for other communities. The State Board of  
201 Education shall select the grant recipients prior to July 1, 2012,  
202 for local programs that will be in operation at the beginning of  
203 the 2012-2013 school year, and prior to July 1 and thereafter for  
204 the appropriate school year.

205 A grant recipient may request a modification of a grant or  
206 additional funds to implement a grant through the grant  
207 application process. The request shall be reviewed and accepted  
208 or rejected in the same manner as a grant application.

209 (8) The State Department of Education shall administer the  
210 grant program under the direction of the State Board of Education.  
211 The State Department of Education shall provide technical  
212 assistance to grant applicants and recipients.

213 (9) All agencies of the state and local government,  
214 including departments of human services, health departments, local  
215 mental health, mental retardation, court personnel, law  
216 enforcement agencies, and municipalities and counties shall  
217 cooperate with the State Department of Education and local school  
218 boards that receive grants by collocating services and  
219 repositioning staff.

220 (10) The Department of Education shall develop and implement  
221 an evaluation system, under the direction of the State Board of  
222 Education, that will assess the efficiency and effectiveness of  
223 the MPAC program.

224 (11) Any child in a pilot school district who is suspended  
225 from school shall have his driver's license suspended for one (1)  
226 calendar year by the Mississippi Department of Public Safety.

227 **SECTION 2.** Section 37-11-53, Mississippi Code of 1972, is  
228 amended as follows:



229           37-11-53. (1) A copy of the school district's discipline  
230 plan shall be distributed to each student enrolled in the  
231 district, and the parents, guardian or custodian of such student  
232 shall sign a statement verifying that they have been given notice  
233 of the discipline policies of their respective school district.  
234 The school board shall have its official discipline plan and code  
235 of student conduct legally audited on an annual basis to insure  
236 that its policies and procedures are currently in compliance with  
237 applicable statutes, case law and state and federal constitutional  
238 provisions. As part of the first legal audit occurring after July  
239 1, 2001, the provisions of this section, Section 37-11-55 and  
240 Section 37-11-18.1 shall be fully incorporated into the school  
241 district's discipline plan and code of student conduct.

242           (2) All discipline plans of school districts shall include,  
243 but not be limited to, the following:

244           (a) A parent, guardian or custodian of a  
245 compulsory-school-age child enrolled in a public school district  
246 shall be responsible financially for his or her minor child's  
247 destructive acts against school property or persons;

248           (b) A parent, guardian or custodian of a  
249 compulsory-school-age child enrolled in a public school district  
250 may be requested to appear at school by the school attendance  
251 officer or an appropriate school official for a conference  
252 regarding acts of the child specified in paragraph (a) of this  
253 subsection, or for any other discipline conference regarding the  
254 acts of the child;

255           (c) Any parent, guardian or custodian of a  
256 compulsory-school-age child enrolled in a school district who  
257 refuses or willfully fails to attend such discipline conference  
258 specified in paragraph (b) of this subsection may be summoned by  
259 proper notification by the superintendent of schools or the school  
260 attendance officer and be required to attend such discipline  
261 conference or parenting classes scheduled to accommodate the





262 working hours and transportation needs of the parent, guardian or  
263 custodian; \* \* \*

264 (d) A parent, guardian or custodian of a  
265 compulsory-school-age child enrolled in a public school district  
266 shall be responsible for any criminal fines brought against such  
267 student for unlawful activity occurring on school grounds or  
268 buses; and

269 (e) A parent, guardian or custodian of a  
270 compulsory-school-age child enrolled in a public school in a  
271 school district participating in a Motivating Parents and Children  
272 (MPAC) grant program as provided in this act who has been summoned  
273 by proper notification by an appropriate school official to attend  
274 a conference, school meeting, after-school meeting or class  
275 regarding the acts of such child or parent specified under said  
276 program shall be required under this provision to attend such  
277 conference, school meeting, after-school meeting or class,  
278 provided that scheduling is sensitive to the parent's work hours  
279 and transportation needs.

280 (3) Any parent, guardian or custodian of a  
281 compulsory-school-age child who (a) fails to attend a discipline  
282 conference to which such parent, guardian or custodian has been  
283 summoned under the provisions of this section, or (b) refuses or  
284 willfully fails to perform any other duties imposed upon him or  
285 her under the provisions of this section, shall first be given the  
286 opportunity to enroll in a series of parenting classes consisting  
287 of not less than twenty (20) hours of instruction as developed by  
288 the MPAC Program Coordinator and appropriate to the age of the  
289 parent's child. If the parent does not attend the series of  
290 classes, he shall be guilty of a misdemeanor and, upon conviction,  
291 shall be fined not to exceed Two Hundred Fifty Dollars (\$250.00).

292 (4) Any public school district shall be entitled to recover  
293 damages in an amount not to exceed Twenty Thousand Dollars  
294 (\$20,000.00), plus necessary court costs, from the parents of any



295 minor under the age of eighteen (18) years and over the age of six  
296 (6) years, who maliciously and willfully damages or destroys  
297 property belonging to such school district. However, this section  
298 shall not apply to parents whose parental control of such child  
299 has been removed by court order or decree. The action authorized  
300 in this section shall be in addition to all other actions which  
301 the school district is entitled to maintain and nothing in this  
302 section shall preclude recovery in a greater amount from the minor  
303 or from a person, including the parents, for damages to which such  
304 minor or other person would otherwise be liable.

305 (5) A school district's discipline plan may provide that as  
306 an alternative to suspension, a student may remain in school by  
307 having the parent, guardian or custodian, with the consent of the  
308 student's teacher or teachers, attend class with the student for a  
309 period of time specifically agreed upon by the reporting teacher  
310 and school principal. If the parent, guardian or custodian does  
311 not agree to attend class with the student or fails to attend  
312 class with the student, the student shall be suspended in  
313 accordance with the code of student conduct and discipline  
314 policies of the school district.

315 **SECTION 3.** Section 63-1-10, Mississippi Code of 1972, is  
316 amended as follows:

317 63-1-10. (1) Upon the written request of a parent or  
318 guardian of any applicant for a license under eighteen (18) years  
319 of age, the school district in which the applicant is enrolled  
320 shall submit documentation to the Department of Public Safety  
321 verifying that the applicant is in compliance with Section  
322 63-1-9(1)(g). The verification shall be signed by the school  
323 principal or his designee, or, in the case of a home study  
324 program, the parent, or the adult education supervisor of the  
325 General Educational Development Program, or his designee. If the  
326 student is enrolled in a nonpublic school, the school principal or  
327 his designee is encouraged to submit the verification on behalf of



328 the student. Documentation of the applicant's enrollment status  
329 shall be submitted on a form designed by the State Department of  
330 Education that includes the written signed and notarized parent or  
331 guardian's consent authorizing the release of the applicant's  
332 attendance records to the Department of Public Safety, as approved  
333 by the Department of Public Safety, in a manner that insures the  
334 authenticity of the form and the information or signature  
335 contained thereon, including via facsimile. The forms required  
336 under this section to provide documentation shall be made  
337 available to all public high schools, private schools accredited  
338 by the State Board of Education, adult education supervisors at  
339 school board offices and, upon request, to others through the  
340 Department of Public Safety.

341 (2) Whenever an applicant or licensee who is under eighteen  
342 (18) years of age is unable to attend any school program due to  
343 acceptable circumstances, the school where the student last  
344 attended shall transmit documentation to the department to excuse  
345 such student from the provisions of Section 63-1-9(1)(g). The  
346 school principal or his designee shall determine whether  
347 nonattendance or absences are excused pursuant to Section  
348 37-13-91. For purposes of this section, suspension or expulsion  
349 from school or incarceration in a correctional institution is not  
350 an acceptable circumstance for a person being unable to attend  
351 school.

352 (3) Any person denied a license for failure to satisfy the  
353 education requirements of Section 63-1-9(1)(g) shall have the  
354 right to file a request within thirty (30) days thereafter for a  
355 hearing before the Department of Public Safety to determine  
356 whether the person is entitled to a license or is subject to the  
357 cancellation of his license under the provisions of this section.  
358 The hearing shall be held within ten (10) days of the receipt by  
359 the department of the request. Appeal from the decision of the  
360 department may be taken under Section 63-1-31.



361 (4) Whenever a licensee under the age of eighteen (18) who  
362 resides in a school district participating in the Motivating  
363 Parents and Children (MPAC) pilot program provided under this act,  
364 and who has not attained a diploma or other certificate of  
365 graduation as prescribed in Section 63-1-19(2), withdraws or is  
366 suspended from his educational instruction, the attendance  
367 counselor, social worker, parent, guardian or school administrator  
368 designated by the State Board of Education to verify the  
369 applicant's educational status under the provisions of said  
370 program may, in his discretion, immediately notify the Department  
371 of Public Safety of such withdrawal or suspension. Within five  
372 (5) days of receipt of such notice, the Department of Public  
373 Safety shall send notice to the licensee that the license shall  
374 automatically be suspended for one (1) year under the provisions  
375 of Section 63-1-53 on the thirtieth day following the date the  
376 notice was sent unless documentation of compliance with the  
377 provisions of subsection (2) of this section is received by the  
378 department before such time. For the purposes of this subsection,  
379 withdrawal shall be defined as more than ten (10) consecutive  
380 unexcused and unlawful absences during a single semester for  
381 school-age applicants under the age of eighteen (18) attending  
382 school.

383 **SECTION 4.** Section 63-1-46, Mississippi Code of 1972, is  
384 amended as follows:

385 63-1-46. (1) A fee of Twenty-five Dollars (\$25.00) shall be  
386 charged for the reinstatement of a license issued pursuant to this  
387 article to every person whose license has been validly suspended,  
388 revoked or cancelled, except those persons whose licenses were  
389 suspended under Section 63-1-53(1)(k). This fee shall be in  
390 addition to the fee provided for in Section 63-1-43, Mississippi  
391 Code of 1972.



392 (2) The funds received under the provisions of subsection  
393 (1) of this section shall be deposited into the State General Fund  
394 in accordance with Section 45-1-23, Mississippi Code of 1972.

395 (3) In addition to the fee provided for in subsection (1) of  
396 this section, an additional fee of Seventy-five Dollars (\$75.00)  
397 shall be charged for the reinstatement of a license issued  
398 pursuant to this article to every person whose license has been  
399 suspended or revoked under the provisions of the Mississippi  
400 Implied Consent Law or as a result of a conviction of a violation  
401 of the Uniform Controlled Substances Law under the provisions of  
402 Section 63-1-71.

403 (4) The funds received under the provisions of subsection  
404 (3) of this section shall be placed in a special fund hereby  
405 created in the State Treasury. Monies in such special fund may be  
406 expended solely to contribute to the Disability and Relief Fund  
407 for members of the Mississippi Highway Safety Patrol such amounts  
408 as are necessary to make sworn agents of the Mississippi Bureau of  
409 Narcotics who were employed by such bureau prior to December 1,  
410 1990, and who were subsequently employed as enforcement troopers  
411 by the Department of Public Safety, full members of the retirement  
412 system for the Mississippi Highway Safety Patrol with full credit  
413 for the time they were employed as sworn agents for the  
414 Mississippi Bureau of Narcotics. The Board of Trustees of the  
415 Public Employees' Retirement System shall certify to the State  
416 Treasurer the amounts necessary for the purposes described above.  
417 The State Treasurer shall monthly transfer from the special fund  
418 created pursuant to this subsection the amounts deposited in such  
419 special fund to the Disability and Relief Fund for members of the  
420 Mississippi Highway Safety Patrol until such time as the certified  
421 amount has been transferred. At such time as the certified amount  
422 has been transferred, the State Treasurer shall transfer any funds  
423 remaining in the special fund created pursuant to this subsection  
424 to the State General Fund and shall then dissolve such special



425 fund. This subsection (4) shall stand repealed at such time when  
426 the State Treasurer transfers funds and dissolves the special fund  
427 account in accordance with the provisions of this subsection.

428 (5) The procedure for the reinstatement of a license issued  
429 pursuant to this article that has been suspended for being out of  
430 compliance with an order for support, as defined in Section  
431 93-11-153, and the payment of any fees for the reinstatement of a  
432 license suspended for that purpose, shall be governed by Section  
433 93-11-157 or 93-11-163, as the case may be.

434 **SECTION 5.** Section 63-1-53, Mississippi Code of 1972, is  
435 amended as follows:

436 63-1-53. (1) Upon failure of any person to respond timely  
437 and properly to a summons or citation charging such person with  
438 any violation of this title, or upon failure of any person to pay  
439 timely any fine, fee or assessment levied as a result of any  
440 violation of this title, the clerk of the court shall give written  
441 notice to such person by United States first-class mail at his  
442 last known address advising such person that, if within ten (10)  
443 days after such notice is deposited in the mail, the person has  
444 not properly responded to the summons or citation or has not paid  
445 the entire amount of all fines, fees and assessments levied, then  
446 the court will give notice thereof to the Commissioner of Public  
447 Safety and the commissioner may suspend the driver's license of  
448 such person. The actual cost incurred by the court in the giving  
449 of such notice may be added to any other court costs assessed in  
450 such case. If within ten (10) days after the notice is given in  
451 accordance with this subsection such person has not satisfactorily  
452 disposed of the matter pending before the court, then the clerk of  
453 the court immediately shall mail a copy of the abstract of the  
454 court record, along with a certified copy of the notice given  
455 under this subsection, to the commissioner, and the commissioner  
456 may suspend the driver's license of such person as authorized  
457 under subsections (2) and (3) of this section.



458           (2) The commissioner is hereby authorized to suspend the  
459 license of an operator without preliminary hearing upon a showing  
460 by his records or other sufficient evidence that the licensee:

461           (a) Has committed an offense for which mandatory  
462 revocation of license is required upon conviction except under the  
463 provisions of the Mississippi Implied Consent Law;

464           (b) Has been involved as a driver in any accident  
465 resulting in the death or personal injury of another or serious  
466 property damage;

467           (c) Is an habitually reckless or negligent driver of a  
468 motor vehicle;

469           (d) Has been convicted with such frequency of serious  
470 offenses against traffic regulations governing the movement of  
471 vehicles as to indicate a disrespect for traffic laws and a  
472 disregard for the safety of other persons on the highways;

473           (e) Is incompetent to drive a motor vehicle;

474           (f) Has permitted an unlawful or fraudulent use of such  
475 license;

476           (g) Has committed an offense in another state which if  
477 committed in this state would be grounds for suspension or  
478 revocation;

479           (h) Has failed to pay any fine, fee or other assessment  
480 levied as a result of any violation of this title;

481           (i) Has failed to respond to a summons or citation  
482 which charged a violation of this title; \* \* \*

483           (j) Has committed a violation for which mandatory  
484 revocation of license is required upon conviction, entering a plea  
485 of nolo contendere to, or adjudication of delinquency, pursuant to  
486 the provisions of subsection (1) of Section 63-1-71; or

487           (k) Is under the age of eighteen (18) and has withdrawn  
488 or been suspended from his educational instruction program  
489 pursuant to the provisions of Section 63-1-10(4).



490 (3) Notice that a person's license is suspended or will be  
491 suspended under subsection (2) of this section shall be given by  
492 the commissioner in the manner and at the time provided for under  
493 Section 63-1-52, and upon such person's request, he shall be  
494 afforded an opportunity for a hearing as early as practicable, but  
495 not to exceed twenty (20) days after receipt of such request in  
496 the county wherein the licensee resides unless the department and  
497 the licensee agree that such hearing may be held in some other  
498 county. Upon such hearing the commissioner, or his duly  
499 authorized agent, may administer oaths and may issue subpoenas for  
500 the attendance of witnesses and the production of relevant books  
501 and papers and may require a reexamination of the licensee. Upon  
502 such hearing the commissioner shall either rescind any order of  
503 suspension or, good cause appearing therefor, may extend any  
504 suspension of such license or revoke such license.

505 (4) If a licensee has not paid all cash appearance bonds  
506 authorized under Section 99-19-3 or all fines, fees or other  
507 assessments levied as a result of a violation of this title within  
508 ninety (90) days after the commissioner has suspended the license  
509 of a person under subsection (2)(i) of this section, the court is  
510 authorized to pursue collection under Section 21-17-1(6) or  
511 19-3-41(2) as for any other delinquent payment, and shall be  
512 entitled to collection of all additional fees authorized under  
513 those sections.

514 **SECTION 6.** This act shall take effect and be in force from  
515 and after July 1, 2012.

