

By: Representatives Busby, Karriem, Paden,
Hines, Clark

To: Transportation;
Education

HOUSE BILL NO. 509
(As Passed the House)

1 AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP
2 A PROGRAM ON HOW PERSONS SHOULD RESPOND TO LAW ENFORCEMENT
3 OFFICERS WHEN STOPPED; TO AMEND SECTION 37-25-5, MISSISSIPPI CODE
4 OF 1972, TO REQUIRE DRIVER'S EDUCATION PROGRAMS TAUGHT IN PUBLIC
5 SCHOOLS TO INCLUDE A PROGRAM DEVELOPED BY THE DEPARTMENT OF PUBLIC
6 SAFETY ON HOW PERSONS SHOULD RESPOND TO LAW ENFORCEMENT OFFICERS
7 WHEN STOPPED; TO REQUIRE NONPUBLIC SCHOOLS THAT OFFER A DRIVER'S
8 EDUCATION PROGRAM TO INCLUDE IN SUCH PROGRAM THE PROGRAM DEVELOPED
9 BY THE DEPARTMENT OF PUBLIC SAFETY ON HOW TO RESPOND TO LAW
10 ENFORCEMENT OFFICERS WHEN STOPPED; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** The Department of Public Safety shall develop a
13 program of study on how persons should properly respond when
14 stopped by law enforcement officers to be taught to students as
15 part of the state driver education and training program and as
16 part of a driver education program taught to students attending
17 nonpublic schools.

18 **SECTION 2.** Section 37-25-5, Mississippi Code of 1972, is
19 amended as follows:

20 37-25-5. The State Superintendent of Public Education shall
21 prepare and recommend to the State Board of Education, and the
22 board shall adopt rules and regulations governing the



23 establishment, conduct and scope of driver education and training
24 programs in secondary schools of this state, subject to the
25 requirements and exceptions set forth in this chapter. Said
26 program shall be established and maintained only in accordance
27 with such rules and regulations. The state driver education and
28 training program in secondary schools of this state shall include
29 a program of study for alcohol and safety education as it pertains
30 to driver and highway safety and shall also include instruction
31 relating to organ and tissue donation and organ and tissue
32 donation procedures, and shall include instruction on the litter
33 laws of the state and the responsibilities of the driver and all
34 passengers to dispose of litter in the proper container. The
35 state driver education and training program in secondary schools
36 of this state shall also include a program of study, developed by
37 the Department of Public Safety under Section 1 of this act, on
38 how persons should properly respond when stopped by law
39 enforcement officers.

40 The State Superintendent of Public Education shall prepare an
41 administrative budget from funds made available under this chapter
42 which budget shall be approved by the State Board of Education.
43 It shall be the responsibility of the State Superintendent of
44 Public Education to administer this program in accordance with
45 rules and regulations established by the State Board of Education
46 and to appoint the necessary supervisors of safety education and
47 the necessary clerical personnel.



48 **SECTION 3.** (a) Any nonpublic school accredited by the State
49 Board of Education or any other accreditation agency that offers a
50 driver's education program shall include as part of such program
51 the program developed by the Department of Public Safety under
52 Section 1 of this act, related to how persons should properly
53 respond when stopped by law enforcement officers.

54 (b) Any program developed by the Department of Public
55 Safety under Section 1 of this act shall incorporate in that
56 curriculum the constitutional rights that drivers have when
57 encountering a law enforcement officer, including, but not limited
58 to, consent to search and refusal to provide information not
59 pertinent to the traffic stop.

60 **SECTION 4.** Any nonpublic school accredited by the State
61 Board of Education or any other accreditation agency that offers a
62 driver's education program shall include as part of such program
63 the program developed by the Department of Public Safety under
64 Section 1 of this act, related to how persons should properly
65 respond when stopped by law enforcement officers.

66 **SECTION 5.** This act shall take effect and be in force from
67 and after July 1, 2017.

