

By: Senator(s) Dawkins

To: Education; Judiciary,
Division B

SENATE BILL NO. 2802

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 regular learner's permit shall be issued pursuant to this article:

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

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

17 (c) To any person who is * * * habitually under the
18 influence of alcohol or narcotic drugs.



19 (d) To any person who would not be able by reason of
20 physical or mental disability to safely operate a motor vehicle on
21 the highways * * *. However, persons who have one (1) arm or leg,
22 or have arms or legs deformed, and * * * who drive a car provided
23 with mechanical devices * * * that allow the person * * * to drive
24 in a safe manner over the highways, if otherwise qualified, shall
25 receive an operator's license the same as other persons.

26 Moreover, deafness shall not be a bar to obtaining a license.

27 (e) To any person as an operator who has previously
28 been adjudged to be afflicted with and suffering from any mental
29 disability and who has not at time of application been restored to
30 mental competency.

31 (f) To any unmarried person under the age of eighteen
32 (18) years who does not at the time of application present a
33 diploma or other certificate of high school graduation or a
34 general educational development certificate issued to the person
35 in this state or any other state; or on whose behalf documentation
36 has not been received by the Department of Public Safety from that
37 person or a school official verifying that the person:

38 (i) Is enrolled and making satisfactory progress
39 in a course leading to a general educational development
40 certificate;

41 (ii) Is enrolled in school in this state or any
42 other state;



43 (iii) Is enrolled in a "nonpublic school," as such
44 term is defined in Section 37-13-91(2)(i); or

45 (iv) Is unable to attend any school program due to
46 circumstances deemed acceptable as set out in Section 63-1-10.

47 (g) To any person under the age of eighteen (18) years
48 who has been convicted under Section 63-11-30.

49 (2) * * * (a) A regular learner's permit may be issued to
50 any person who is at least fifteen (15) years of age who otherwise
51 meets the requirements of this article.

52 (b) An intermediate license may be issued to any person
53 who is at least sixteen (16) years of age who otherwise meets the
54 requirements of this article and who has held a regular learner's
55 permit for at least one (1) year without any conviction under
56 Section 63-11-30 or of a moving violation and who completes a
57 driver's education course and provides evidence of a passing grade
58 or certificate from the completed driver's education course if the
59 course is approved by the Department of Education or taught by a
60 person qualified as a driving instructor by the Department of
61 Education. Any conviction under Section 63-11-30 or of a moving
62 violation shall restart the one-year requirement for the holding
63 of a regular learner's permit before an applicant can qualify for
64 an intermediate license.

65 (c) A driver's license may be issued to any person who
66 is at least sixteen and one-half (16-1/2) years of age who
67 otherwise meets the requirements of this article and who has held



68 an intermediate license for at least six (6) months without any
69 conviction under Section 63-11-30 or of a moving violation. Any
70 conviction under Section 63-11-30 or of a moving violation shall
71 restart the six-month requirement for the holding of an
72 intermediate license before an applicant can qualify for a
73 driver's license. However, a person who is at least seventeen
74 (17) years of age who has been issued a regular learner's permit
75 and who has never been convicted under Section 63-11-30 or of a
76 moving violation shall not be required to have held an
77 intermediate license or to complete a driver's education course.

78 (d) An applicant for a Mississippi driver's license
79 who, at the time of application, is at least sixteen and one-half
80 (16-1/2) years of age and who has held a valid motor vehicle
81 driver's license issued by another state for at least six (6)
82 months shall not be required to hold a regular learner's permit or
83 an intermediate license before being issued a driver's license.

84 (3) The commissioner shall ensure that the regular learner's
85 permit, intermediate license and driver's license issued under
86 this article are clear, distinct and easily distinguishable from
87 one another.

88 **SECTION 2.** This act shall take effect and be in force from
89 and after October 1, 2017.

