

By: Representatives Bain, Faulkner, Anthony

To: Judiciary B;  
Transportation

HOUSE BILL NO. 838

1 AN ACT TO AMEND SECTION 63-1-19, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO PROMULGATE RULES THAT  
3 ALLOW AN OFFICIAL IDENTIFYING DOCUMENT ISSUED BY THE MISSISSIPPI  
4 DEPARTMENT OF CORRECTIONS TO SERVE AS AN IDENTIFYING DOCUMENT  
5 UNDER THIS SECTION IN LIEU OF A BIRTH CERTIFICATE OR SOCIAL  
6 SECURITY CARD FOR ANY PERSON RELEASED FROM THE CUSTODY OF THE  
7 MISSISSIPPI DEPARTMENT OF CORRECTIONS IN THE LAST TWELVE MONTHS;  
8 AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 63-1-19, Mississippi Code of 1972, is  
11 amended as follows:

12 63-1-19. (1) (a) Every applicant for a license or permit  
13 issued pursuant to this article, or for renewal of such license or  
14 permit, shall file an application for such license, permit or  
15 renewal, on a form provided by the Department of Public Safety,  
16 with the commissioner or an official license examiner of the  
17 department. All persons not holding valid, unexpired licenses  
18 issued in this state shall be required to secure an original  
19 license, except those specifically exempted from licensing under  
20 Section 63-1-7. The application shall state the name, date of  
21 birth, the social security number of the applicant unless the



22 applicant is not a United States citizen and does not possess a  
23 social security number issued by the United States government,  
24 sex, race, color of eyes, color of hair, weight, height and  
25 residence address, and whether or not the applicant's privilege to  
26 drive has been suspended or revoked at any time, and, if so, when,  
27 by whom, and for what cause, and whether any previous application  
28 by him has been denied, and whether he has any physical defects  
29 which would interfere with his operating a motor vehicle safely  
30 upon the highways.

31 (b) Every applicant for an original license shall show  
32 proof of domicile in this state. The commissioner shall  
33 promulgate any rules and regulations necessary to enforce this  
34 requirement and shall prescribe the means by which an applicant  
35 for an original license may show domicile in this state. Proof of  
36 domicile shall not be required of applicants under eighteen (18)  
37 years of age.

38 (c) Unless the applicant is not a United States citizen  
39 and does not possess a social security number issued by the United  
40 States government, each application or filing made under this  
41 section shall include the social security number(s) of the  
42 applicant in accordance with Section 93-11-64, Mississippi Code of  
43 1972.

44 (2) No person who is illegally in the United States or  
45 Mississippi shall be issued a license. The application of a  
46 person who is not a United States citizen and who does not possess



47 a social security number issued by the United States government  
48 shall state the name, date of birth, sex, race, color of eyes,  
49 color of hair, weight, height and residence address, and whether  
50 or not the applicant's privilege to drive has been suspended or  
51 revoked at any time, and, if so, when, by whom, and for what  
52 cause, and whether any previous application by him has been  
53 denied, and whether he has any physical defects which would  
54 interfere with his operating a motor vehicle safely upon the  
55 highways. The commissioner shall adopt and promulgate such rules  
56 and regulations as he deems appropriate requiring additional  
57 documents, materials, information or physical evidence to be  
58 provided by the applicant as may be necessary to establish the  
59 identity of the applicant and that the applicant is not present in  
60 the United States or the State of Mississippi illegally.

61 (3) Whenever a person who has applied for or who has been  
62 issued a license or permit under this article moves from the  
63 address listed in the application or on the permit or license, or  
64 whenever the name of a licensee changes by marriage or otherwise,  
65 such person, within thirty (30) days thereafter, shall notify, in  
66 writing, the Department of Public Safety, Driver Services  
67 Division, and inform the department of his or her previous address  
68 and new address and of his or her former name and new name. The  
69 department shall not change the name of a licensee or permittee on  
70 his or her license or permit unless the applicant appears in  
71 person at an office of the department and provides a certified



72 copy of his or her marriage license, court order, birth  
73 certificate or divorce decree changing the licensee's or  
74 permittee's name.

75 (4) (a) Any male who is at least eighteen (18) years of age  
76 but less than twenty-six (26) years of age and who applies for a  
77 permit or license or a renewal of a permit or license under this  
78 chapter shall be registered in compliance with the requirements of  
79 Section 3 of the Military Selective Service Act, 50 USCS Appx 451  
80 et seq., as amended.

81 (b) The department shall forward in an electronic  
82 format the necessary personal information of the applicant to the  
83 Selective Service System. The applicant's submission of the  
84 application shall serve as an indication that the applicant either  
85 has already registered with the Selective Service System or that  
86 he is authorizing the department to forward to the Selective  
87 Service System the necessary information for registration. The  
88 commissioner shall notify the applicant on, or as a part of, the  
89 application that his submission of the application will serve as  
90 his consent to registration with the Selective Service System, if  
91 so required. The commissioner also shall notify any male  
92 applicant under the age of eighteen (18) that he will be  
93 registered upon turning age eighteen (18) as required by federal  
94 law.

95 (5) The department shall promulgate rules that allow an  
96 official identifying document issued by the Mississippi Department



97 of Corrections to serve as an identifying document under this  
98 section in lieu of a birth certificate or social security card for  
99 any person released from the custody of the Mississippi Department  
100 of Corrections in the last twelve (12) months.

101       **SECTION 2.** This act shall take effect and be in force from  
102 and after July 1, 2020.

