

By: Representatives Busby, Ford (73rd),  
Paden, Faulkner, Eubanks

To: Transportation

## HOUSE BILL NO. 1371

1 AN ACT TO AMEND SECTION 63-1-13, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT THE DIRECTOR OF THE DRIVER SERVICES DIVISION,  
3 DIRECTOR OF THE DRIVER LICENSE EXAMINING BUREAU AND SUPERVISING  
4 EXAMINERS MUST MEET QUALIFICATIONS SET BY THE STATE PERSONNEL  
5 BOARD FOR THE POSITION; TO AMEND SECTION 63-1-16, MISSISSIPPI CODE  
6 OF 1972, TO PROVIDE THAT DRIVER'S LICENSE KIOSKS SHALL BE EQUIPPED  
7 WITH PRINTERS ON LOCATION AT ALL KIOSK LOCATIONS IN THE STATE FOR  
8 THE PURPOSE OF PRINTING ALL KIOSK DOCUMENTS, CARDS AND OTHER  
9 PRINTOUTS ON SITE; TO PROVIDE THAT AT EACH DRIVER'S LICENSE  
10 LOCATION IN THE STATE, THERE SHALL BE LOCATION SIGNS PROMINENTLY  
11 DISPLAYED PROVIDING FOR REQUIRED INFORMATION FOR THE VARIOUS  
12 LICENSES, CARDS AND OTHER SERVICES; TO PROVIDE THAT ON THE DRIVER  
13 SERVICES DIVISION'S WEBSITE, THERE SHALL BE TUTORIAL VIDEOS LINKED  
14 TO ONLINE PROCEDURES TO HELP CLEARLY ILLUSTRATE HOW TO USE THE  
15 WEBSITE; TO PROVIDE THAT ON THE DRIVER SERVICES DIVISION'S  
16 WEBSITE, THE "WAIT ANYWHERE APPOINTMENT," OR ITS EQUIVALENT OR  
17 SUCCESSOR PROGRAM, SHALL BE MADE AVAILABLE TO USE FOR ALL DRIVER'S  
18 LICENSE LOCATIONS IN THE STATE; TO AMEND SECTIONS 63-1-35 AND  
19 45-35-3, MISSISSIPPI CODE OF 1972, TO DIRECT THE COMMISSIONER OF  
20 PUBLIC SAFETY TO DEVELOP AND IMPLEMENT AN ELECTRONIC FORMAT FOR  
21 DRIVER'S LICENSES, DRIVING PERMITS AND IDENTIFICATION CARDS AS AN  
22 OPTION FOR LICENSE HOLDERS, PERMIT HOLDERS AND CARD HOLDERS; TO  
23 AMEND SECTION 63-1-33, MISSISSIPPI CODE OF 1972, TO REQUIRE THE  
24 DEPARTMENT OF PUBLIC SAFETY TO ACCEPT THE CERTIFICATION OF  
25 SUCCESSFUL COMPLETION OF AN INDIVIDUAL'S TRAINING IN THE KNOWLEDGE  
26 AND SKILLS NEEDED FOR THE PROPER AND SAFE OPERATION OF A MOTOR  
27 VEHICLE FROM A DRIVER EDUCATION AND TRAINING PROGRAM AT A  
28 SECONDARY SCHOOL THAT MEETS THE STANDARDS OF THE STATE BOARD OF  
29 EDUCATION, IN LIEU OF THE DEPARTMENT ADMINISTERING THE EXAMINATION  
30 OF THE INDIVIDUAL FOR THE PURPOSE OF OBTAINING A DRIVER'S LICENSE;  
31 TO AMEND SECTION 63-1-47, MISSISSIPPI CODE OF 1972, TO REQUIRE THE  
32 DEPARTMENT OF PUBLIC SAFETY TO EMAIL AND TEXT NOTIFICATION OF THE  
33 UPCOMING EXPIRATION OF A DRIVER'S LICENSE AT LEAST THIRTY DAYS  
34 PRIOR TO THE EXPIRATION DATE; AND FOR RELATED PURPOSES.



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

36 **SECTION 1.** Section 63-1-13, Mississippi Code of 1972, is  
37 amended as follows:

38 63-1-13. The commissioner is hereby authorized and empowered  
39 to appoint a Director of the Driver Services Division who is a  
40 qualified elector of the State of Mississippi and who meets the  
41 qualifications set by the State Personnel Board for the position.

42 Such director shall execute and furnish a bond in the amount of  
43 Ten Thousand Dollars (\$10,000.00) with a surety company authorized  
44 to do business in this state. The bond shall be conditioned on  
45 the faithful performance of his duties and be subject to the  
46 approval of the commissioner. The director shall have control and  
47 supervision of the Driver Services Division and shall be  
48 answerable to the commissioner in the performance of his duties.

49 The commissioner shall employ such other technical,  
50 professional and clerical assistants as may be needed to conduct  
51 the work of the division. The commissioner is also authorized to  
52 employ a Director of the Driver License Examining Bureau, who  
53 meets the qualifications set by the State Personnel Board for the  
54 position, and the necessary supervising examiners, who meet the  
55 qualifications set by the State Personnel Board for the position,  
56 to assist the Director of the Driver License Examining Bureau in  
57 the supervision of the license personnel. The commissioner is  
58 also authorized to employ the necessary additional personnel to  
59 serve and be designated as "license examiners." The commissioner



60 shall not adopt or enforce any policy or any rule or regulation  
61 which prohibits any Highway Patrol officer from being employed and  
62 serving in any position in the Driver License Examining Bureau;  
63 however, the State Personnel Board shall not require that the  
64 Director of the Driver Services Division, the Director of the  
65 Driver License Examining Bureau or supervising examiners are  
66 Highway Patrol officers. The commissioner shall employ such other  
67 technical, professional and clerical assistants as may be needed  
68 to conduct the work of the bureau.

69 **SECTION 2.** Section 63-1-16, Mississippi Code of 1972, is  
70 amended as follows:

71 63-1-16. (1) The Department of Public Safety shall, upon  
72 request of the board of supervisors, furnish either a permanent  
73 driver's license kiosk or a license examiner at a location in each  
74 county seat for at least one (1) day every month to conduct  
75 licensing examinations, road tests and renewals. It is the option  
76 of the board of supervisors so requesting to choose either the  
77 permanent driver's license kiosk or a license examiner. The  
78 county shall furnish the office, heating and cooling, phone  
79 service and Internet connectivity at the location for the kiosk or  
80 license examiner.

81 (2) Driver's license kiosks shall be equipped with printers  
82 on location at all kiosk locations in the state for the purpose of  
83 printing all kiosk documents, cards and other printouts on site.



84       (3) At each driver's license location in the state, there  
85 shall be location signs prominently displayed providing for  
86 required information for the various licenses, cards and other  
87 services.

88       (4) On the Driver Services Division's website, there shall  
89 be tutorial videos linked to online procedures to help clearly  
90 illustrate how to use the website.

91       (5) On the Driver Services Division's website, the "Wait  
92 Anywhere Appointment," or its equivalent or successor program,  
93 shall be made available to use for all driver's license locations  
94 in the state.

95       **SECTION 3.** Section 63-1-35, Mississippi Code of 1972, is  
96 amended as follows:

97       63-1-35. (1) The Commissioner of Public Safety shall  
98 prescribe the form of license issued pursuant to this article  
99 which shall, among other features, include a driver's license  
100 number assigned by the Department of Public Safety. A licensee  
101 shall list his social security number with the department which  
102 shall cross reference the social security number with the driver's  
103 license number for purposes of identification. Additionally, each  
104 license shall bear a full-face color photograph of the licensee in  
105 such form that the license and the photograph cannot be separated.  
106 The photograph shall be taken so that one (1) exposure will  
107 photograph the applicant and the application simultaneously on the  
108 same film. The department shall use a process in the issuance of



109 a license with a color photograph that shall prevent as nearly as  
110 possible any alteration, counterfeiting, duplication,  
111 reproduction, forging or modification of the license or the  
112 superimposition of a photograph without ready detection. The  
113 photograph shall be replaced by the department at the time of  
114 renewal. Drivers' licenses, including photographs appearing  
115 thereon, may be renewed by electronic means according to rules and  
116 regulations promulgated by the commissioner in conformity to  
117 Section 27-104-33.

118 (2) The commissioner shall prescribe the form of license  
119 issued pursuant to this article to licensees who are not United  
120 States citizens and who do not possess a social security number  
121 issued by the United States government. The license of such  
122 persons shall include a number and/or other identifying features.

123 (3) Any new, renewal or duplicate driver's license,  
124 temporary driving permit, intermediate license or commercial  
125 driver's license issued to a person required to register as a sex  
126 offender pursuant to Section 45-33-25 shall bear a designation  
127 identifying the licensee or permittee as a sex offender.

128 (4) The commissioner is authorized to provide the new,  
129 renewal or duplicate driver's license, temporary driving permit,  
130 intermediate license or commercial driver's license to any  
131 honorably discharged veteran as defined in Title 38 of the United  
132 States Code, and such license or permit shall exhibit the letters  
133 "Vet" or any other mark identifying the person as a veteran. The



134 veteran requesting the "Vet" designation shall present his DD-214  
135 or equivalent document that includes a notation from the state  
136 Veterans Affairs Board that the applicant is a veteran.

137 (5) Not later than July 1, 2021, the commissioner shall  
138 develop and implement a driver's license or driving permit in  
139 electronic format as an additional option for license or permit  
140 holders. Acceptable electronic formats include display of  
141 electronic images on a cellular phone or any other type of  
142 electronic device.

143 **SECTION 4.** Section 45-35-3, Mississippi Code of 1972, is  
144 amended as follows:

145 45-35-3. (1) Any person six (6) years of age or older may  
146 be issued an identification card by the department which is  
147 certified by the registrant and attested by the commissioner as to  
148 true name, correct age and such other identifying data as required  
149 by Section 45-35-5.

150 (2) The new, renewal or duplicate identification card of a  
151 person required to register as a sex offender pursuant to Section  
152 45-33-25 shall bear a designation identifying the cardholder as a  
153 sex offender.

154 (3) The commissioner is authorized to provide the new,  
155 renewal or duplicate identification card to any honorably  
156 discharged veteran as defined in Title 38 of the United States  
157 Code, and such identification card shall exhibit the letters "Vet"  
158 or any other mark identifying the person as a veteran. The



159 veteran requesting the "Vet" designation shall present his DD-214  
160 or equivalent document that includes a notation from the state  
161 Veterans Affairs Board that the applicant is a veteran.

162 (4) Not later than July 1, 2021, the commissioner shall  
163 develop and implement an identification card in electronic format  
164 as an additional option for card holders. Acceptable electronic  
165 formats include display of electronic images on a cellular phone  
166 or any other type of electronic device.

167 **SECTION 5.** Section 63-1-33, Mississippi Code of 1972, is  
168 amended as follows:

169 63-1-33. (1) Except as otherwise provided under subsection  
170 (6) of this section, it shall be the duty of the license examiner,  
171 when application is made for an operator's license or regular  
172 learner's permit, to test the applicant's ability to read and  
173 understand road signs and to give the required signals as adopted  
174 by the National Advisory Committee on Uniform Traffic Control  
175 Devices and the American Association of Motor Vehicle  
176 Administrators.

177 (2) Except as otherwise provided under subsection (6) of  
178 this section, the commissioner shall have prepared and administer  
179 a test composed of at least ten (10) questions relating to the  
180 safe operation of a motor vehicle and testing the applicant's  
181 knowledge of the proper operation of a motor vehicle. Every  
182 examination shall ensure adequate knowledge on the part of the  
183 applicant as to school bus safety requirements.



184 (3) Prior to the administration of the test, the license  
185 examiner shall inspect the horn, lights, brakes, vehicle  
186 registration and proof of liability coverage of the motor vehicle  
187 which the applicant expects to operate while being tested, and if  
188 he finds that any of the aforementioned items are deficient, no  
189 license or endorsement shall be issued to the applicant until same  
190 have been repaired.

191 (4) An applicant for a Mississippi driver's license who, at  
192 the time of application, holds a valid motor vehicle driver's  
193 license issued by another state shall not be required to take a  
194 written test.

195 (5) Except as otherwise provided by Section 63-1-6, when  
196 application is made for an original motorcycle endorsement, the  
197 applicant shall be required to pass a written test which consists  
198 of questions relating to the safe operation of a motorcycle and a  
199 skill test similar to the "Motorcycle Operator Skill Test," which  
200 is endorsed by the American Association of Motor Vehicle  
201 Administrators. The commissioner may exempt any applicant from  
202 the skill test if the applicant presents a certificate showing  
203 successful completion of a course approved by the commissioner,  
204 which includes a similar examination of skills needed in the safe  
205 operation of a motorcycle.

206 (6) The Department of Public Safety \* \* \* shall accept the  
207 certification of successful completion of an individual's training  
208 in the knowledge and skills needed for the proper and safe





209 operation of a motor vehicle from a driver education and training  
210 program at a secondary school that meets the standards of  
211 the \* \* \* State Board of Education, in lieu of the department  
212 administering the examination of the individual for the purpose of  
213 obtaining a driver's license. The commissioner and the State  
214 Board of Education shall jointly promulgate rules and regulations  
215 for the administration of this subsection.

216 **SECTION 6.** Section 63-1-47, Mississippi Code of 1972, is  
217 amended as follows:

218 63-1-47. (1) (a) Except as otherwise provided in this  
219 section, each applicant for an original or renewal Class R or  
220 Class D license issued pursuant to this article, who is entitled  
221 to issuance of same, shall be issued a four-year license or an  
222 eight-year license, at the option of the applicant, which will  
223 expire at midnight on the licensee's birthday and may be renewed  
224 any time within six (6) months before the expiration of the  
225 license upon application and payment of the required fee, unless  
226 required to be reexamined.

227 (b) The term of an intermediate license issued under  
228 this article shall be one (1) year.

229 (c) The term of an \* \* \* ignition-interlock-restricted  
230 license issued under this article shall be four (4) years.

231 (2) Any commercial driver's license issued under Article 5  
232 of this chapter shall be issued for a five-year term to expire at  
233 midnight on the licensee's birthday.



234           (3)   (a)   All applications by an operator under eighteen (18)  
235 years of age must be accompanied by documentation that the  
236 applicant is in compliance with the education requirements of  
237 Section 63-1-9(1)(g), and the documentation used in establishing  
238 compliance must be dated no more than thirty (30) days before the  
239 date of application.

240           (b)   All applications by an operator under eighteen (18)  
241 years of age, if applicable, must be accompanied by documentation  
242 signed and notarized by the parent or guardian of the applicant  
243 and the appropriate school official, authorizing the release of  
244 the applicant's attendance records to the Department of Public  
245 Safety as required under Section 63-1-10.

246           (c)   The commissioner shall suspend the driver's  
247 license, intermediate license or regular learner's permit of a  
248 student under eighteen (18) years of age who has been reported by  
249 the Department of Education as required by Section 63-1-10.1, and  
250 shall give notice of the suspension to the licensee as provided in  
251 Section 63-1-52(4). A school superintendent or designee may  
252 request that the driver's license, intermediate license or regular  
253 learner's permit that has been suspended under the provisions of  
254 this subsection be reinstated after the student has successfully  
255 completed nine (9) weeks of school attendance without an unlawful  
256 absence.

257           (4)   (a)   Any original or renewal license issued under this  
258 chapter to a person who is not a United States citizen shall



259 expire four (4) years from the date of issuance or on the  
260 expiration date of the applicant's authorized stay in the United  
261 States, whichever is the lesser period of time, and may be  
262 renewed, if the person is otherwise qualified to renew the  
263 license, within thirty (30) days of expiration. The fee for any  
264 such license and for renewal shall be as prescribed in Section  
265 63-1-43.

266 (b) Any applicant for an original or renewal license  
267 under this subsection (4) must present valid documentary evidence  
268 documenting that the applicant:

269 (i) Is a citizen or national of the United States;

270 (ii) Is an alien lawfully admitted for permanent  
271 or temporary residence in the United States;

272 (iii) Has conditional permanent residence status  
273 in the United States;

274 (iv) Has an approved application for asylum in the  
275 United States or has entered into the United States in refugee  
276 status;

277 (v) Has a valid, unexpired nonimmigrant visa or  
278 nonimmigrant visa status for entry into or lawful presence in the  
279 United States;

280 (vi) Has a pending application for asylum in the  
281 United States;

282 (vii) Has a pending or approved application for  
283 temporary protected status in the United States;



284 (viii) Has approved deferred-action status;  
285 (ix) Has a pending application for adjustment of  
286 status to that of an alien lawfully admitted for permanent  
287 residence in the United States or conditional permanent resident  
288 status in the United States; or  
289 (x) Has a valid employment authorization card  
290 issued by the United States Department of Homeland Security.

291 (5) For any driver's license issued under this chapter, the  
292 Department of Public Safety shall send an email and text message  
293 notification of an upcoming driver's license expiration date to  
294 the known emails and phone numbers authorized by license holders  
295 for such notices not less than thirty (30) days before the  
296 expiration date of that license.

297 **SECTION 7.** This act shall take effect and be in force from  
298 and after July 1, 2020.

