

## Senate Amendments to House Bill No. 1371

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

50           63-1-13. The commissioner is hereby authorized and empowered  
51 to appoint a Director of the Driver Services Division who is a  
52 qualified elector of the State of Mississippi and who meets the  
53 qualifications set by the State Personnel Board for the position.

54 Such director shall execute and furnish a bond in the amount of  
55 Ten Thousand Dollars (\$10,000.00) with a surety company authorized  
56 to do business in this state. The bond shall be conditioned on  
57 the faithful performance of his duties and be subject to the  
58 approval of the commissioner. The director shall have control and  
59 supervision of the Driver Services Division and shall be  
60 answerable to the commissioner in the performance of his duties.

61           The commissioner shall employ such other technical,  
62 professional and clerical assistants as may be needed to conduct  
63 the work of the division. The commissioner is also authorized to  
64 employ a Director of the Driver License Examining Bureau, who

65 meets the qualifications set by the State Personnel Board for the  
66 position, and the necessary supervising examiners, who meet the  
67 qualifications set by the State Personnel Board for the position,  
68 to assist the Director of the Driver License Examining Bureau in  
69 the supervision of the license personnel. The commissioner is  
70 also authorized to employ the necessary additional personnel to  
71 serve and be designated as "license examiners." \* \* \* The  
72 commissioner shall employ such \* \* \* technical, professional and  
73 clerical assistants as may be needed to conduct the work of the  
74 bureau. However, the commissioner shall not employ an  
75 active-service Highway Patrol officer to serve in any position in  
76 the bureau.

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

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

89 (2) At each driver's license location in the state, there  
90 shall be location signs prominently displayed providing for

91 required information for the various licenses, cards and other  
92 services.

93 (3) On the Driver Services Division's website, there shall  
94 be tutorial videos linked to online procedures to help clearly  
95 illustrate how to use the website.

96 **SECTION 3.** Section 63-1-33, Mississippi Code of 1972, is  
97 amended as follows:

98 63-1-33. (1) Except as otherwise provided under subsection  
99 (6) of this section, it shall be the duty of the license examiner,  
100 when application is made for an operator's license or regular  
101 learner's permit, to test the applicant's ability to read and  
102 understand road signs and to give the required signals as adopted  
103 by the National Advisory Committee on Uniform Traffic Control  
104 Devices and the American Association of Motor Vehicle  
105 Administrators.

106 (2) Except as otherwise provided under subsection (6) of  
107 this section, the commissioner shall have prepared and administer  
108 a test composed of at least ten (10) questions relating to the  
109 safe operation of a motor vehicle and testing the applicant's  
110 knowledge of the proper operation of a motor vehicle. Every  
111 examination shall ensure adequate knowledge on the part of the  
112 applicant as to school bus safety requirements.

113 (3) Prior to the administration of the test, the license  
114 examiner shall inspect the horn, lights, brakes, vehicle  
115 registration and proof of liability coverage of the motor vehicle  
116 which the applicant expects to operate while being tested, and if

117 he finds that any of the aforementioned items are deficient, no  
118 license or endorsement shall be issued to the applicant until same  
119 have been repaired.

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

124 (5) Except as otherwise provided by Section 63-1-6, when  
125 application is made for an original motorcycle endorsement, the  
126 applicant shall be required to pass a written test which consists  
127 of questions relating to the safe operation of a motorcycle and a  
128 skill test similar to the "Motorcycle Operator Skill Test," which  
129 is endorsed by the American Association of Motor Vehicle  
130 Administrators. The commissioner may exempt any applicant from  
131 the skill test if the applicant presents a certificate showing  
132 successful completion of a course approved by the commissioner,  
133 which includes a similar examination of skills needed in the safe  
134 operation of a motorcycle.

135 (6) The Department of Public Safety \* \* \* shall accept the  
136 certification of successful completion of an individual's training  
137 in the knowledge and skills needed for the proper and safe  
138 operation of a motor vehicle from a driver education and training  
139 program at a secondary school that meets the standards of  
140 the \* \* \* State Board of Education, in lieu of the department  
141 administering the examination of the individual for the purpose of  
142 obtaining a driver's license. The school may employ teachers duly

143 certified by the Department of Education to teach in such a  
144 program. In addition, off-duty members of the Mississippi Highway  
145 Safety Patrol shall be authorized to teach in such a program  
146 without having to obtain a teaching certificate from the  
147 Department of Education. Instructors will be considered employees  
148 of the school, not of the Driver License Examining Bureau. The  
149 commissioner and the State Board of Education shall jointly  
150 promulgate rules and regulations for the administration of this  
151 subsection.

152       **SECTION 4.** Section 63-1-47, Mississippi Code of 1972, is  
153 amended as follows:

154       63-1-47. (1) (a) Except as otherwise provided in this  
155 section, each applicant for an original or renewal Class R or  
156 Class D license issued pursuant to this article, who is entitled  
157 to issuance of same, shall be issued a four-year license or an  
158 eight-year license, at the option of the applicant, which will  
159 expire at midnight on the licensee's birthday and may be renewed  
160 any time within six (6) months before the expiration of the  
161 license upon application and payment of the required fee, unless  
162 required to be reexamined.

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

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

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

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

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

182           (c) The commissioner shall suspend the driver's  
183 license, intermediate license or regular learner's permit of a  
184 student under eighteen (18) years of age who has been reported by  
185 the Department of Education as required by Section 63-1-10.1, and  
186 shall give notice of the suspension to the licensee as provided in  
187 Section 63-1-52(4). A school superintendent or designee may  
188 request that the driver's license, intermediate license or regular  
189 learner's permit that has been suspended under the provisions of  
190 this subsection be reinstated after the student has successfully  
191 completed nine (9) weeks of school attendance without an unlawful  
192 absence.

193           (4) (a) Any original or renewal license issued under this  
194 chapter to a person who is not a United States citizen shall  
195 expire four (4) years from the date of issuance or on the  
196 expiration date of the applicant's authorized stay in the United  
197 States, whichever is the lesser period of time, and may be  
198 renewed, if the person is otherwise qualified to renew the  
199 license, within thirty (30) days of expiration. The fee for any  
200 such license and for renewal shall be as prescribed in Section  
201 63-1-43.

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

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

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

208                   (iii) Has conditional permanent residence status  
209 in the United States;

210                   (iv) Has an approved application for asylum in the  
211 United States or has entered into the United States in refugee  
212 status;

213                   (v) Has a valid, unexpired nonimmigrant visa or  
214 nonimmigrant visa status for entry into or lawful presence in the  
215 United States;

216                   (vi) Has a pending application for asylum in the  
217 United States;

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

220 (viii) Has approved deferred-action status;

221 (ix) Has a pending application for adjustment of  
222 status to that of an alien lawfully admitted for permanent  
223 residence in the United States or conditional permanent resident  
224 status in the United States; or

225 (x) Has a valid employment authorization card  
226 issued by the United States Department of Homeland Security.

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

233 **SECTION 5.** Section 63-1-43, Mississippi Code of 1972, is  
234 amended as follows:

235 63-1-43. (1) The commissioner shall charge and collect the  
236 following fees:

237 (a) Fees to which the card stock fee authorized in  
238 Section 45-1-21 shall be added:

239 Class R original or renewal four-year license

240 authorized in Section 63-1-5.....\$18.00

241 Class R original or renewal eight-year license

242 authorized in Section 63-1-5.....\$36.00

243 Class D original or renewal four-year license



|     |   |         |
|-----|---|---------|
| 244 | authorized in Section 63-1-47.....                          | \$23.00 |
| 245 | Class D original or renewal eight-year license              |         |
| 246 | authorized in Section 63-1-47.....                          | \$46.00 |
| 247 | Four-year Identification Card authorized in                 |         |
| 248 | Section 45-35-7.....  | \$11.00 |
| 249 | Eight-year Identification Card authorized in                |         |
| 250 | Section 45-35-7.....  | \$22.00 |
| 251 | Eight-year Identification Card for the blind                |         |
| 252 | authorized in Section 45-35-7.....                          | \$11.00 |
| 253 | Four-year Disability Identification Card authorized in      |         |
| 254 | Section 45-35-53.....                                       | \$11.00 |
| 255 | Regular Learner's Permit authorized in Section 63-1-21..... | \$ 1.00 |
| 256 | Duplicate Identification Card or Disability                 |         |
| 257 | Identification Card.....                                    | \$ 5.00 |
| 258 | Intermediate license authorized in Section 63-1-21.....     | \$ 5.00 |
| 259 | Duplicate Class R or Class D license                        |         |
| 260 | authorized in Section 63-1-37.....                          | \$ 5.00 |
| 261 | Class A, B or C Commercial driver's license                 |         |
| 262 | authorized in Section 63-1-208.....                         | \$48.00 |
| 263 | CDL Learner's Permit authorized in Section 63-1-208.....    | \$10.00 |
| 264 | Duplicate CDL or CDL learner's permit.....                  | \$ 5.00 |
| 265 | Ignition-Interlock-Restricted License                       |         |
| 266 | authorized in Section 63-11-31.....                         | \$50.00 |
| 267 | (b) Driver services fees to which the card stock fee        |         |
| 268 | authorized in Section 45-1-21 is not added:                 |         |
| 269 | Temporary Motorcycle Permit.....                            | \$ 1.00 |

|     |   |         |
|-----|---|---------|
| 270 | Four-year or eight-year Motorcycle Endorsement.....   | \$ 5.00 |
| 271 | Late Renewal Fee.....                                 | \$ 1.00 |
| 272 | Four-year Identification Card upon medical reason for |         |
| 273 | surrender of a driver's license as authorized in      |         |
| 274 | Section 45-35-7 (one (1) time only).....              | No fee  |
| 275 | Hazardous Materials Background Check (federal).....   | \$63.00 |
| 276 | Hazardous Materials Background Check (state).....     | \$37.00 |
| 277 | CDL Application Fee.....                              | \$25.00 |
| 278 | CDL Endorsements:                                     |         |
| 279 | Tanker Endorsement.....                               | \$ 5.00 |
| 280 | Doubles/Triples Endorsement.....                      | \$ 5.00 |
| 281 | Passenger Endorsement.....                            | \$ 5.00 |
| 282 | Hazardous Materials Endorsement.....                  | \$ 5.00 |
| 283 | School Bus Endorsement.....                           | \$ 5.00 |

284           (c) In addition to the fees required in this section,  
285 an applicant may contribute an additional One Dollar (\$1.00) which  
286 shall be deposited into the Statewide Litter Prevention Fund. The  
287 applicant shall be informed that he may contribute an additional  
288 One Dollar (\$1.00) which shall be deposited into the Statewide  
289 Litter Prevention Fund and shall be expended solely for the  
290 purpose of funding litter prevention projects or litter education  
291 programs, as recommended by the Statewide Litter Prevention  
292 Program of Keep Mississippi Beautiful, Inc.

293           (d) For any original or renewal license for which the  
294 fee is greater than Ten Dollars (\$10.00), if the applicant brings  
295 all required documentation but does not receive his or her license

296 within two and one-half (2-1/2) hours of reporting to the license  
297 station, Ten Dollars (\$10.00) shall be deducted from the total  
298 amount owed for the license.

299 (2) All originals and renewals of operators' licenses shall  
300 be in compliance with Section 63-1-47.

301 **SECTION 6.** Section 63-1-208, Mississippi Code of 1972, is  
302 amended as follows:

303 63-1-208. (1) Except as otherwise provided, the  
304 commissioner shall not issue a commercial driver's license and  
305 commercial learner's permit to any person under the age of  
306 twenty-one (21) years.

307 (2) No person may be issued a commercial driver's license  
308 unless that person is domiciled in this state and has passed a  
309 knowledge and skills test for driving a commercial motor vehicle  
310 which complies with minimum federal standards established by  
311 federal regulation enumerated in 49 CFR, Part 383, subparts F, G  
312 and H and has satisfied all other requirements of Title XII of  
313 Public Law 99-570 in addition to other requirements imposed by  
314 state law or federal regulation. The tests shall be prescribed  
315 and conducted by the commissioner. If the applicant wishes to  
316 have a hazardous materials endorsement, the written test for a  
317 hazardous materials endorsement must be taken and passed. In  
318 addition, the applicant must successfully complete the security  
319 threat assessment required by 49 CFR, Part 1572.

320 (3) (a) Any person who has been certified to provide  
321 commercial driver's license testing by the International Driver

322 Examiner Certification (IDEC) program administered by the American  
323 Association of Motor Vehicle Administrators (AAMVA) shall, for  
324 purposes of this section, be defined as a certified third party  
325 examiner (CTPE). Testing by a CTPE shall be under the oversight  
326 of the Mississippi Secretary of State for monitoring and quality  
327 control. In addition, the \* \* \* Secretary of State shall  
328 authorize \* \* \* any person, including an agency of this or another  
329 state, an employer, a private driver training facility, or other  
330 private institution, or a department, agency or instrumentality of  
331 local government, to administer the knowledge and skills test  
332 specified by this section, provided:

333 ( \* \* \*i) The test is the same as would otherwise  
334 be administered by the state; and

335 ( \* \* \*ii) Either:

336 1. The third party has entered into an  
337 agreement with this state which complies with requirements of 49  
338 CFR, Part 383.75 \* \* \*; or

339 2. The person performing the test is a CTPE  
340 as defined in this subsection.

341 (b) A CTPE performing testing under this section shall  
342 not be liable for any claim sounding in tort arising out of such  
343 testing.

344 (4) A skills test may be waived as follows:

345 (a) The commissioner, by rules adopted pursuant to the  
346 Mississippi Administrative Procedures Law, shall provide for a  
347 waiver of the skills test specified in this section for a

348 commercial driver's license applicant who meets the requirements  
349 of 49 CFR, Part 383.77;

350 (b) The rules may establish deadlines by which  
351 applicants must claim entitlement and qualification to skills test  
352 waivers and may provide for the scheduling of group knowledge  
353 testing;

354 (c) The commissioner shall adopt rules and regulations  
355 to carry out the provisions of this subsection (4) as soon as  
356 practicable after July 1, 2017, but in any case no later than July  
357 1, 2018.

358 (5) A commercial learner's permit shall be issued as  
359 follows:

360 (a) A commercial learner's permit may be issued to an  
361 individual who holds a valid Mississippi driver's license who has  
362 passed the vision and written tests required for the class of  
363 license authorizing the operation of the type of vehicle for which  
364 the permit application is being made;

365 (b) The commercial learner's permit shall be issued for  
366 a period of six (6) months for the fee prescribed in Section  
367 63-1-43. Only one (1) renewal or reissuance may be granted within  
368 a two-year period. The holder of a commercial learner's permit  
369 may, unless otherwise disqualified, drive a commercial motor  
370 vehicle on a highway only when accompanied by the holder of a  
371 commercial driver's license valid for the type of vehicle driven  
372 who occupies a seat beside the individual for the purpose of  
373 giving instruction in driving the commercial motor vehicle.

374 (6) A commercial driver's license or commercial learner's  
375 permit may not be issued to a person while the person is subject  
376 to a disqualification from driving a commercial motor vehicle, or  
377 while the person's driver's license is suspended, revoked or  
378 cancelled in any state. A driver's license may not be issued to a  
379 person who has a commercial driver's license issued by any state  
380 unless the person first surrenders all driver's licenses issued by  
381 any state, which licenses shall be returned to the issuing states  
382 for cancellation.

383 (7) A person shall be entitled to take the test for a  
384 commercial driver's license unless the person's driver's license  
385 is, at the time of the requested test, suspended, revoked,  
386 cancelled or disqualified in any other state.

387 (8) Notwithstanding any requirement imposed by state law or  
388 state or federal regulations restricting the issuance of a  
389 commercial driver's license to a person suffering from diabetes, a  
390 person suffering from diabetes may be issued a commercial driver's  
391 license if the person otherwise meets all qualifications for  
392 issuance provided:

393 (a) The driver is physically examined every year,  
394 including an examination by a board-certified/eligible  
395 endocrinologist attesting to the fact that the driver is:

396 (i) Free of insulin reactions (an individual is  
397 free of insulin reactions if that individual does not have severe  
398 hypoglycemia or hypoglycemia unawareness, and has less than one  
399 (1) documented, symptomatic hypoglycemic reaction per month);

400                   (ii) Able to and has demonstrated willingness to  
401 properly monitor and manage the person's diabetes; and

402                   (iii) Not likely to suffer any diminution in  
403 driving ability due to the person's diabetic condition.

404                   (b) The driver agrees to and complies with the  
405 following conditions:

406                   (i) A source of rapidly absorbable glucose shall  
407 be carried at all times while driving;

408                   (ii) Blood glucose levels shall be self-monitored  
409 one (1) hour prior to driving and at least once every four (4)  
410 hours while driving or on duty prior to driving using a portable  
411 glucose monitoring device equipped with a computerized memory;

412                   (iii) Submit blood glucose logs to the  
413 endocrinologist or medical examiner at the annual examination or  
414 when otherwise directed by the Department of Public Safety;

415                   (iv) Provide a copy of the endocrinologist's  
416 report to the medical examiner at the time of the annual medical  
417 examination; and

418                   (v) Provide a copy of the annual medical  
419 certification to the person's employer for retention in the  
420 driver's qualification file and retain a copy of the certification  
421 on his person while driving for presentation to a duly authorized  
422 federal, state or local enforcement official.

423                   (c) The commercial license issued under this subsection  
424 (8) will bear an endorsement restricting commercial driving on the  
425 license to driving only within the boundaries of Mississippi.

426 (9) The fees for all licenses, permits, renewals and  
427 endorsements shall be as prescribed in Section 63-1-43.

428 **SECTION 7.** Section 63-1-211, Mississippi Code of 1972, is  
429 amended as follows:

430 63-1-211. (1) **Contents of license.** A commercial driver's  
431 license shall be marked "commercial driver's license" or "CDL,"  
432 and shall be, to the maximum extent practicable, tamper proof, and  
433 shall include, but not be limited to, the following information:

434 (a) The name and residential address of the person.

435 (b) The person's color photograph or imaged likeness.

436 (c) A physical description of the person including sex,  
437 height, and weight.

438 (d) Date of birth.

439 (e) Any number or identifier deemed appropriate by the  
440 commissioner.

441 (f) The person's signature.

442 (g) The class or type of commercial motor vehicle or  
443 vehicles which the person is authorized to drive together with any  
444 endorsements or restrictions.

445 (h) The name of this state.

446 (i) The dates between which the license is valid.

447 (2) **Classifications, endorsements and restrictions.**

448 Driver's licenses may be issued with the following  
449 classifications, endorsements, and restrictions:



450           (a) **Classifications.** Licensees may drive all vehicles  
451 in the class for which the license is issued and all lesser  
452 classes of vehicles, except those requiring special endorsements.

453           (i) Class A - Any combination of vehicles with a  
454 gross vehicle weight rating of twenty-six thousand one (26,001)  
455 pounds or more, provided the gross vehicle weight rating of the  
456 vehicle being towed is in excess of ten thousand (10,000) pounds.

457           (ii) Class B - Any single vehicle with a gross  
458 vehicle weight rating of twenty-six thousand one (26,001) pounds  
459 or more, and any such vehicle towing a vehicle not in excess of  
460 ten thousand (10,000) pounds.

461           (iii) Class C - Any single vehicle with a gross  
462 vehicle weight rating of less than twenty-six thousand one  
463 (26,001) pounds:

464                   1. Vehicles designed to transport sixteen  
465 (16) or more passengers, including the driver; and

466                   2. Vehicles used in the transportation of  
467 hazardous materials as defined in Section 63-1-203.

468           (iv) Class D - Class D licenses are not commercial  
469 driver's licenses and shall be governed by the provisions of  
470 Section 63-1-5.

471           (b) Licenses may be issued with appropriate  
472 endorsements and restrictions noted thereon. The commissioner  
473 shall determine the manner of notation. Endorsements and  
474 restrictions may include, but are not limited to, those which:

475 (i) Authorize a driver to drive a vehicle  
476 transporting hazardous materials;

477 (ii) Restrict the driver to vehicles not equipped  
478 with air brakes when the person either fails the air brake  
479 component of the knowledge test or performs the skills test in a  
480 vehicle not equipped with air brakes;

481 (iii) Authorize driving motorcycles that are not  
482 autocycles as defined in Section 63-3-103;

483 (iv) Authorize driving tank vehicles;

484 (v) Authorize driving vehicles carrying  
485 passengers;

486 (vi) Authorize driving school buses;

487 (vii) Authorize driving double trailers;

488 (viii) Restrict the driver to operation solely  
489 within this state. A commercial driver's license or commercial  
490 learner's permit with this restriction may be issued to any person  
491 who has attained the age of eighteen (18) years.

492 (3) Before issuing a commercial driver's license, the  
493 commissioner shall request the applicant's complete operating  
494 record from any state in which the applicant was previously  
495 licensed to operate any type of motor vehicle in the past ten (10)  
496 years, conduct a check of the applicant's operating record by  
497 querying the national driver register, established under 49 USCS  
498 Section 30302, and the Commercial Driver's License Information  
499 System, established under 49 USCS Section 31309, to determine if:

500           (a) The applicant has already been issued a commercial  
501 driver's license; and the applicant's commercial driver's license  
502 has been suspended, revoked, or canceled;

503           (b) The applicant had been convicted of any offenses  
504 contained in Section 205(a)(3) of the National Driver Register Act  
505 of 1982 (23 USCS Section 401 note).

506           (4) Within ten (10) days after issuing a commercial driver's  
507 license, the commissioner shall notify the Commercial Driver  
508 License Information System of that fact, providing all information  
509 required to ensure identification of the person.

510           (5) The commercial driver's license shall expire in the  
511 manner set forth in Section 63-1-47.

512           (6) (a) When applying for renewal of a commercial driver's  
513 license, the applicant shall complete the application form  
514 required by Section 63-1-210, providing updated information and  
515 required certifications. The department must provide for online  
516 submission of the application for renewal if paragraph (b) of this  
517 subsection (6) does not apply.

518           (b) If the applicant wishes to retain a hazardous  
519 materials endorsement, the written test for a hazardous materials  
520 endorsement must be taken and passed. In addition, the applicant  
521 must successfully complete the security threat assessment required  
522 by 49 CFR, Part 1572. If notice is received from the United  
523 States Transportation Security Administration that the applicant  
524 poses a security risk, the commissioner shall refuse to issue, or  
525 revoke within fifteen (15) days of receipt of the notice, a

526 hazardous materials endorsement. Online renewal does not apply to  
527 this paragraph (b).

528 (7) The department shall provide a means for electronic  
529 transmission of a medical card and may charge a vendor convenience  
530 fee in an amount not to exceed Two Dollars and Fifty Cents (\$2.50)  
531 per transmission.

532 **SECTION 8.** Section 45-35-3, Mississippi Code of 1972, is  
533 brought forward as follows:

534 45-35-3. (1) Any person six (6) years of age or older may  
535 be issued an identification card by the department which is  
536 certified by the registrant and attested by the commissioner as to  
537 true name, correct age and such other identifying data as required  
538 by Section 45-35-5.

539 (2) The new, renewal or duplicate identification card of a  
540 person required to register as a sex offender pursuant to Section  
541 45-33-25 shall bear a designation identifying the cardholder as a  
542 sex offender.

543 (3) The commissioner is authorized to provide the new,  
544 renewal or duplicate identification card to any honorably  
545 discharged veteran as defined in Title 38 of the United States  
546 Code, and such identification card shall exhibit the letters "Vet"  
547 or any other mark identifying the person as a veteran. The  
548 veteran requesting the "Vet" designation shall present his DD-214  
549 or equivalent document that includes a notation from the state  
550 Veterans Affairs Board that the applicant is a veteran.

551           **SECTION 9.** Section 63-1-35, Mississippi Code of 1972, is  
552 brought forward as follows:

553           63-1-35. (1) The Commissioner of Public Safety shall  
554 prescribe the form of license issued pursuant to this article  
555 which shall, among other features, include a driver's license  
556 number assigned by the Department of Public Safety. A licensee  
557 shall list his social security number with the department which  
558 shall cross reference the social security number with the driver's  
559 license number for purposes of identification. Additionally, each  
560 license shall bear a full-face color photograph of the licensee in  
561 such form that the license and the photograph cannot be separated.  
562 The photograph shall be taken so that one (1) exposure will  
563 photograph the applicant and the application simultaneously on the  
564 same film. The department shall use a process in the issuance of  
565 a license with a color photograph that shall prevent as nearly as  
566 possible any alteration, counterfeiting, duplication,  
567 reproduction, forging or modification of the license or the  
568 superimposition of a photograph without ready detection. The  
569 photograph shall be replaced by the department at the time of  
570 renewal. Drivers' licenses, including photographs appearing  
571 thereon, may be renewed by electronic means according to rules and  
572 regulations promulgated by the commissioner in conformity to  
573 Section 27-104-33.

574           (2) The commissioner shall prescribe the form of license  
575 issued pursuant to this article to licensees who are not United  
576 States citizens and who do not possess a social security number

577 issued by the United States government. The license of such  
578 persons shall include a number and/or other identifying features.

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

584 (4) The commissioner is authorized to provide the new,  
585 renewal or duplicate driver's license, temporary driving permit,  
586 intermediate license or commercial driver's license to any  
587 honorably discharged veteran as defined in Title 38 of the United  
588 States Code, and such license or permit shall exhibit the letters  
589 "Vet" or any other mark identifying the person as a veteran. The  
590 veteran requesting the "Vet" designation shall present his DD-214  
591 or equivalent document that includes a notation from the state  
592 Veterans Affairs Board that the applicant is a veteran.

593 **SECTION 10.** Section 45-33-25, Mississippi Code of 1972, is  
594 amended as follows:

595 45-33-25. (1) (a) Any person having a permanent or  
596 temporary residence in this state or who is employed or attending  
597 school in this state who has been convicted of a registrable  
598 offense in this state or another jurisdiction or who has been  
599 acquitted by reason of insanity of a registrable offense in this  
600 state or another jurisdiction shall register with the responsible  
601 agency and the Mississippi Department of Public Safety.

602 Registration shall not be required for an offense that is not a

603 registrable sex offense or for an offender who is under fourteen  
604 (14) years of age. The department shall provide the initial  
605 registration information as well as every change of name, change  
606 of address, change of status at a school, or other change of  
607 information as required by the department to the sheriff of the  
608 county of the residence address of the registrant, the sheriff of  
609 the county of the employment address, and the sheriff of the  
610 county of the school address, if applicable, and any other  
611 jurisdiction of the registrant through either written notice,  
612 electronic or telephone transmissions, or online access to  
613 registration information. Further, the department shall provide  
614 this information to the Federal Bureau of Investigation.  
615 Additionally, upon notification by the registrant that he intends  
616 to reside outside the State of Mississippi, the department shall  
617 notify the appropriate state law enforcement agency of any state  
618 to which a registrant is moving or has moved.

619 (b) Any person having a permanent or temporary  
620 residence or who is employed or attending school in this state who  
621 has been adjudicated delinquent for a registrable sex offense  
622 listed in this paragraph that involved use of force against the  
623 victim shall register as a sex offender with the responsible  
624 agency and shall personally appear at a facility designated by the  
625 Mississippi Department of Public Safety \* \* \*, or in a manner of  
626 the Mississippi Department of Public Safety's choosing, including  
627 by electronic means, within three (3) business days of registering  
628 with the responsible agency:

629 (i) Section 97-3-71 relating to rape and assault  
630 with intent to ravish;

631 (ii) Section 97-3-95 relating to sexual battery;

632 (iii) Section 97-3-65 relating to statutory rape;

633 or

634 (iv) Conspiracy to commit, accessory to the  
635 commission of, or attempt to commit any offense listed in this  
636 paragraph.

637 (2) Any person required to register under this chapter shall  
638 submit the following information at the time of registration:

639 (a) Name, including a former name which has been  
640 legally changed;

641 (b) Street address of all current permanent and  
642 temporary residences within state or out of state at which the sex  
643 offender resides or habitually lives, including dates of temporary  
644 lodgings. There is a presumption that a registrant owes a duty of  
645 updating registration information if:

646 (i) The registrant remains away from a registered  
647 address for seven (7) or more consecutive days; or

648 (ii) If the registrant remains at another address  
649 between the hours of 10:00 p.m. and 6:00 a.m. for more than seven  
650 (7) consecutive days;

651 (c) Date, place and address of employment, including as  
652 a volunteer or unpaid intern or as a transient or day laborer;

653 (d) Crime for which charged, arrested or convicted;



654           (e) Date and place of conviction, adjudication or  
655 acquittal by reason of insanity;

656           (f) Aliases used or nicknames, ethnic or tribal names  
657 by which commonly known;

658           (g) Social security number and any purported social  
659 security number or numbers;

660           (h) Date and place of birth and any purported date and  
661 place of birth;

662           (i) Age, race, sex, height, weight, hair and eye  
663 colors, and any other physical description or identifying factors;

664           (j) A brief description of the offense or offenses for  
665 which the registration is required;

666           (k) Driver's license or state or other jurisdiction  
667 identification card number, which license or card may be  
668 electronically accessed by the Department of Public Safety;

669           (l) Anticipated future residence;

670           (m) If the registrant's residence is a motor vehicle,  
671 trailer, mobile home or manufactured home, the registrant shall  
672 also provide vehicle identification number, license tag number,  
673 registration number and a description, including color scheme, of  
674 the motor vehicle, trailer, mobile home or manufactured home; if  
675 the registrant's place of residence is a vessel or houseboat, the  
676 registrant shall also provide the hull identification number,  
677 manufacturer's serial number, name of the vessel or houseboat,  
678 registration number and a description, including color scheme, of  
679 the vessel or houseboat, including permanent or frequent locations

680 where the motor vehicle, trailer, mobile home, manufactured home,  
681 vessel or houseboat is kept;

682 (n) Vehicle make, model, color and license tag number  
683 for all vehicles owned or operated by the sex offender, whether  
684 for work or personal use, and the permanent or frequent locations  
685 where a vehicle is kept;

686 (o) Offense history;

687 (p) Photograph;

688 (q) Fingerprints and palm prints;

689 (r) Documentation of any treatment received for any  
690 mental abnormality or personality disorder of the person;

691 (s) Biological sample;

692 (t) Name of any public or private educational  
693 institution, including any secondary school, trade or professional  
694 institution or institution of higher education at which the  
695 offender is employed, carries on a vocation (with or without  
696 compensation) or is enrolled as a student, or will be enrolled as  
697 a student, and the registrant's status;

698 (u) Copy of conviction or sentencing order for the sex  
699 offense for which registration is required;

700 (v) The offender's parole, probation or supervised  
701 release status and the existence of any outstanding arrest  
702 warrants;

703 (w) Every online identity, screen name or username  
704 used, registered or created by a registrant;

705                   (x) Professional licensing information which authorizes  
706 the registrant to engage in an occupation or carry out a trade or  
707 occupation;

708                   (y) Information from passport and immigration  
709 documents;

710                   (z) All telephone numbers, including, but not limited  
711 to, permanent residence, temporary residence, cell phone and  
712 employment phone numbers, whether landlines or cell phones; and

713                   (aa) Any other information deemed necessary.

714           (3) For purposes of this chapter, a person is considered to  
715 be residing in this state if he maintains a permanent or temporary  
716 residence as defined in Section 45-33-23, including students,  
717 temporary employees and military personnel on assignment.

718           (4) (a) A person required to register under this chapter  
719 shall not reside within three thousand (3,000) feet of the real  
720 property comprising a public or nonpublic elementary or secondary  
721 school, a child care facility, a residential child-caring agency,  
722 a children's group care home or any playground, ballpark or other  
723 recreational facility utilized by persons under the age of  
724 eighteen (18) years.

725                   (b) A person residing within three thousand (3,000)  
726 feet of the real property comprising a public or nonpublic  
727 elementary or secondary school or a child care facility does not  
728 commit a violation of this subsection if any of the following  
729 apply:

730 (i) The person is serving a sentence at a jail,  
731 prison, juvenile facility or other correctional institution or  
732 facility.

733 (ii) The person is subject to an order of  
734 commitment under Title 41, Mississippi Code of 1972.

735 (iii) The person established the subject residence  
736 before July 1, 2006.

737 (iv) The school or child care facility is  
738 established within three thousand (3,000) feet of the person's  
739 residence subsequent to the date the person established residency.

740 (v) The person established the subject residence  
741 between July 1, 2006, and January 1, 2014, in a location at least  
742 one thousand five hundred (1,500) feet from the school or child  
743 care facility.

744 (vi) The person is a minor or a ward under a  
745 guardianship.

746 (c) A person residing within three thousand (3,000)  
747 feet of the real property comprising a residential child-caring  
748 agency, a children's group care home or any playground, ballpark  
749 or other recreational facility utilized by persons under the age  
750 of eighteen (18) years does not commit a violation of this  
751 subsection if any of the following apply:

752 (i) The person established the subject residence  
753 before July 1, 2008.

754 (ii) The residential child-caring agency,  
755 children's group care home, playground, ballpark or other

756 recreational facility utilized by persons under the age of  
757 eighteen (18) years is established within three thousand (3,000)  
758 feet of the person's residence subsequent to the date the person  
759 established residency.

760 (iii) The person established the subject residence  
761 between July 1, 2008, and January 1, 2014, in a location at least  
762 one thousand five hundred (1,500) feet from the residential  
763 child-caring agency, children's group care home, playground,  
764 ballpark or other recreational facility utilized by persons under  
765 the age of eighteen (18) years.

766 (iv) Any of the conditions described in subsection  
767 (4) (b) (i), (ii) or (vi) exist.

768 (5) The Department of Public Safety is required to obtain  
769 the text of the law defining the offense or offenses for which the  
770 registration is required.

771 (6) Any facility designated by the Department of Public  
772 Safety for personal appearances as required under this chapter  
773 shall be separate from any building utilized by the Department of  
774 Public Safety for licensing and permitting purposes. The  
775 Department of Public Safety is authorized to enter into agreements  
776 with other law enforcement offices in this state for utilization  
777 of those facilities or to allow such other law enforcement offices  
778 to assume responsibility for in-person appearance requirements  
779 under this chapter.

780 **SECTION 11.** Section 45-33-27, Mississippi Code of 1972, is  
781 amended as follows:

782           45-33-27. (1) A person required to register on the basis of  
783 a conviction, adjudication of delinquency or acquittal by reason  
784 of insanity entered shall register with the responsible agency  
785 within three (3) business days of the date of judgment unless the  
786 person is immediately confined or committed, in which case the  
787 person shall register before release in accordance with the  
788 procedures established by the department. The responsible agency  
789 shall immediately forward the registration information to the  
790 Department of Public Safety. The person is also required to  
791 personally appear at a facility designated by the Department of  
792 Public Safety \* \* \*, or in a manner of the Mississippi Department  
793 of Public Safety's choosing, including by electronic means, within  
794 three (3) days of registration with the responsible agency and to  
795 obtain a sex offender registration card.

796           (2) If a person who is required to register under this  
797 section is released from prison or placed on parole or supervised  
798 release or in a restitution center or community work center, the  
799 Department of Corrections shall perform the registration duties  
800 before placement in a center or before release and immediately  
801 forward the registration information to the Department of Public  
802 Safety. The person is also required to personally appear at a  
803 facility designated by the Department of Public Safety \* \* \*, or  
804 in a manner of the Mississippi Department of Public Safety's  
805 choosing, including by electronic means, within three (3) days of  
806 release or placement in a restitution center or community work  
807 center.

808           (3) If a person required to register under this section is  
809 placed on probation, the court, at the time of entering the order,  
810 shall register the person and immediately forward the registration  
811 information to the Department of Public Safety. The person is  
812 also required to personally appear at a facility designated by the  
813 Department of Public Safety \* \* \*, or in a manner of the  
814 Mississippi Department of Public Safety's choosing, including by  
815 electronic means, within three (3) days of the entry of the order.

816           (4) Any person required to register who is neither  
817 incarcerated, detained nor committed at the time the requirement  
818 to register attaches shall present himself to the county sheriff  
819 to register within three (3) business days, and shall personally  
820 appear at a facility designated by the Department of Public  
821 Safety \* \* \*, or in a manner of the Mississippi Department of  
822 Public Safety's choosing, including by electronic means, within  
823 three (3) days of the time the requirement to register attaches.

824           (5) An offender moving to or returning to this state from  
825 another jurisdiction shall notify the Department of Public Safety  
826 ten (10) days before the person first resides in or returns to  
827 this state and shall present himself to the sheriff of the county  
828 of his residence within three (3) business days after first  
829 residing in or returning to a county of this state to provide the  
830 required registration information. The person is also required to  
831 register by personally appearing at a facility designated by the  
832 Department of Public Safety \* \* \*, or in a manner of the  
833 Mississippi Department of Public Safety's choosing, including by

834 electronic means, within three (3) days after first residing in or  
835 moving to a county of this state. If the offender fails to appear  
836 for registration as required in this state, the department shall  
837 notify the other jurisdiction of the failure to register.

838 (6) A person, other than a person confined in a correctional  
839 or juvenile detention facility or involuntarily committed on the  
840 basis of mental illness, who is required to register on the basis  
841 of a sex offense for which a conviction, adjudication of  
842 delinquency or acquittal by reason of insanity was entered shall  
843 register with the sheriff of the county in which he resides no  
844 later than August 15, 2000, or within three (3) business days of  
845 first residing in or returning to a county of this state.

846 (7) Every person required to register shall show proof of  
847 domicile. The commissioner shall promulgate any rules and  
848 regulations necessary to enforce this requirement and shall  
849 prescribe the means by which such person may show domicile.

850 (8) Any driver's license photograph, I.D. photograph, sex  
851 offender photograph, fingerprint, driver's license application  
852 and/or anything submitted to the Department of Public Safety by a  
853 known convicted sex offender, registered or not registered, can be  
854 used by the Department of Public Safety or any other authorized  
855 law enforcement agency for any means necessary in registration,  
856 identification, investigation regarding their tracking or  
857 identification.

858 (9) The department will assist local law enforcement  
859 agencies in the effort to conduct address and other verifications



860 of registered sex offenders and will assist in the location and  
861 apprehension of noncompliant sex offenders.

862         **SECTION 12.** Section 45-33-29, Mississippi Code of 1972, is  
863 amended as follows:

864         45-33-29. (1) Upon any change of address, including  
865 temporary lodging, an offender required to register under this  
866 chapter is required to personally appear at a facility designated  
867 by the Department of Public Safety \* \* \*, or in a manner of the  
868 Mississippi Department of Public Safety's choosing, including by  
869 electronic means, not less than ten (10) days before he intends to  
870 first reside at the new address.

871         (2) Upon any change in the status of a registrant's  
872 enrollment, employment or vocation at any public or private  
873 educational institution, including any secondary school, trade or  
874 professional institution or institution of higher education, the  
875 offender is required to personally appear at a facility designated  
876 by the Department of Public Safety \* \* \*, or in a manner of the  
877 Mississippi Department of Public Safety's choosing, including by  
878 electronic means, within three (3) business days of the change.

879         (3) Upon any change of employment or change of name, a  
880 registrant is required to personally appear at a facility  
881 designated by the Department of Public Safety \* \* \*, or in a  
882 manner of the Mississippi Department of Public Safety's choosing,  
883 including by electronic means, within three (3) business days of  
884 the change.

885 (4) Upon any change of vehicle information, a registrant is  
886 required to report the change on an appropriate form supplied by  
887 the department within three (3) business days of the change.

888 (5) Upon any change of e-mail address or addresses, instant  
889 message address or addresses, or any other designation used in  
890 Internet communications, postings or telephone communications, a  
891 registrant is required to report the change on an appropriate form  
892 supplied by the department within three (3) business days of the  
893 change.

894 (6) Upon any change of information deemed by the department  
895 to be necessary to the state's policy to assist local law  
896 enforcement agencies' efforts to protect their communities, a  
897 registrant is required to report the change on an appropriate form  
898 supplied by the department within three (3) business days of the  
899 change.

900 **SECTION 13.** Section 45-33-31, Mississippi Code of 1972, is  
901 amended as follows:

902 45-33-31. (1) (a) Registrants who are in compliance with a  
903 program of electronic monitoring under this chapter are required  
904 to reregister annually.

905 (b) All other registrants are required to personally  
906 appear at a facility designated by the Department of Public  
907 Safety \* \* \*, or in a manner of the Mississippi Department of  
908 Public Safety's choosing, including by electronic means, to  
909 reregister every ninety (90) days.

910 (2) Reregistration includes the submission of current  
911 information and photograph to the department and the verification  
912 of registration information, including the street address and  
913 telephone number of the registrant; name, street address and  
914 telephone number of the registrant's employment or status at a  
915 school, along with any other registration information that may  
916 need to be verified and the payment of any required fees.

917 (3) A person who fails to reregister and obtain a renewal  
918 sex offender registration card as required by this section commits  
919 a violation of this chapter. The Department of Public Safety will  
920 immediately notify any sheriff or other jurisdiction of any  
921 changes in information including residence address, employment and  
922 status at a school if that jurisdiction, county or municipality is  
923 affected by the change.

924 **SECTION 14.** Section 45-33-33, Mississippi Code of 1972, is  
925 amended as follows:

926 45-33-33. (1) (a) The failure of an offender to personally  
927 appear at a facility designated by the Department of Public  
928 Safety \* \* \*, or in a manner of the Mississippi Department of  
929 Public Safety's choosing, including by electronic means, or to  
930 provide any registration or other information, including, but not  
931 limited to, initial registration, reregistration, change of  
932 address information, change of employment, change of name,  
933 required notification to a volunteer organization or any other  
934 registration duty or submission of information required by this  
935 chapter is a violation of this chapter. Additionally, forgery of

936 information or submission of information under false pretenses,  
937 whether by the registrant or another person, is also a violation  
938 of this chapter.

939 (b) A person commits a violation of this chapter who:

940 (i) Knowingly harbors, or knowingly attempts to  
941 harbor, or knowingly assists another person in harboring or  
942 attempting to harbor a sex offender who is in violation of this  
943 chapter; \* \* \*

944 (ii) Knowingly assists a sex offender in eluding a  
945 law enforcement agency that is seeking to find the sex offender to  
946 question the sex offender about, or to arrest the sex offender  
947 for, noncompliance with the requirements of this chapter; or

948 (iii) Provides information to a law enforcement  
949 agency regarding a sex offender which the person knows to be  
950 false.

951 (c) A registrant who is required to submit to  
952 electronic monitoring who does not comply with all the terms and  
953 conditions of the electronic monitoring commits a violation of  
954 this chapter.

955 (2) (a) Unless otherwise specified, a violation of this  
956 chapter shall be considered a felony and shall be punishable by a  
957 fine of not more than Five Thousand Dollars (\$5,000.00),  
958 imprisonment in the custody of the Department of Corrections for  
959 not more than five (5) years, or both fine and imprisonment.

960 (b) A person who is required to register under this  
961 chapter who is subsequently convicted for a registration violation

962 under this section, upon release from incarceration, shall submit  
963 to mandatory electronic monitoring under the program established  
964 under Section 45-33-45 for a period computed by subtracting the  
965 time the person spent in actual incarceration from the five-year  
966 maximum imprisonment for the offense and the period of  
967 post-release monitoring shall not be suspended or reduced by the  
968 court or the Department of Corrections.

969 (3) Whenever it appears that an offender has failed to  
970 comply with the duty to register, reregister or submit to  
971 electronic monitoring, the department shall promptly notify the  
972 sheriff of the county of the last-known address of the offender as  
973 well as the sheriff of the county of the last-known location of  
974 the offender, if different. Upon notification, the sheriff shall  
975 attempt to locate the offender at his last-known address or  
976 last-known location.

977 (a) If the sheriff locates the offender, he shall  
978 enforce the provisions of this chapter, including initiation of  
979 prosecution if appropriate. The sheriff shall then notify the  
980 department with the current information regarding the offender.

981 (b) If the sheriff is unable to locate the offender,  
982 the sheriff shall promptly notify the department and initiate a  
983 criminal prosecution against the offender for the failure to  
984 register, reregister or comply with electronic monitoring. The  
985 sheriff shall make the appropriate transactions into the Federal  
986 Bureau of Investigation's wanted-person database and issue a  
987 warrant for the offender's arrest. The department shall notify

988 the United States Marshals Service of the offender's noncompliant  
989 status and shall update the registry database and website to show  
990 the defendant's noncompliant status as an absconder.

991 (4) A violation of this chapter shall result in the arrest  
992 of the offender.

993 (5) Any prosecution for a violation of this section shall be  
994 brought by a prosecutor in the county of the violation.

995 (6) A person required to register under this chapter who  
996 commits any act or omission in violation of this chapter may be  
997 prosecuted for the act or omission in the county in which the act  
998 or omission was committed, the county of the last registered  
999 address of the sex offender, the county in which the conviction  
1000 occurred for the offense or offenses that meet the criteria  
1001 requiring the person to register, the county in which he was  
1002 designated a sex offender, or the county in which the sex offender  
1003 was found.

1004 (7) The Commissioner of Public Safety or his authorized  
1005 agent shall suspend the driver's license or driving privilege of  
1006 any offender failing to comply with the duty to report, register  
1007 or reregister, submit to monitoring, or who has provided false  
1008 information.

1009 (8) When a person required to register under this chapter is  
1010 accused of any registration offense under this section, pretrial  
1011 release on bond shall be conditioned on the offender's submission  
1012 to electronic monitoring under the program established under  
1013 Section 45-33-45.

1014           **SECTION 15.** Section 45-33-35, Mississippi Code of 1972, is  
1015 amended as follows:

1016           45-33-35. (1) The Mississippi Department of Public Safety  
1017 shall maintain a central registry of sex offender information as  
1018 defined in Section 45-33-25 and shall adopt rules and regulations  
1019 necessary to carry out this section. The responsible agencies  
1020 shall provide the information required in Section 45-33-25 on a  
1021 form developed by the department to ensure accurate information is  
1022 maintained.

1023           (2) Upon conviction, adjudication or acquittal by reason of  
1024 insanity of any sex offender, if the sex offender is not  
1025 immediately confined or not sentenced to a term of imprisonment,  
1026 the clerk of the court which convicted and sentenced the sex  
1027 offender shall inform the person of the duty to register,  
1028 including the duty to personally appear at a facility designated  
1029 by the Department of Public Safety \* \* \*, or in a manner of the  
1030 Mississippi Department of Public Safety's choosing, including by  
1031 electronic means, and shall perform the registration duties as  
1032 described in Section 45-33-23 and forward the information to the  
1033 department.

1034           (3) Before release from prison or placement on parole,  
1035 supervised release or in a work center or restitution center, the  
1036 Department of Corrections shall inform the person of the duty to  
1037 register, including the duty to personally appear at a facility  
1038 designated by the Department of Public Safety \* \* \*, or in a  
1039 manner of the Mississippi Department of Public Safety's choosing,

1040 including by electronic means, and shall perform the registration  
1041 duties as described in Section 45-33-23 and forward the  
1042 information to the Department of Public Safety.

1043 (4) Before release from a community regional mental health  
1044 center or from confinement in a mental institution following an  
1045 acquittal by reason of insanity, the director of the facility  
1046 shall inform the offender of the duty to register, including the  
1047 duty to personally appear at a facility designated by the  
1048 Department of Public Safety \* \* \*, or in a manner of the  
1049 Mississippi Department of Public Safety's choosing, including by  
1050 electronic means, and shall perform the registration duties as  
1051 described in Section 45-33-23 and forward the information to the  
1052 Department of Public Safety.

1053 (5) Before release from a youthful offender facility, the  
1054 director of the facility shall inform the person of the duty to  
1055 register, including the duty to personally appear at a facility  
1056 designated by the Department of Public Safety \* \* \*, or in a  
1057 manner of the Mississippi Department of Public Safety's choosing,  
1058 including by electronic means, and shall perform the registration  
1059 duties as described in Section 45-33-23 and forward the  
1060 information to the Department of Public Safety.

1061 (6) In addition to performing the registration duties, the  
1062 responsible agency shall:

1063 (a) Inform the person having a duty to register that:

1064 (i) The person is required to personally appear at  
1065 a facility designated by the Department of Public Safety \* \* \*, or



1066 in a manner of the Mississippi Department of Public Safety's  
1067 choosing, including by electronic means, at least ten (10) days  
1068 before changing address.

1069 (ii) Any change of address to another jurisdiction  
1070 shall be reported to the department by personally appearing at a  
1071 facility designated by the Department of Public Safety \* \* \*, or  
1072 in a manner of the Mississippi Department of Public Safety's  
1073 choosing, including by electronic means, not less than ten (10)  
1074 days before the change of address. The offender shall comply with  
1075 any registration requirement in the new jurisdiction.

1076 (iii) The person must register in any jurisdiction  
1077 where the person is employed, carries on a vocation, is stationed  
1078 in the military or is a student.

1079 (iv) Address verifications shall be made by  
1080 personally appearing at a facility designated by the Department of  
1081 Public Safety \* \* \*, or in a manner of the Mississippi Department  
1082 of Public Safety's choosing, including by electronic means, within  
1083 the required time period.

1084 (v) Notification or verification of a change in  
1085 status of a registrant's enrollment, employment or vocation at any  
1086 public or private educational institution, including any secondary  
1087 school, trade or professional institution, or institution of  
1088 higher education shall be reported to the department by personally  
1089 appearing at a facility designated by the Department of Public  
1090 Safety \* \* \*, or in a manner of the Mississippi Department of

1091 Public Safety's choosing, including by electronic means, within  
1092 three (3) business days of the change.

1093 (vi) If the person has been convicted of a sex  
1094 offense, the person shall notify any organization for which the  
1095 person volunteers in which volunteers have direct, private or  
1096 unsupervised contact with minors that the person has been  
1097 convicted of a sex offense as provided in Section 45-33-32(1).

1098 (vii) Upon any change of name or employment, a  
1099 registrant is required to personally appear at a facility  
1100 designated by the Department of Public Safety \* \* \*, or in a  
1101 manner of the Mississippi Department of Public Safety's choosing,  
1102 including by electronic means, within three (3) business days of  
1103 the change.

1104 (viii) Upon any change of vehicle information, a  
1105 registrant is required to report the change on an appropriate form  
1106 supplied by the department within three (3) business days of the  
1107 change.

1108 (ix) Upon any change of e-mail address or  
1109 addresses, instant message address or addresses or any other  
1110 designation used in Internet communications, postings or telephone  
1111 communications, a registrant is required to report the change on  
1112 an appropriate form supplied by the department within three (3)  
1113 business days of the change.

1114 (x) Upon any change of information deemed to be  
1115 necessary to the state's policy to assist local law enforcement  
1116 agencies' efforts to protect their communities, a registrant is

1117 required to report the change on an appropriate form supplied by  
1118 the department within three (3) business days of the change.

1119 (b) Require the person to read and sign a form stating  
1120 that the duty of the person to register under this chapter has  
1121 been explained.

1122 (c) Obtain or facilitate the obtaining of a biological  
1123 sample from every registrant as required by this chapter if such  
1124 biological sample has not already been provided to the Mississippi  
1125 Forensics Laboratory.

1126 (d) Provide a copy of the order of conviction or  
1127 sentencing order to the department at the time of registration.

1128 **SECTION 16.** This act shall take effect and be in force from  
1129 and after July 1, 2020.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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 PROHIBIT ACTIVE-SERVICE HIGHWAY PATROL  
6 OFFICERS FROM SERVING IN ANY POSITION IN THE DRIVER LICENSE  
7 EXAMINING BUREAU; TO AMEND SECTION 63-1-16, MISSISSIPPI CODE OF  
8 1972, TO PROVIDE THAT AT EACH DRIVER'S LICENSE LOCATION IN THE  
9 STATE, THERE SHALL BE LOCATION SIGNS PROMINENTLY DISPLAYED  
10 PROVIDING FOR REQUIRED INFORMATION FOR THE VARIOUS LICENSES, CARDS  
11 AND OTHER SERVICES; TO PROVIDE THAT ON THE DRIVER SERVICES  
12 DIVISION'S WEBSITE, THERE SHALL BE TUTORIAL VIDEOS LINKED TO  
13 ONLINE PROCEDURES TO HELP CLEARLY ILLUSTRATE HOW TO USE THE  
14 WEBSITE; TO AMEND SECTION 63-1-33, MISSISSIPPI CODE OF 1972, TO  
15 REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO ACCEPT THE  
16 CERTIFICATION OF SUCCESSFUL COMPLETION OF AN INDIVIDUAL'S TRAINING  
17 IN THE KNOWLEDGE AND SKILLS NEEDED FOR THE PROPER AND SAFE  
18 OPERATION OF A MOTOR VEHICLE FROM A DRIVER EDUCATION AND TRAINING  
19 PROGRAM AT A SECONDARY SCHOOL THAT MEETS THE STANDARDS OF THE  
20 STATE BOARD OF EDUCATION, IN LIEU OF THE DEPARTMENT ADMINISTERING

21 THE EXAMINATION OF THE INDIVIDUAL FOR THE PURPOSE OF OBTAINING A  
22 DRIVER'S LICENSE; TO SPECIFY WHO MAY BE EMPLOYED AS INSTRUCTORS IN  
23 SUCH SECONDARY SCHOOL PROGRAMS; TO AMEND SECTION 63-1-47,  
24 MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC  
25 SAFETY TO EMAIL AND TEXT NOTIFICATION OF THE UPCOMING EXPIRATION  
26 OF A DRIVER'S LICENSE AT LEAST THIRTY DAYS PRIOR TO THE EXPIRATION  
27 DATE; TO AMEND SECTION 63-1-43, MISSISSIPPI CODE OF 1972, TO  
28 PROVIDE A \$10.00 DISCOUNT TO CERTAIN APPLICANTS WHO DO NOT RECEIVE  
29 THEIR LICENSES WITHIN TWO AND A HALF HOURS OF REPORTING TO THE  
30 LICENSE STATION, PROVIDED THEY HAVE BROUGHT ALL REQUIRED  
31 DOCUMENTATION; TO AMEND SECTION 63-1-208, MISSISSIPPI CODE OF  
32 1972, TO REQUIRE THE COMMISSIONER OF PUBLIC SAFETY TO AUTHORIZE  
33 CERTAIN THIRD PARTIES TO ADMINISTER THE KNOWLEDGE AND SKILLS TEST  
34 REQUIRED FOR A COMMERCIAL DRIVER'S LICENSE, SUBJECT TO THE  
35 OVERSIGHT OF THE MISSISSIPPI SECRETARY OF STATE; TO AMEND SECTION  
36 63-1-211, MISSISSIPPI CODE OF 1972, TO ALLOW ONLINE APPLICATION  
37 FOR RENEWAL OF COMMERCIAL DRIVER'S LICENSES UNDER CERTAIN  
38 CIRCUMSTANCES; TO BRING FORWARD SECTIONS 45-35-3 AND 63-1-35,  
39 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT;  
40 TO AMEND SECTIONS 45-33-25, 45-33-27, 45-33-29, 45-33-31, 45-33-33  
41 AND 45-33-35, MISSISSIPPI CODE OF 1972, TO CHANGE THE LOCATION FOR  
42 MANDATORY PERSONAL APPEARANCES OF REGISTERED SEX OFFENDERS FROM  
43 THE DRIVER'S LICENSE STATION TO A FACILITY DESIGNATED BY THE  
44 DEPARTMENT OF PUBLIC SAFETY, OR IN A MANNER OF THE MISSISSIPPI  
45 DEPARTMENT OF PUBLIC SAFETY'S CHOOSING, INCLUDING BY ELECTRONIC  
46 MEANS; AND FOR RELATED PURPOSES.

SS26\HB1371A.1J

Eugene S. Clarke  
Secretary of the Senate