

By: Senator(s) Branning

To: Judiciary, Division B

SENATE BILL NO. 2598  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO WAIVE THE  
3 RESIDENCY REQUIREMENT FOR A CONCEALED-CARRY LICENSE FOR A MEMBER  
4 OF AN ACTIVE OR RESERVE COMPONENT BRANCH OF THE UNITED STATES OF  
5 AMERICA ARMED FORCES STATIONED IN MISSISSIPPI, OR THE SPOUSE OF  
6 THE SAME; TO AMEND SECTIONS 63-1-9 AND 63-1-21, MISSISSIPPI CODE  
7 OF 1972, AS AMENDED BY HOUSE BILL NO. 550, 2021 REGULAR SESSION,  
8 TO REMOVE THE INTERMEDIATE LICENSE; TO REVISE THE DEPARTMENT OF  
9 PUBLIC SAFETY'S AUTHORITY TO ISSUE DRIVER'S LICENSES AND LEARNER'S  
10 PERMITS; TO REQUIRE A LICENSEE UNDER A CERTAIN AGE TO BE  
11 SUPERVISED WHILE DRIVING FOR THE FIRST 6 MONTHS OF POSSESSION OF A  
12 DRIVER'S LICENSE; TO AMEND SECTION 63-11-25, MISSISSIPPI CODE OF  
13 1972, TO PROVIDE THAT A PETITION APPEALING THE FORFEITURE,  
14 SUSPENSION OR DENIAL OF ISSUANCE OF A LICENSE SHALL BE SERVED ON  
15 THE ATTORNEY GENERAL AND THE COMMISSIONER OF PUBLIC SAFETY; TO  
16 CREATE A NEW SECTION OF LAW TO REQUIRE THE COMMISSIONER OF PUBLIC  
17 SAFETY TO ESTABLISH AN ALTERNATIVE STATE IDENTIFICATION CARD THAT  
18 DOES NOT REQUIRE PROOF OF DOMICILE, FOR THE PURPOSE OF MAKING A  
19 STATE IDENTIFICATION CARD AVAILABLE FOR PERSONS WHO DO NOT HAVE A  
20 DOMICILE TO LIST; TO CREATE A SPECIAL FUND IN THE STATE TREASURY  
21 INTO WHICH SHALL BE DEPOSITED ANY FEDERAL MONIES THAT ARE MADE  
22 AVAILABLE FOR THE ESTABLISHMENT OF ELECTRIC VEHICLE INFRASTRUCTURE  
23 IN THE STATE; TO AMEND SECTIONS 45-33-43, 63-1-5, 63-1-10.1,  
24 63-1-23, 63-1-35, 63-1-43 AND 63-1-47, MISSISSIPPI CODE OF 1972,  
25 AS AMENDED BY HOUSE BILL NO. 550, 2021 REGULAR SESSION, TO  
26 CONFORM; TO AMEND SECTIONS 63-1-6, 63-1-33 AND 63-1-37,  
27 MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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

29 **SECTION 1.** Section 45-9-101, Mississippi Code of 1972, as  
30 amended by House Bill No. 277, 2021 Regular Session, House Bill



31 No. 886, 2021 Regular Session, and Senate Bill No. 2253, 2021  
32 Regular Session, is amended as follows:

33 45-9-101. (1) (a) Except as otherwise provided, the  
34 Department of Public Safety is authorized to issue licenses to  
35 carry stun guns, concealed pistols or revolvers to persons  
36 qualified as provided in this section. Such licenses shall be  
37 valid throughout the state for a period of five (5) years from the  
38 date of issuance, except as provided in subsection (25) of this  
39 section. Any person possessing a valid license issued pursuant to  
40 this section may carry a stun gun, concealed pistol or concealed  
41 revolver.

42 (b) The licensee must carry the license, together with  
43 valid identification, at all times in which the licensee is  
44 carrying a stun gun, concealed pistol or revolver and must display  
45 both the license and proper identification upon demand by a law  
46 enforcement officer. A violation of the provisions of this  
47 paragraph (b) shall constitute a noncriminal violation with a  
48 penalty of Twenty-five Dollars (\$25.00) and shall be enforceable  
49 by summons.

50 (2) The Department of Public Safety shall issue a license if  
51 the applicant:

52 (a) Is a resident of the state. However, this  
53 residency requirement may be waived if the applicant possesses a  
54 valid permit from another state, is \* \* \* a member of any active  
55 or reserve component branch of the United States of America Armed



56 Forces stationed in Mississippi, is the spouse of a member of any  
57 active or reserve component branch of the United States of America  
58 Armed Forces stationed in Mississippi, or is a retired law  
59 enforcement officer establishing residency in the state;

60 (b) (i) Is twenty-one (21) years of age or older; or

61 (ii) Is at least eighteen (18) years of age but  
62 not yet twenty-one (21) years of age and the applicant:

63 1. Is a member or veteran of the United  
64 States Armed Forces, including National Guard or Reserve; and

65 2. Holds a valid Mississippi driver's license  
66 or identification card issued by the Department of Public Safety  
67 or a valid and current tribal identification card issued by a  
68 federally recognized Indian tribe containing a photograph of the  
69 holder;

70 (c) Does not suffer from a physical infirmity which  
71 prevents the safe handling of a stun gun, pistol or revolver;

72 (d) Is not ineligible to possess a firearm by virtue of  
73 having been convicted of a felony in a court of this state, of any  
74 other state, or of the United States without having been pardoned  
75 or without having been expunged for same;

76 (e) Does not chronically or habitually abuse controlled  
77 substances to the extent that his normal faculties are impaired.  
78 It shall be presumed that an applicant chronically and habitually  
79 uses controlled substances to the extent that his faculties are  
80 impaired if the applicant has been voluntarily or involuntarily



81 committed to a treatment facility for the abuse of a controlled  
82 substance or been found guilty of a crime under the provisions of  
83 the Uniform Controlled Substances Law or similar laws of any other  
84 state or the United States relating to controlled substances  
85 within a three-year period immediately preceding the date on which  
86 the application is submitted;

87 (f) Does not chronically and habitually use alcoholic  
88 beverages to the extent that his normal faculties are impaired.  
89 It shall be presumed that an applicant chronically and habitually  
90 uses alcoholic beverages to the extent that his normal faculties  
91 are impaired if the applicant has been voluntarily or  
92 involuntarily committed as an alcoholic to a treatment facility or  
93 has been convicted of two (2) or more offenses related to the use  
94 of alcohol under the laws of this state or similar laws of any  
95 other state or the United States within the three-year period  
96 immediately preceding the date on which the application is  
97 submitted;

98 (g) Desires a legal means to carry a stun gun,  
99 concealed pistol or revolver to defend himself;

100 (h) Has not been adjudicated mentally incompetent, or  
101 has waited five (5) years from the date of his restoration to  
102 capacity by court order;

103 (i) Has not been voluntarily or involuntarily committed  
104 to a mental institution or mental health treatment facility unless  
105 he possesses a certificate from a psychiatrist licensed in this



106 state that he has not suffered from disability for a period of  
107 five (5) years;

108 (j) Has not had adjudication of guilt withheld or  
109 imposition of sentence suspended on any felony unless three (3)  
110 years have elapsed since probation or any other conditions set by  
111 the court have been fulfilled;

112 (k) Is not a fugitive from justice; and

113 (l) Is not disqualified to possess a weapon based on  
114 federal law.

115 (3) The Department of Public Safety may deny a license if  
116 the applicant has been found guilty of one or more crimes of  
117 violence constituting a misdemeanor unless three (3) years have  
118 elapsed since probation or any other conditions set by the court  
119 have been fulfilled or expunction has occurred prior to the date  
120 on which the application is submitted, or may revoke a license if  
121 the licensee has been found guilty of one or more crimes of  
122 violence within the preceding three (3) years. The department  
123 shall, upon notification by a law enforcement agency or a court  
124 and subsequent written verification, suspend a license or the  
125 processing of an application for a license if the licensee or  
126 applicant is arrested or formally charged with a crime which would  
127 disqualify such person from having a license under this section,  
128 until final disposition of the case. The provisions of subsection  
129 (7) of this section shall apply to any suspension or revocation of  
130 a license pursuant to the provisions of this section.



131 (4) The application shall be completed, under oath, on a  
132 form promulgated by the Department of Public Safety and shall  
133 include only:

134 (a) The name, address, place and date of birth, race,  
135 sex and occupation of the applicant;

136 (b) The driver's license number or social security  
137 number of applicant;

138 (c) Any previous address of the applicant for the two  
139 (2) years preceding the date of the application;

140 (d) A statement that the applicant is in compliance  
141 with criteria contained within subsections (2) and (3) of this  
142 section;

143 (e) A statement that the applicant has been furnished a  
144 copy of this section and is knowledgeable of its provisions;

145 (f) A conspicuous warning that the application is  
146 executed under oath and that a knowingly false answer to any  
147 question, or the knowing submission of any false document by the  
148 applicant, subjects the applicant to criminal prosecution; and

149 (g) A statement that the applicant desires a legal  
150 means to carry a stun gun, concealed pistol or revolver to defend  
151 himself.

152 (5) The applicant shall submit only the following to the  
153 Department of Public Safety:

154 (a) A completed application as described in subsection  
155 (4) of this section;



156 (b) A full-face photograph of the applicant taken  
157 within the preceding thirty (30) days in which the head, including  
158 hair, in a size as determined by the Department of Public Safety,  
159 except that an applicant who is younger than twenty-one (21) years  
160 of age must submit a photograph in profile of the applicant;

161 (c) A nonrefundable license fee of Eighty Dollars  
162 (\$80.00). Costs for processing the set of fingerprints as  
163 required in paragraph (d) of this subsection shall be borne by the  
164 applicant. Honorably retired law enforcement officers, disabled  
165 veterans and active duty members of the Armed Forces of the United  
166 States, and law enforcement officers employed with a law  
167 enforcement agency of a municipality, county or state at the time  
168 of application for the license, shall be exempt from the payment  
169 of the license fee;

170 (d) A full set of fingerprints of the applicant  
171 administered by the Department of Public Safety; and

172 (e) A waiver authorizing the Department of Public  
173 Safety access to any records concerning commitments of the  
174 applicant to any of the treatment facilities or institutions  
175 referred to in subsection (2) of this section and permitting  
176 access to all the applicant's criminal records.

177 (6) (a) The Department of Public Safety, upon receipt of  
178 the items listed in subsection (5) of this section, shall forward  
179 the full set of fingerprints of the applicant to the appropriate  
180 agencies for state and federal processing.



181           (b) The Department of Public Safety shall forward a  
182 copy of the applicant's application to the sheriff of the  
183 applicant's county of residence and, if applicable, the police  
184 chief of the applicant's municipality of residence. The sheriff  
185 of the applicant's county of residence, and, if applicable, the  
186 police chief of the applicant's municipality of residence may, at  
187 his discretion, participate in the process by submitting a  
188 voluntary report to the Department of Public Safety containing any  
189 readily discoverable prior information that he feels may be  
190 pertinent to the licensing of any applicant. The reporting shall  
191 be made within thirty (30) days after the date he receives the  
192 copy of the application. Upon receipt of a response from a  
193 sheriff or police chief, such sheriff or police chief shall be  
194 reimbursed at a rate set by the department.

195           (c) The Department of Public Safety shall, within  
196 forty-five (45) days after the date of receipt of the items listed  
197 in subsection (5) of this section:

198                   (i) Issue the license;

199                   (ii) Deny the application based solely on the  
200 ground that the applicant fails to qualify under the criteria  
201 listed in subsections (2) and (3) of this section. If the  
202 Department of Public Safety denies the application, it shall  
203 notify the applicant in writing, stating the ground for denial,  
204 and the denial shall be subject to the appeal process set forth in  
205 subsection (7); or





206 (iii) Notify the applicant that the department is  
207 unable to make a determination regarding the issuance or denial of  
208 a license within the forty-five-day period prescribed by this  
209 subsection, and provide an estimate of the amount of time the  
210 department will need to make the determination.

211 (d) In the event a legible set of fingerprints, as  
212 determined by the Department of Public Safety and the Federal  
213 Bureau of Investigation, cannot be obtained after a minimum of two  
214 (2) attempts, the Department of Public Safety shall determine  
215 eligibility based upon a name check by the Mississippi Highway  
216 Safety Patrol and a Federal Bureau of Investigation name check  
217 conducted by the Mississippi Highway Safety Patrol at the request  
218 of the Department of Public Safety.

219 (7) (a) If the Department of Public Safety denies the  
220 issuance of a license, or suspends or revokes a license, the party  
221 aggrieved may appeal such denial, suspension or revocation to the  
222 Commissioner of Public Safety, or his authorized agent, within  
223 thirty (30) days after the aggrieved party receives written notice  
224 of such denial, suspension or revocation. The Commissioner of  
225 Public Safety, or his duly authorized agent, shall rule upon such  
226 appeal within thirty (30) days after the appeal is filed and  
227 failure to rule within this thirty-day period shall constitute  
228 sustaining such denial, suspension or revocation. Such review  
229 shall be conducted pursuant to such reasonable rules and  
230 regulations as the Commissioner of Public Safety may adopt.



231 (b) If the revocation, suspension or denial of issuance  
232 is sustained by the Commissioner of Public Safety, or his duly  
233 authorized agent pursuant to paragraph (a) of this subsection, the  
234 aggrieved party may file within ten (10) days after the rendition  
235 of such decision a petition in the circuit or county court of his  
236 residence for review of such decision. A hearing for review shall  
237 be held and shall proceed before the court without a jury upon the  
238 record made at the hearing before the Commissioner of Public  
239 Safety or his duly authorized agent. No such party shall be  
240 allowed to carry a stun gun, concealed pistol or revolver pursuant  
241 to the provisions of this section while any such appeal is  
242 pending.

243 (8) The Department of Public Safety shall maintain an  
244 automated listing of license holders and such information shall be  
245 available online, upon request, at all times, to all law  
246 enforcement agencies through the Mississippi Crime Information  
247 Center. However, the records of the department relating to  
248 applications for licenses to carry stun guns, concealed pistols or  
249 revolvers and records relating to license holders shall be exempt  
250 from the provisions of the Mississippi Public Records Act of 1983,  
251 and shall be released only upon order of a court having proper  
252 jurisdiction over a petition for release of the record or records.

253 (9) Within thirty (30) days after the changing of a  
254 permanent address, or within thirty (30) days after having a  
255 license lost or destroyed, the licensee shall notify the



256 Department of Public Safety in writing of such change or loss.  
257 Failure to notify the Department of Public Safety pursuant to the  
258 provisions of this subsection shall constitute a noncriminal  
259 violation with a penalty of Twenty-five Dollars (\$25.00) and shall  
260 be enforceable by a summons.

261 (10) In the event that a stun gun, concealed pistol or  
262 revolver license is lost or destroyed, the person to whom the  
263 license was issued shall comply with the provisions of subsection  
264 (9) of this section and may obtain a duplicate, or substitute  
265 thereof, upon payment of Fifteen Dollars (\$15.00) to the  
266 Department of Public Safety, and furnishing a notarized statement  
267 to the department that such license has been lost or destroyed.

268 (11) A license issued under this section shall be revoked if  
269 the licensee becomes ineligible under the criteria set forth in  
270 subsection (2) of this section.

271 (12) (a) Except as provided in subsection (25) of this  
272 section, no less than ninety (90) days prior to the expiration  
273 date of the license, the Department of Public Safety shall mail to  
274 each licensee a written notice of the expiration and a renewal  
275 form prescribed by the department. The licensee must renew his  
276 license on or before the expiration date by filing with the  
277 department the renewal form, a notarized affidavit stating that  
278 the licensee remains qualified pursuant to the criteria specified  
279 in subsections (2) and (3) of this section, and a full set of  
280 fingerprints administered by the Department of Public Safety or



281 the sheriff of the county of residence of the licensee. The first  
282 renewal may be processed by mail and the subsequent renewal must  
283 be made in person. Thereafter every other renewal may be  
284 processed by mail to assure that the applicant must appear in  
285 person every ten (10) years for the purpose of obtaining a new  
286 photograph.

287 (i) Except as provided in this subsection, a  
288 renewal fee of Forty Dollars (\$40.00) shall also be submitted  
289 along with costs for processing the fingerprints;

290 (ii) Honorably retired law enforcement officers,  
291 disabled veterans, active duty members of the Armed Forces of the  
292 United States and law enforcement officers employed with a law  
293 enforcement agency of a municipality, county or state at the time  
294 of renewal, shall be exempt from the renewal fee; and

295 (iii) The renewal fee for a Mississippi resident  
296 aged sixty-five (65) years of age or older shall be Twenty Dollars  
297 (\$20.00).

298 (b) The Department of Public Safety shall forward the  
299 full set of fingerprints of the applicant to the appropriate  
300 agencies for state and federal processing. The license shall be  
301 renewed upon receipt of the completed renewal application and  
302 appropriate payment of fees.

303 (c) A licensee who fails to file a renewal application  
304 on or before its expiration date must renew his license by paying  
305 a late fee of Fifteen Dollars (\$15.00). No license shall be



306 renewed six (6) months or more after its expiration date, and such  
307 license shall be deemed to be permanently expired. A person whose  
308 license has been permanently expired may reapply for licensure;  
309 however, an application for licensure and fees pursuant to  
310 subsection (5) of this section must be submitted, and a background  
311 investigation shall be conducted pursuant to the provisions of  
312 this section.

313 (13) No license issued pursuant to this section shall  
314 authorize any person, except a law enforcement officer as defined  
315 in Section 45-6-3 with a distinct license authorized by the  
316 Department of Public Safety, to carry a stun gun, concealed pistol  
317 or revolver into any place of nuisance as defined in Section  
318 95-3-1, Mississippi Code of 1972; any police, sheriff or highway  
319 patrol station; any detention facility, prison or jail; any  
320 courthouse; any courtroom, except that nothing in this section  
321 shall preclude a judge from carrying a concealed weapon or  
322 determining who will carry a concealed weapon in his courtroom;  
323 any polling place; any meeting place of the governing body of any  
324 governmental entity; any meeting of the Legislature or a committee  
325 thereof; any school, college or professional athletic event not  
326 related to firearms; any portion of an establishment, licensed to  
327 dispense alcoholic beverages for consumption on the premises, that  
328 is primarily devoted to dispensing alcoholic beverages; any  
329 portion of an establishment in which beer, light spirit product or  
330 light wine is consumed on the premises, that is primarily devoted



331 to such purpose; any elementary or secondary school facility; any  
332 junior college, community college, college or university facility  
333 unless for the purpose of participating in any authorized  
334 firearms-related activity; inside the passenger terminal of any  
335 airport, except that no person shall be prohibited from carrying  
336 any legal firearm into the terminal if the firearm is encased for  
337 shipment, for purposes of checking such firearm as baggage to be  
338 lawfully transported on any aircraft; any church or other place of  
339 worship, except as provided in Section 45-9-171; or any place  
340 where the carrying of firearms is prohibited by federal law. In  
341 addition to the places enumerated in this subsection, the carrying  
342 of a stun gun, concealed pistol or revolver may be disallowed in  
343 any place in the discretion of the person or entity exercising  
344 control over the physical location of such place by the placing of  
345 a written notice clearly readable at a distance of not less than  
346 ten (10) feet that the "carrying of a pistol or revolver is  
347 prohibited." No license issued pursuant to this section shall  
348 authorize the participants in a parade or demonstration for which  
349 a permit is required to carry a stun gun, concealed pistol or  
350 revolver.

351 (14) A law enforcement officer as defined in Section 45-6-3,  
352 chiefs of police, sheriffs and persons licensed as professional  
353 bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of  
354 1972, shall be exempt from the licensing requirements of this  
355 section.



356 (a) The Commissioner of Public Safety shall promulgate  
357 rules and regulations to provide licenses to law enforcement  
358 officers as defined in Section 45-6-3 who choose to obtain a  
359 license under the provisions of this section, which shall include  
360 a distinction that the officer is an "active duty" law enforcement  
361 officer and an endorsement that such officer is authorized to  
362 carry in the locations listed in subsection (13). A law  
363 enforcement officer shall provide the following information to  
364 receive the license described in this subsection: (i) a letter,  
365 with the official letterhead of the agency or department for which  
366 the officer is employed at the time of application and (ii) a  
367 letter with the official letterhead of the agency or department,  
368 which explains that such officer has completed a certified law  
369 enforcement training academy.

370 (b) The licensing requirements of this section do not  
371 apply to the carrying by any person of a stun gun, pistol or  
372 revolver, knife, or other deadly weapon that is not concealed as  
373 defined in Section 97-37-1.

374 (15) Any person who knowingly submits a false answer to any  
375 question on an application for a license issued pursuant to this  
376 section, or who knowingly submits a false document when applying  
377 for a license issued pursuant to this section, shall, upon  
378 conviction, be guilty of a misdemeanor and shall be punished as  
379 provided in Section 99-19-31, Mississippi Code of 1972.



380 (16) All fees collected by the Department of Public Safety  
381 pursuant to this section shall be deposited into a special fund  
382 hereby created in the State Treasury and shall be used for  
383 implementation and administration of this section. After the  
384 close of each fiscal year, the balance in this fund shall be  
385 certified to the Legislature and then may be used by the  
386 Department of Public Safety as directed by the Legislature.

387 (17) All funds received by a sheriff or police chief  
388 pursuant to the provisions of this section shall be deposited into  
389 the general fund of the county or municipality, as appropriate,  
390 and shall be budgeted to the sheriff's office or police department  
391 as appropriate.

392 (18) Nothing in this section shall be construed to require  
393 or allow the registration, documentation or providing of serial  
394 numbers with regard to any stun gun or firearm.

395 (19) Any person holding a valid unrevoked and unexpired  
396 license to carry stun guns, concealed pistols or revolvers issued  
397 in another state shall have such license recognized by this state  
398 to carry stun guns, concealed pistols or revolvers. The  
399 Department of Public Safety is authorized to enter into a  
400 reciprocal agreement with another state if that state requires a  
401 written agreement in order to recognize licenses to carry stun  
402 guns, concealed pistols or revolvers issued by this state.

403 (20) The provisions of this section shall be under the  
404 supervision of the Commissioner of Public Safety. The





405 commissioner is authorized to promulgate reasonable rules and  
406 regulations to carry out the provisions of this section.

407 (21) For the purposes of this section, the term "stun gun"  
408 means a portable device or weapon from which an electric current,  
409 impulse, wave or beam may be directed, which current, impulse,  
410 wave or beam is designed to incapacitate temporarily, injure,  
411 momentarily stun, knock out, cause mental disorientation or  
412 paralyze.

413 (22) (a) From and after January 1, 2016, the Commissioner  
414 of Public Safety shall promulgate rules and regulations which  
415 provide that licenses authorized by this section for honorably  
416 retired law enforcement officers and honorably retired  
417 correctional officers from the Mississippi Department of  
418 Corrections shall (i) include the words "retired law enforcement  
419 officer" on the front of the license, and (ii) unless the licensee  
420 chooses to have this license combined with a driver's license or  
421 identification card under subsection (25) of this section, that  
422 the license itself have a red background to distinguish it from  
423 other licenses issued under this section.

424 (b) An honorably retired law enforcement officer and  
425 honorably retired correctional officer shall provide the following  
426 information to receive the license described in this section: (i)  
427 a letter, with the official letterhead of the agency or department  
428 from which such officer is retiring, which explains that such  
429 officer is honorably retired, and (ii) a letter with the official



430 letterhead of the agency or department, which explains that such  
431 officer has completed a certified law enforcement training  
432 academy.

433 (23) A disabled veteran who seeks to qualify for an  
434 exemption under this section shall be required to provide a  
435 veterans health services identification card issued by the United  
436 States Department of Veterans Affairs indicating a  
437 service-connected disability, which shall be sufficient proof of  
438 such service-connected disability.

439 (24) A license under this section is not required for a  
440 loaded or unloaded pistol or revolver to be carried upon the  
441 person in a sheath, belt holster or shoulder holster or in a  
442 purse, handbag, satchel, other similar bag or briefcase or fully  
443 enclosed case if the person is not engaged in criminal activity  
444 other than a misdemeanor traffic offense, is not otherwise  
445 prohibited from possessing a pistol or revolver under state or  
446 federal law, and is not in a location prohibited under subsection  
447 (13) of this section.

448 (25) An applicant for a license under this section shall  
449 have the option of, instead of being issued a separate card for  
450 the license, having the license appear as a notation on the  
451 individual's driver's license or identification card. If the  
452 applicant chooses this option, the license issued under this  
453 section shall have the same expiration date as the driver's  
454 license or identification card, and renewal shall take place at



455 the same time and place as renewal of the driver's license or  
456 identification card. The Commissioner of Public Safety shall have  
457 the authority to promulgate rules and regulations which may be  
458 necessary to ensure the effectiveness of the concurrent  
459 application and renewal processes.

460 **SECTION 2.** Section 63-1-9, Mississippi Code of 1972, as  
461 amended by House Bill No. 550, 2021 Regular Session, is amended as  
462 follows:

463 63-1-9. (1) No driver's license \* \* \* or \* \* \* learner's  
464 permit shall be issued pursuant to this article:

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

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

472 (c) To any person who is an habitual drunkard or who is  
473 addicted to the use of other narcotic drugs.

474 (d) To any person who would not be able by reason of  
475 physical or mental disability to operate a motor vehicle on the  
476 highways with safety. However, persons who have one (1) arm or  
477 leg, or have arms or legs deformed, and are driving a car provided  
478 with mechanical devices whereby the person is able to drive in a  
479 safe manner over the highways, if otherwise qualified, shall



480 receive an operator's license the same as other persons.

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

482 (e) To any person as an operator who has previously  
483 been adjudged to be afflicted with and suffering from any mental  
484 disability and who has not at time of application been restored to  
485 mental competency.

486 (f) To any unmarried person under the age of eighteen  
487 (18) years who does not at the time of application present a  
488 diploma or other certificate of high school graduation or a  
489 general educational development certificate issued to the person  
490 in this state or any other state; or on whose behalf documentation  
491 has not been received by the Department of Public Safety from that  
492 person or a school official verifying that the person:

493 (i) Is enrolled and making satisfactory progress  
494 in a course leading to a general educational development  
495 certificate;

496 (ii) Is enrolled in school in this state or any  
497 other state;

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

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

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



504 (2) All permits and licenses issued on or before July 31,  
505 2009, shall be valid according to the terms upon which issued.  
506 From and after August 1, 2009:

507 (a) A \* \* \* learner's permit may be issued to any  
508 person who is at least fifteen (15) years of age who otherwise  
509 meets the requirements of this article.

510 \* \* \*

511 ( \* \* \* b) A driver's license may be issued to any  
512 person who is at least \* \* \* sixteen (16) years of age who  
513 otherwise meets the requirements of this article and who has  
514 held \* \* \* a learner's permit for at least one (1) year without  
515 any conviction under Section 63-11-30 or of a moving violation.  
516 Any conviction under Section 63-11-30 or of a moving violation  
517 shall restart the \* \* \* one-year requirement for the holding  
518 of \* \* \* a learner's permit before an applicant can qualify for a  
519 driver's license. \* \* \* An applicant for a driver's license who  
520 was unable to make timely application in 2020 for \* \* \* a  
521 learner's permit, due to the closure of driver's license offices  
522 owing to the Coronavirus Disease 2019 (COVID-19), shall have the  
523 period in which he or she was eligible but unable to apply  
524 credited toward the \* \* \* one-year requirement for the holding  
525 of \* \* \* a learner's permit.

526 ( \* \* \* c) An applicant for a Mississippi driver's  
527 license who, at the time of application, is at least \* \* \* sixteen  
528 (16) years of age and who has held a valid motor vehicle driver's



529 license issued by another state for at least six (6) months shall  
530 not be required to hold a \* \* \* learner's permit \* \* \* before  
531 being issued a driver's license.

532 (3) The commissioner shall ensure that the \* \* \* learner's  
533 permit \* \* \* and driver's license issued under this article are  
534 clear, distinct and easily distinguishable from one another.

535 **SECTION 3.** Section 63-1-21, Mississippi Code of 1972, as  
536 amended by House Bill No. 550, 2021 Regular Session, is amended as  
537 follows:

538 63-1-21. (1) To obtain a new or original Class R \* \* \* or  
539 Class D \* \* \* license, every applicant other than a person holding  
540 a valid out-of-state license shall first obtain a \* \* \* learner's  
541 permit, successfully complete the examination provided for in  
542 Section 63-1-33, and pay the \* \* \* learner's permit fee and  
543 examination fee prescribed in Section 63-1-43.

544 (2) A \* \* \* learner's permit entitles the holder, if the  
545 permit is in his immediate possession, to drive a motor vehicle  
546 other than a motorcycle on the highways of the State of  
547 Mississippi only when accompanied by a licensed operator who is at  
548 least twenty-one (21) years of age and who is actually occupying  
549 the seat beside the driver. A \* \* \* learner's permit may be  
550 issued to any applicant who is at least fifteen (15) years of age  
551 and shall be valid for a period of two (2) years from the date of  
552 issue.



553           (3) \* \* \* A regular license holder under the age of eighteen  
554 (18) shall be allowed unsupervised driving from 6:00 a.m. to 10:00  
555 p.m. Sunday through Thursday and 6:00 a.m. to 11:30 p.m. Friday  
556 and Saturday, and \* \* \* shall be allowed unsupervised driving any  
557 time for a person traveling directly to or from work or other  
558 educational or extracurricular activity. At all other times \* \* \*  
559 for the first six (6) months as a regular license holder, the  
560 regular license holder under the age of eighteen (18) must be  
561 supervised by a parent, guardian or other person aged twenty-one  
562 (21) years or older who holds a valid driver's license under this  
563 article and who is actually occupying the seat beside the driver.

564       \* \* \*

565           **SECTION 4.** Section 63-11-25, Mississippi Code of 1972, is  
566 amended as follows:

567           63-11-25. If the forfeiture, suspension or denial of  
568 issuance is sustained by the Commissioner of Public Safety, or his  
569 duly authorized agent pursuant to subsection (1) of Section  
570 63-11-23, upon such hearing, the person aggrieved may file within  
571 ten (10) days after the rendition of such decision a petition in  
572 the circuit or county court having original jurisdiction of the  
573 violation for review of such decision and such hearing upon review  
574 shall proceed as a trial de novo before the court without a jury.  
575 The petition shall be served upon the Attorney General and the  
576 Commissioner of Public Safety. Provided further, that no such



577 party shall be allowed to exercise the driving privilege while any  
578 such appeal is pending.

579 **SECTION 5.** Subject to available appropriations, the  
580 Commissioner of Public Safety shall establish an alternative state  
581 identification card that does not conflict with the requirements  
582 of the federal Real ID Act of 2005, except that this card shall  
583 not require proof of domicile for persons who do not have a  
584 domicile to list.

585 **SECTION 6.** There is created in the State Treasury a special  
586 fund, to be known as the "Electric Vehicle Infrastructure Fund,"  
587 into which shall be deposited any federal monies that are made  
588 available for the establishment of electric vehicle infrastructure  
589 in the state. Any interest earned on the special fund shall be  
590 credited to the special fund and shall not be paid into the State  
591 General Fund. Any monies remaining in the special fund at the end  
592 of a fiscal year shall not lapse into the State General Fund.

593 **SECTION 7.** Section 45-33-43, Mississippi Code of 1972, as  
594 amended by House Bill No. 550, 2021 Regular Session, is amended as  
595 follows:

596 45-33-43. At the time a person surrenders a driver's license  
597 from another jurisdiction or makes an application for a driver's  
598 license, temporary driving permit, \* \* \* commercial driver's  
599 license or identification card issued under Section 45-35-3, the  
600 department shall provide the applicant with written information on  
601 the registration requirements of this chapter and shall require





602 written acknowledgment by the applicant of receipt of the  
603 notification.

604         **SECTION 8.** Section 63-1-5, Mississippi Code of 1972, as  
605 amended by House Bill No. 550, 2021 Regular Session, is amended as  
606 follows:

607             63-1-5. (1) (a) No person shall drive or operate a motor  
608 vehicle or an autocycle as defined in Section 63-3-103 upon the  
609 highways of the State of Mississippi without first securing an  
610 operator's license to drive on the highways of the state, unless  
611 specifically exempted by Section 63-1-7.

612                     (b) The types of operator's licenses are:

613                             (i) Class R;

614                             (ii) Class D;

615                             (iii) Class A, B or C commercial license governed  
616 by Article 5 of this chapter; and

617         \* \* \*

618                             ( \* \* \*iv) Interlock-restricted license as  
619 prescribed in Section 63-11-31.

620             (2) (a) Every person who makes application for an original  
621 license or a renewal license to operate any single vehicle with a  
622 gross weight rating of less than twenty-six thousand one (26,001)  
623 pounds or any vehicle towing a vehicle with a gross vehicle weight  
624 rating not in excess of ten thousand (10,000) pounds other than  
625 vehicles included in Class C, vehicles which require a special  
626 endorsement, or to operate a vehicle as a common carrier by motor



627 vehicle, taxicab, passenger coach, dray, contract carrier or  
628 private commercial carrier as defined in Section 27-19-3, other  
629 than those vehicles for which a Class A, B or C license is  
630 required under Article 5 of this chapter, may, in lieu of the  
631 Class R regular driver's license, apply for and obtain a Class D  
632 driver's license. The fee for the issuance of a Class D driver's  
633 license shall be as set forth in Section 63-1-43 and the Class D  
634 license shall be valid for the term prescribed in Section 63-1-47.  
635 Except as required under Article 5 of this chapter, no driver of a  
636 pickup truck shall be required to have a Class D or a commercial  
637 license regardless of the purpose for which the pickup truck is  
638 used.

639 (b) Persons operating vehicles listed in paragraph (a)  
640 of this subsection for private purposes or in emergencies need not  
641 obtain a Class D license.

642 (3) An interlock-restricted license allows a person to drive  
643 only a motor vehicle equipped with an ignition-interlock device.

644 (4) A person who violates this section is guilty of a  
645 misdemeanor and, upon conviction, may be punished by imprisonment  
646 for not less than two (2) days nor more than six (6) months, by a  
647 fine of not less than Two Hundred Dollars (\$200.00) nor more than  
648 Five Hundred Dollars (\$500.00), or both.

649 **SECTION 9.** Section 63-1-6, Mississippi Code of 1972, is  
650 amended as follows:



651           63-1-6. (1) Unless exempted under Section 63-1-7 or Section  
652 63-1-6.1, no person shall drive or operate a motorcycle, except  
653 for an autocycle as defined in Section 63-3-103, upon the highways  
654 of the State of Mississippi without first securing an operator's  
655 license with a motorcycle endorsement upon it.

656           (2) (a) A motorcycle endorsement may be issued to any  
657 person who holds a valid Mississippi driver's license and meets  
658 the other requirements for a motorcycle endorsement contained in  
659 this chapter.

660           (b) Every applicant for a motorcycle endorsement shall  
661 first obtain a temporary motorcycle permit, successfully complete  
662 the examination provided in Section 63-1-33, and pay the temporary  
663 motorcycle permit fee and examination fee prescribed in Section  
664 63-1-43. Applicants for a temporary motorcycle permit shall:

665                   (i) Be at least fifteen (15) years of age;

666                   (ii) Operate a motorcycle only under the direct  
667 supervision of a person at least twenty-one (21) years of age who  
668 possesses either a valid driver's or operator's license with a  
669 motorcycle endorsement or a valid restricted motorcycle operator's  
670 license;

671                   (iii) Be prohibited from transporting a passenger  
672 on a motorcycle;

673                   (iv) Be prohibited from operating a motorcycle  
674 upon any controlled access highway; and



675 (v) Be prohibited from operating a motorcycle  
676 during the hours of 6:00 p.m. through 6:00 a.m.

677 Temporary motorcycle driving permits shall be valid for the  
678 same period of time and may be renewed upon the same conditions  
679 as \* \* \* learner's permits issued under Section 63-1-21.

680 **SECTION 10.** Section 63-1-10.1, Mississippi Code of 1972, as  
681 amended by House Bill No. 550, 2021 Regular Session, is amended as  
682 follows:

683 63-1-10.1. A school superintendent or designee shall report  
684 to the Department of Education on a schedule determined by the  
685 State Board of Education when a student under eighteen (18) years  
686 of age who has been issued a driver's license \* \* \* or temporary  
687 learning permit has been coded as a "dropout" as defined by the  
688 State Board of Education. The Department of Education will  
689 provide notification to the Department of Public Safety of those  
690 students under eighteen (18) years of age who have obtained a  
691 driver's license \* \* \* or temporary learning permit and have been  
692 coded by the local school district as a "dropout" upon  
693 verification that prior written parental consent for the release  
694 of educational records has been obtained in compliance with the  
695 Family Educational Rights and Privacy Act of 1972, as amended, 20  
696 USCS Section 1232.

697 **SECTION 11.** Section 63-1-23, Mississippi Code of 1972, as  
698 amended by House Bill No. 550, 2021 Regular Session, is amended as  
699 follows:



700           63-1-23. The application of any person under the age of  
701   seventeen (17) years for a temporary driving permit \* \* \* or  
702   license issued pursuant to this article shall be signed and  
703   verified before a person authorized to administer oaths by both  
704   the father and mother of the applicant, if both are living and  
705   have custody of him, or in the event neither parent is living then  
706   by the person or guardian having such custody or by an employer of  
707   him, or in the event there is no guardian or employer then by any  
708   other responsible person who is willing to assume the obligation  
709   imposed under Section 63-1-25 upon a person signing the  
710   application of a minor.

711           **SECTION 12.** Section 63-1-33, Mississippi Code of 1972, is  
712   amended as follows:

713           63-1-33. (1) Except as otherwise provided under subsections  
714   (6) and (7) of this section, it shall be the duty of the license  
715   examiner, when application is made for an operator's license  
716   or \* \* \* learner's permit, to test the applicant's ability to read  
717   and understand road signs and to give the required signals as  
718   adopted by the National Advisory Committee on Uniform Traffic  
719   Control Devices and the American Association of Motor Vehicle  
720   Administrators.

721           (2) Except as otherwise provided under subsections (6) and  
722   (7) of this section, the commissioner shall have prepared and  
723   administer a test composed of at least ten (10) questions relating  
724   to the safe operation of a motor vehicle and testing the



725 applicant's knowledge of the proper operation of a motor vehicle.  
726 Every examination shall ensure adequate knowledge on the part of  
727 the applicant as to school bus safety requirements.

728 (3) Prior to the administration of the test, the license  
729 examiner shall inspect the horn, lights, brakes, vehicle  
730 registration and proof of liability coverage of the motor vehicle  
731 which the applicant expects to operate while being tested, and if  
732 he finds that any of the aforementioned items are deficient, no  
733 license or endorsement shall be issued to the applicant until same  
734 have been repaired.

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

739 (5) Except as otherwise provided by Section 63-1-6, when  
740 application is made for an original motorcycle endorsement, the  
741 applicant shall be required to pass a written test which consists  
742 of questions relating to the safe operation of a motorcycle and a  
743 skill test similar to the "Motorcycle Operator Skill Test," which  
744 is endorsed by the American Association of Motor Vehicle  
745 Administrators. The commissioner may exempt any applicant from  
746 the skill test if the applicant presents a certificate showing  
747 successful completion of a course approved by the commissioner,  
748 which includes a similar examination of skills needed in the safe  
749 operation of a motorcycle.



750           (6) The Department of Public Safety shall accept the  
751 certification of successful completion of an individual's training  
752 in the knowledge and skills needed for the proper and safe  
753 operation of a motor vehicle from a driver education and training  
754 program at a secondary school that meets the standards of the  
755 State Board of Education, in lieu of the department administering  
756 the examination of the individual for the purpose of obtaining a  
757 driver's license. The school may employ teachers duly certified  
758 by the Department of Education to teach in such a program. In  
759 addition, off-duty members of the Mississippi Highway Safety  
760 Patrol shall be authorized to teach in such a program without  
761 having to obtain a teaching certificate from the Department of  
762 Education. Instructors will be considered employees of the  
763 school, not of the Driver License Examining Bureau. The  
764 commissioner and the State Board of Education shall jointly  
765 promulgate rules and regulations for the administration of this  
766 subsection.

767           (7) The commissioner shall develop an affidavit whereby a  
768 parent, teacher or guardian may certify that he or she has  
769 witnessed a student operate a motor vehicle for at least fifty  
770 (50) hours and attest to \* \* \* the student's proficiency in the  
771 proper and safe operation of a motor vehicle and the Department of  
772 Public Safety shall accept such in lieu of a skills test conducted  
773 by the department.



774           **SECTION 13.** Section 63-1-35, Mississippi Code of 1972, as  
775 amended by House Bill No. 550, 2021 Regular Session, is amended as  
776 follows:

777           63-1-35. (1) The Commissioner of Public Safety shall  
778 prescribe the form of license issued pursuant to this article  
779 which shall, among other features, include a driver's license  
780 number assigned by the Department of Public Safety. A licensee  
781 shall list his social security number with the department which  
782 shall cross-reference the social security number with the driver's  
783 license number for purposes of identification. Additionally, each  
784 license shall bear a full-face color photograph of the licensee in  
785 such form that the license and the photograph cannot be separated.  
786 The photograph shall be taken so that one (1) exposure will  
787 photograph the applicant and the application simultaneously on the  
788 same film. The department shall use a process in the issuance of  
789 a license with a color photograph that shall prevent as nearly as  
790 possible any alteration, counterfeiting, duplication,  
791 reproduction, forging or modification of the license or the  
792 superimposition of a photograph without ready detection. The  
793 photograph shall be replaced by the department at the time of  
794 renewal. Drivers' licenses, including photographs appearing  
795 thereon, may be renewed by electronic means according to rules and  
796 regulations promulgated by the commissioner in conformity to  
797 Section 27-104-33.





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

803 (3) Any new, renewal or duplicate driver's license,  
804 temporary driving permit \* \* \* or commercial driver's license  
805 issued to a person required to register as a sex offender pursuant  
806 to Section 45-33-25 shall bear a designation identifying the  
807 licensee or permittee as a sex offender.

808 (4) The commissioner is authorized to provide the new,  
809 renewal or duplicate driver's license, temporary driving  
810 permit \* \* \* or commercial driver's license to any honorably  
811 discharged veteran as defined in Title 38 of the United States  
812 Code, and such license or permit shall exhibit the letters "Vet"  
813 or any other mark identifying the person as a veteran. The  
814 veteran requesting the "Vet" designation shall present his DD-214  
815 or equivalent document that includes a notation from the State  
816 Veterans Affairs Board that the applicant is a veteran.

817 (5) Not later than July 1, 2021, the commissioner shall  
818 develop and implement a driver's license or driving permit in  
819 electronic format as an additional option for license or permit  
820 holders. Acceptable electronic formats include display of  
821 electronic images on a cellular phone or any other type of  
822 electronic device.



823           **SECTION 14.** Section 63-1-37, Mississippi Code of 1972, is  
824 amended as follows:

825           63-1-37. If a license or \* \* \* learner's permit issued under  
826 the provisions of this article is lost or destroyed, the licensee  
827 may obtain a duplicate copy by paying the fee prescribed in  
828 Section 63-1-43. The license or permit shall be marked  
829 "Duplicate."

830           **SECTION 15.** Section 63-1-43, Mississippi Code of 1972, as  
831 amended by House Bill No. 550, 2021 Regular Session, is amended as  
832 follows:

833           63-1-43. (1) The commissioner shall charge and collect the  
834 following fees:

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

837           Class R original or renewal four-year license  
838 authorized in Section 63-1-5 .....\$18.00

839           Class R original or renewal eight-year license  
840 authorized in Section 63-1-5 .....\$36.00

841           Class D original or renewal four-year license  
842 authorized in Section 63-1-47 .....\$23.00

843           Class D original or renewal eight-year license  
844 authorized in Section 63-1-47 .....\$46.00

845           Four-year Identification Card authorized in  
846 Section 45-35-7 .....\$11.00

847           Eight-year Identification Card authorized in



848 Section 45-35-7 .....\$22.00  
849 Eight-year Identification Card for the blind  
850 authorized in Section 45-35-7 .....\$11.00  
851 Four-year Disability Identification Card authorized in  
852 Section 45-35-53 .....\$11.00  
853 \* \* \* Learner's Permit authorized in  
854 Section 63-1-21 .....\$ 1.00  
855 Duplicate Identification Card or Disability  
856 Identification Card .....\$ 5.00  
857 \* \* \*  
858 Duplicate Class R or Class D license  
859 authorized in Section 63-1-37 .....\$ 5.00  
860 Class A, B or C Commercial driver's license  
861 authorized in Section 63-1-208 .....\$48.00  
862 CDL Learner's Permit authorized in Section 63-1-208....\$10.00  
863 Duplicate CDL or CDL learner's permit .....\$ 5.00  
864 Ignition-Interlock-Restricted License  
865 authorized in Section 63-11-31 .....\$50.00  
866 (b) Driver services fees to which the card stock fee  
867 authorized in Section 45-1-21 is not added:  
868 Temporary Motorcycle Permit .....\$ 1.00  
869 Four-year or eight-year Motorcycle Endorsement.....\$ 5.00  
870 Late Renewal Fee .....\$ 1.00  
871 Four-year Identification Card upon medical reason for  
872 surrender of a driver's license as authorized in



873	Section 45-35-7 (one (1) time only) .....	No fee
874	Hazardous Materials Background Check (federal) .....	\$63.00
875	Hazardous Materials Background Check (state) .....	\$37.00
876	CDL Application Fee .....	\$25.00
877	CDL Endorsements:	
878	Tanker Endorsement .....	\$ 5.00
879	Doubles/Triples Endorsement .....	\$ 5.00
880	Passenger Endorsement .....	\$ 5.00
881	Hazardous Materials Endorsement .....	\$ 5.00
882	School Bus Endorsement .....	\$ 5.00

883           (c) In addition to the fees required in this section,  
884 an applicant may contribute an additional One Dollar (\$1.00) which  
885 shall be deposited into the Statewide Litter Prevention Fund. The  
886 applicant shall be informed that he may contribute an additional  
887 One Dollar (\$1.00) which shall be deposited into the Statewide  
888 Litter Prevention Fund and shall be expended solely for the  
889 purpose of funding litter prevention projects or litter education  
890 programs, as recommended by the Statewide Litter Prevention  
891 Program of Keep Mississippi Beautiful, Inc.

892           (d) Starting January 1, 2021, for any original or  
893 renewal license for which the fee is greater than Ten Dollars  
894 (\$10.00), if the applicant brings all required documentation but  
895 does not receive his or her license within two and one-half  
896 (2-1/2) hours of entering and remaining at the license station,



897 Ten Dollars (\$10.00) shall be deducted from the total amount owed  
898 for the license.

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

901 **SECTION 16.** Section 63-1-47, Mississippi Code of 1972, as  
902 amended by House Bill No. 550, 2021 Regular Session, is amended as  
903 follows:

904 63-1-47. (1) (a) Except as otherwise provided in this  
905 section, each applicant for an original or renewal Class R or  
906 Class D license issued pursuant to this article, who is entitled  
907 to issuance of same, shall be issued a four-year license or an  
908 eight-year license, at the option of the applicant, which will  
909 expire at midnight on the licensee's birthday and may be renewed  
910 any time within six (6) months before the expiration of the  
911 license upon application and payment of the required fee, unless  
912 required to be reexamined.

913 \* \* \*

914 ( \* \* \*b) The term of an ignition-interlock-restricted  
915 license issued under this article shall be four (4) years.

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

919 (3) (a) All applications by an operator under eighteen (18)  
920 years of age must be accompanied by documentation that the  
921 applicant is in compliance with the education requirements of



922 Section 63-1-9(1)(g), and the documentation used in establishing  
923 compliance must be dated no more than thirty (30) days before the  
924 date of application.

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

931 (c) The commissioner shall suspend the driver's  
932 license \* \* \* or \* \* \* learner's permit of a student under  
933 eighteen (18) years of age who has been reported by the Department  
934 of Education as required by Section 63-1-10.1, and shall give  
935 notice of the suspension to the licensee as provided in Section  
936 63-1-52(4). A school superintendent or designee may request that  
937 the driver's license \* \* \* or \* \* \* learner's permit that has been  
938 suspended under the provisions of this subsection be reinstated  
939 after the student has successfully completed nine (9) weeks of  
940 school attendance without an unlawful absence.

941 (4) (a) Any original or renewal license issued under this  
942 chapter to a person who is not a United States citizen shall  
943 expire four (4) years from the date of issuance or on the  
944 expiration date of the applicant's authorized stay in the United  
945 States, whichever is the lesser period of time, and may be  
946 renewed, if the person is otherwise qualified to renew the



947 license, within thirty (30) days of expiration. The fee for any  
948 such license and for renewal shall be as prescribed in Section  
949 63-1-43.

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

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

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

956 (iii) Has conditional permanent residence status  
957 in the United States;

958 (iv) Has an approved application for asylum in the  
959 United States or has entered into the United States in refugee  
960 status;

961 (v) Has a valid, unexpired nonimmigrant visa or  
962 nonimmigrant visa status for entry into or lawful presence in the  
963 United States;

964 (vi) Has a pending application for asylum in the  
965 United States;

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

968 (viii) Has approved deferred-action status;

969 (ix) Has a pending application for adjustment of  
970 status to that of an alien lawfully admitted for permanent



971 residence in the United States or conditional permanent resident  
972 status in the United States; or

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

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

981 **SECTION 17.** This act shall take effect and be in force from  
982 and after passage.

