

By: Senator(s) DeBar, Simmons (12th), Tate

To: Education

SENATE BILL NO. 2695
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 37-25-3, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE SCHOOL BOARD OF ANY SCHOOL DISTRICT MAINTAINING A
3 SECONDARY SCHOOL SHALL ESTABLISH AND MAINTAIN DRIVER EDUCATION AND
4 TRAINING PROGRAMS FOR PUPILS ENROLLED IN THE SECONDARY SCHOOLS IN
5 THAT DISTRICT; TO SET CERTAIN REQUIREMENTS FOR DRIVER EDUCATION
6 COURSES; TO AMEND SECTION 37-25-5, MISSISSIPPI CODE OF 1972, TO
7 PROVIDE THAT THE STATE SUPERINTENDENT OF EDUCATION AND THE
8 COMMISSIONER OF PUBLIC SAFETY SHALL JOINTLY PREPARE AND RECOMMEND
9 TO THE STATE BOARD OF EDUCATION, THE SCOPE OF DRIVER EDUCATION AND
10 TRAINING PROGRAMS IN SECONDARY SCHOOLS; TO AMEND SECTION 37-25-7,
11 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DRIVER'S EDUCATION
12 STUDENT SHALL NOT BE REQUIRED TO POSSESS A LEARNER'S PERMIT OR
13 DRIVER'S LICENSE WHILE THE STUDENT IS UNDER THE DIRECT SUPERVISION
14 OR AN INSTRUCTOR; TO DELETE CERTAIN FEES THAT THE DEPARTMENT OF
15 PUBLIC SAFETY COULD CHARGE FOR A LEARNER'S PERMIT; TO CREATE NEW
16 SECTION 37-25-8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UPON
17 SATISFACTORY COMPLETION OF A DRIVER'S EDUCATION AND TRAINING
18 PROGRAM, A DRIVER'S EDUCATION STUDENT SHALL BE ISSUED A
19 CERTIFICATION OF COMPLETION AND COPY OF SAID CERTIFICATION SHALL
20 BE DELIVERED TO THE DRIVER SERVICE BUREAU OF THE DEPARTMENT OF
21 PUBLIC SAFETY; TO CREATE NEW SECTION 37-25-14, MISSISSIPPI CODE OF
22 1972, TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL REPORT
23 TO THE DEPARTMENT OF EDUCATION ANNUAL STATISTICS REGARDING CRASH
24 AND FATALITY DATA FOR THE STATE OF MISSISSIPPI AND NATIONALLY,
25 INCLUDING, BUT NOT LIMITED TO, STATISTICS INVOLVING TEENAGE
26 DRIVERS; TO AMEND SECTION 63-1-9, MISSISSIPPI CODE OF 1972, TO
27 PROVIDE CERTAIN PROVISIONS RELATED TO DRIVER'S LICENSE TRAINING
28 PROGRAMS; AND FOR RELATED PURPOSES.

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

30 **SECTION 1.** Section 37-25-3, Mississippi Code of 1972, is
31 amended as follows:



32 37-25-3. (1) The school board of any school district
33 maintaining a secondary school which includes any of the grades
34 nine (9) through twelve (12) inclusive, * * * shall establish and
35 maintain driver education and training programs for pupils
36 enrolled in the day secondary schools in that district.

37 (2) The course of instruction for driver education shall
38 include both classroom and behind-the-wheel driver education
39 course experience. The classroom instruction and behind-the-wheel
40 instruction shall be integrated, relate to each other, and meet
41 the following requirements:

42 (a) Each student shall receive not less than
43 twenty-four (24) hours of classroom instruction.

44 (b) Classroom instruction shall be scheduled to occur
45 as follows:

46 (i) Classroom instruction shall occur not more
47 than two (2) hours per day;

48 (ii) Classroom instruction shall occur over the
49 course of three (3) or more weeks;

50 (iii) Classroom instruction of four (4) or more
51 hours shall be received before the student begins to receive
52 behind-the-wheel instruction;

53 (iv) Classroom instruction shall include not less
54 than one (1) hour of information concerning the laws pertaining to
55 bicycles, motorcycles and other vulnerable roadway users,
56 including pedestrians, and shall emphasize awareness of their



57 operation on the streets, roads and highways of this state. The
58 laws of this state pertaining to awareness of bicycles,
59 motorcycles, and other vulnerable roadway users, including
60 pedestrians, shall also be incorporated into other subject areas
61 of the curriculum where appropriate;

62 (v) Classroom instruction shall include
63 information concerning the proper actions to be taken by a driver
64 during a traffic stop; and

65 (vi) Behind-the-wheel instruction of three (3) or
66 more hours shall be completed before classroom instruction
67 terminates.

68 (c) Each student shall receive not less than six (6)
69 hours of behind-the-wheel instruction or substitute hours
70 permitted under this subsection. Behind-the-wheel instruction
71 shall be scheduled to occur as follows:

72 (i) A student shall receive not more than one (1)
73 hour of behind-the-wheel instruction per day;

74 (ii) Not more than one (1) student shall occupy
75 the front seat of the vehicle with the instructor; and

76 (iii) A driver education motor vehicle shall
77 contain not more than four (4) students during behind-the-wheel
78 instruction.

79 **SECTION 2.** Section 37-25-5, Mississippi Code of 1972, is
80 amended as follows:



81 37-25-5. The State Superintendent of Public Education and
82 the Commissioner of Public Safety shall jointly prepare and
83 recommend to the State Board of Education, and the board shall
84 adopt rules and regulations governing the establishment, conduct
85 and scope of driver education and training programs in secondary
86 schools of this state, subject to the requirements and exceptions
87 set forth in this chapter. Said program shall be established and
88 maintained only in accordance with such rules and regulations.
89 The State Driver Education and Training Program in secondary
90 schools of this state shall include a program of study for
91 alcohol, drug and safety education as it pertains to driver and
92 highway safety and shall also include instruction relating to
93 organ and tissue donation and organ and tissue donation
94 procedures, and shall include instruction on the litter laws of
95 the state and the responsibilities of the driver and all
96 passengers to dispose of litter in the proper container. The
97 state driver education and training program in secondary schools
98 of this state shall also include a program of study, developed by
99 the Department of Public Safety under Section 37-25-29, on how
100 persons should properly respond when stopped by law enforcement
101 officers.

102 The State Superintendent of Public Education shall prepare an
103 administrative budget from funds made available under this chapter
104 which budget shall be approved by the State Board of Education.
105 It shall be the responsibility of the State Superintendent of



106 Public Education to administer this program in accordance with
107 rules and regulations established by the State Board of Education
108 and to appoint the necessary supervisors of safety education and
109 the necessary clerical personnel.

110 **SECTION 3.** Section 37-25-7, Mississippi Code of 1972, is
111 amended as follows:

112 37-25-7. Each school district providing driver training and
113 education shall prescribe regulations determining who can best
114 profit by and who shall receive instruction under this program. It
115 is provided, however, that any student receiving instruction under
116 this chapter shall be:

117 (a) Fourteen (14) years of age or above;

118 (b) A regularly enrolled student in the ninth, tenth,
119 eleventh or twelfth grade; and

120 (c) A full-time student in the respective secondary
121 school.

122 Any driver education student * * * shall not be required to
123 possess a learner's permit or driver's license while the student
124 is under the direct supervision of a driver education instructor
125 and is actually enrolled in an approved course of driver education
126 which consists of thirty (30) hours of classroom and six (6) hours
127 of dual driving instruction. * * *

128 **SECTION 4.** The following shall be codified as Section
129 37-25-8, Mississippi Code of 1972:



130 37-25-8. Upon satisfactory completion of a driver's
131 education and training program, a driver education student shall
132 be issued a certification of completion. A copy of said
133 certification shall be delivered to the Driver Service Bureau of
134 the Department of Public Safety.

135 **SECTION 5.** The following shall be codified as Section
136 37-25-14, Mississippi Code of 1972:

137 37-25-14. The Department of Public Safety shall report to
138 the Department of Education annual statistics regarding crash and
139 fatality data for the State of Mississippi and nationally,
140 including, but not limited to, statistics involving teenage
141 drivers.

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

144 63-1-9. (1) No driver's license or learner's permit shall
145 be issued pursuant to this article:

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

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

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



155 (d) To any person who would not be able by reason of
156 physical or mental disability to operate a motor vehicle on the
157 highways with safety. However, persons who have one (1) arm or
158 leg, or have arms or legs deformed, and are driving a car provided
159 with mechanical devices whereby the person is able to drive in a
160 safe manner over the highways, if otherwise qualified, shall
161 receive an operator's license the same as other persons.
162 Moreover, deafness shall not be a bar to obtaining a license.

163 (e) To any person as an operator who has previously
164 been adjudged to be afflicted with and suffering from any mental
165 disability and who has not at time of application been restored to
166 mental competency.

167 (f) To any * * * person under the age of eighteen (18)
168 years who does not at the time of application present a diploma or
169 other certificate of high school graduation or a general
170 educational development certificate issued to the person in this
171 state or any other state; or on whose behalf documentation has not
172 been received by the Department of Public Safety from that person
173 or a school official verifying that the person:

174 (i) Is enrolled and making satisfactory progress
175 in a course leading to a general educational development
176 certificate;

177 (ii) Is enrolled in school in this state or any
178 other state;



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

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

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

185 (h) To any person who has not previously obtained a
186 driver's license unless that person has successfully completed a
187 driver's education and training program certified by the State
188 Board of Education or the Department of Public Safety.

189 (2) All permits and licenses issued * * * to an individual
190 under the age of eighteen (18) shall be issued as follows:

191 (a) A learner's permit may be issued to any person who
192 is at least fifteen (15) years of age who otherwise meets the
193 requirements of this article.

194 (b) A driver's license may be issued to any person who
195 is at least sixteen (16) years of age who otherwise meets the
196 requirements of this article and who has held a learner's permit
197 for at least one (1) year without any conviction under Section
198 63-11-30 or of a moving violation and has completed a driver's
199 education and training program certified by the State Board of
200 Education or the Department of Public Safety. Any conviction
201 under Section 63-11-30 or of a moving violation shall restart the
202 one-year requirement for the holding of a learner's permit before
203 an applicant can qualify for a driver's license. An applicant for



204 a driver's license who was unable to make timely application in
205 2020 for a learner's permit, due to the closure of driver's
206 license offices owing to the Coronavirus Disease 2019 (COVID-19),
207 shall have the period in which he or she was eligible but unable
208 to apply credited toward the one-year requirement for the holding
209 of a learner's permit.

210 (c) An applicant for a Mississippi driver's license
211 who, at the time of application, is at least sixteen (16) years of
212 age and who has held a valid motor vehicle driver's license issued
213 by another state for at least six (6) months shall not be required
214 to hold a learner's permit before being issued a driver's license.

215 (3) The commissioner shall ensure that the learner's permit
216 and driver's license issued under this article are clear, distinct
217 and easily distinguishable from one another.

218 **SECTION 7.** This act shall take effect and be in force from
219 and after July 1, 2024, and shall stand repealed on June 30, 2024.

