

By: Representative Burch

To: Judiciary B

HOUSE BILL NO. 1602

1 AN ACT TO AMEND SECTION 63-1-1, MISSISSIPPI CODE OF 1972, TO
2 REVISE PROVISIONS OF THE FORMER "HIGHWAY SAFETY PATROL AND
3 DRIVER'S LICENSE ACT OF 1938," TO RENAME THE PROGRAM AS THE
4 "DRIVER'S LICENSE ACT"; TO AMEND SECTION 63-1-3, MISSISSIPPI CODE
5 OF 1972, TO DEFINE THE TERM "SYSTEM OF RECORD"; TO AMEND SECTION
6 63-1-11, MISSISSIPPI CODE OF 1972, TO REMOVE JACKSON, MISSISSIPPI,
7 AS THE SPECIFIC LOCATION OF THE COMMISSIONER OF PUBLIC SAFETY'S
8 PLACE OF ADMINISTRATION; TO AMEND SECTION 63-1-15, MISSISSIPPI
9 CODE OF 1972, TO REQUIRE LICENSE EXAMINERS TO INPUT ALL
10 APPLICATIONS REJECTED OR APPROVED FOR LICENSURE INTO THE SYSTEM OF
11 RECORD; TO AMEND SECTION 63-1-16, MISSISSIPPI CODE OF 1972, TO
12 REMOVE THE REQUIREMENT FOR THE DRIVER SAFETY BUREAU'S WEBSITE TO
13 PROVIDE A LINK TO ACCESS A "WAIT ANYWHERE APPOINTMENT" OPTION FOR
14 APPLICANTS; TO AMEND SECTION 63-1-17, MISSISSIPPI CODE OF 1972, TO
15 REQUIRE THE COMMISSIONER TO KEEP A RECORD OF ALL ORDERS MAILED TO
16 HIM BY TRIAL JUDGES; TO AMEND SECTION 63-1-45, MISSISSIPPI CODE OF
17 1972, TO REQUIRE LICENSE EXAMINERS TO KEEP A RECORD OF ALL FUNDS
18 RECEIVED FROM APPLICANTS IN A DIGITAL RECORD OR ACCOUNTING SYSTEM
19 PRESCRIBED AND FURNISHED BY THE DEPARTMENT OF PUBLIC SAFETY; TO
20 AMEND SECTION 63-1-51, MISSISSIPPI CODE OF 1972, TO REMOVE THE
21 REQUIREMENT THAT COPIES OF THE ABSTRACT OF THE COURT RECORDS FOR
22 CONVICTIONS OF INDIVIDUALS FOR VIOLATIONS THAT EXCEED TEN DOLLARS
23 BE SENT SPECIFICALLY TO THE COMMISSIONER IN JACKSON, MISSISSIPPI;
24 TO AMEND SECTION 63-1-52, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR
25 ADDITIONAL MEANS OF NOTIFYING INDIVIDUALS' WHOSE DRIVER'S LICENSES
26 HAS BEEN SUSPENDED, REVOKED OR CANCELLED, INCLUDING IN WRITING BY
27 UNITED STATES FIRST CLASS MAIL OR NOTIFICATION MADE TO THE
28 PERSON'S DULY ISSUED MOBILE IDENTIFICATION; TO BRING FORWARD
29 SECTIONS 63-1-5, 63-1-6, 63-1-6.1, 63-1-7, 63-1-8, 63-1-9,
30 63-1-10, 63-1-10.1, 63-1-13, 63-1-19, 63-1-21, 63-1-23, 63-1-25,
31 63-1-27, 63-1-31, 63-1-33, 63-1-34.1, 63-1-35, 63-1-37, 63-1-39,
32 63-1-41, 63-1-43, 63-1-47, 63-1-49, 63-1-53, 63-1-55, 63-1-57,
33 63-1-58, 63-1-59, 63-1-60, 63-1-61, 63-1-63, 63-1-65, 63-1-67,
34 63-1-69, 63-1-71 AND 45-9-101, MISSISSIPPI CODE OF 1972, FOR THE



35 PURPOSE OF POSSIBLE AMENDMENTS; TO REPEAL SECTION 63-1-34,
36 MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE MISSISSIPPI AUTHORITY
37 FOR EDUCATIONAL TELEVISION TO PREPARE VIDEO TAPES OF INSTRUCTIONAL
38 MATERIALS TO BE LOANED BY THE COMMISSIONER OF PUBLIC SAFETY TO
39 ASSIST VISUALLY IMPAIRED APPLICANTS IN PREPARING FOR THE DRIVER'S
40 LICENSE EXAMINATION; AND FOR RELATED PURPOSES.

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

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

44 63-1-1. This article may be cited as the * * * Driver's
45 License * * * Act.

46 **SECTION 2.** Section 63-1-3, Mississippi Code of 1972, is
47 amended as follows:

48 63-1-3. The following words and phrases when used in this
49 article shall, for the purpose of such law, have the meanings
50 respectively ascribed to them in this section:

51 (a) The term "commissioner" means the Commissioner of
52 Public Safety of this state;

53 (b) The term "highway" means every way or place of
54 whatever nature open to the use of the public for the purpose of
55 vehicular travel, and shall include streets of municipalities;

56 (c) The term "operator" means any person in actual
57 physical control of a motor vehicle on the highway;

58 (d) The term "owner" means a person who holds the legal
59 title of a vehicle; in the event a vehicle is the subject of an
60 agreement for the conditional sale or lease thereof with the right
61 of purchase upon performance of the conditions stated in the
62 agreement and with an immediate right of possession vested in the



conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this article.

(e) The term "system of record" means the software database which maintains all documents related to the credentials issued by the Driver Services Bureau of the Mississippi Department of Public Safety.

SECTION 3. Section 63-1-11, Mississippi Code of 1972, is amended as follows:

63-1-11. The provisions of this article with reference to administration shall be under the supervision of the Commissioner of Public Safety * * *, who, if not otherwise specifically authorized, is hereby empowered to make and promulgate reasonable rules and regulations to carry out the provisions of this article.

SECTION 4. Section 63-1-15, Mississippi Code of 1972, is amended as follows:

63-1-15. The Commissioner of Public Safety shall be authorized to designate persons who may act as examiners for license or instruction permits. License examiners shall input into the system of record all applications rejected or approved in accordance with such rules and regulations as may be prescribed by the commissioner.

* * *



87 **SECTION 5.** Section 63-1-16, Mississippi Code of 1972, is
88 amended as follows:

89 63-1-16. (1) The Department of Public Safety shall, upon
90 request of the board of supervisors, furnish a Driver Service
91 Bureau public access computer at a location in each county seat to
92 access the Driver Service Bureau website. The county shall
93 furnish the Internet connectivity at the location for the Driver
94 Service Bureau public access computer.

95 (2) At each driver's license location in the state, there
96 shall be location signs prominently displayed providing for
97 required information for the various licenses, cards and other
98 services.

99 (3) On the Driver Services Bureau's website, there shall be
100 tutorial videos linked to online procedures to help clearly
101 illustrate how to use the website.

102 * * *

103 **SECTION 6.** Section 63-1-17, Mississippi Code of 1972, is
104 amended as follows:

105 63-1-17. As the license examiners file their statements
106 showing the serial numbers of licenses and temporary driving
107 permits issued pursuant to this article during the preceding
108 month, the commissioner shall keep a record of all licenses and
109 permits issued pursuant to this article by such examiners, a
110 record of all licenses and permits revoked, a record of all * * *
111 orders mailed to him by the trial judges, and such other



information that he deems necessary to carry out the provisions of this article.

SECTION 7. Section 63-1-45, Mississippi Code of 1972, is amended as follows:

63-1-45. (1) License examiners shall keep a complete record of all funds received from applicants upon * * * digital record or accounting systems as prescribed and furnished by the department. A receipt of the transactions shall be provided to the applicant. Application funds shall be subject to audit at any time. Upon submission, application forms shall be digitized and stored in the system of record.

(2) There shall be tendered with all applications for a temporary driving permit, temporary motorcycle driving permit, initial issuance of any license issued pursuant to this article, renewal licenses, duplicate licenses or any other services for which a fee is charged, the proper fee required by law by cash, certified check, money order or electronic payment as authorized under Section 27-104-33.

(3) The Commissioner of Public Safety shall deposit the amount of fees, together with all fees for duplicate licenses, permits, delinquent fees and reinstatement fees collected by him into the General Fund of the State Treasury, in accordance with the provisions of Section 45-1-23(2); however, Seven Dollars (\$7.00) of the fee derived from the fee charged for original and renewal operators' licenses imposed under Section 63-1-43(1) and



Four Dollars (\$4.00) of the fee derived from the fee charged for original and renewal Class D commercial drivers' licenses under Section 63-1-43(4) shall be deposited into a special fund that is created in the State Treasury. Monies in the fund may be expended upon legislative appropriation solely for the purchase by the Mississippi Highway Safety Patrol of patrol cars, communications equipment and weapons.

SECTION 8. Section 63-1-51, Mississippi Code of 1972, is amended as follows:

63-1-51. (1) It shall be the duty of the court clerk, upon conviction of any person holding a license issued pursuant to this article where the penalty for a traffic violation is as much as Ten Dollars (\$10.00), to mail a copy of abstract of the court record or provide an electronically or computer generated copy of abstract of the court record immediately to the commissioner * * *, showing the date of conviction, penalty, etc., so that a record of same may be made by the Department of Public Safety. The commissioner shall forthwith revoke the license of any person for a period of one (1) year upon receiving a duly certified record of each person's convictions of any of the following offenses when such conviction has become final:

(a) Manslaughter or negligent homicide resulting from the operation of a motor vehicle;

(b) Any felony in the commission of which a motor vehicle is used;



162 (c) Failure to stop and render aid as required under
163 the laws of this state in event of a motor vehicle accident
164 resulting in the death or personal injury of another;

165 (d) Perjury or the willful making of a false affidavit
166 or statement under oath to the department under this article or
167 under any other law relating to the ownership or operation of
168 motor vehicles; or

169 (e) Conviction, or forfeiture of bail not vacated, upon
170 three (3) charges of reckless driving committed within a period of
171 twelve (12) months.

172 (2) The commissioner shall revoke the license issued
173 pursuant to this article of any person convicted of negligent
174 homicide, in addition to any penalty now provided by law.

175 (3) In addition to the reasons specified in this section,
176 the commissioner shall be authorized to suspend the license issued
177 to any person pursuant to this article for being out of compliance
178 with an order for support, as defined in Section 93-11-153. The
179 procedure for suspension of a license for being out of compliance
180 with an order for support, and the procedure for the reissuance or
181 reinstatement of a license suspended for that purpose, and the
182 payment of any fees for the reissuance or reinstatement of a
183 license suspended for that purpose, shall be governed by Section
184 93-11-157 or 93-11-163, as the case may be. If there is any
185 conflict between any provision of Section 93-11-157 or 93-11-163



and any provision of this article, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 9. Section 63-1-52, Mississippi Code of 1972, is amended as follows:

63-1-52. (1) Whenever the Commissioner of Public Safety suspends, cancels or revokes the driver's license or driving privileges of any person, notice of the suspension, cancellation or revocation shall be given to such person by the commissioner, or his duly authorized agent, in the manner provided in subsection (2) of this section and at the time provided in subsection (3) of this section or in the manner and at the time provided in subsection (4) of this section.

(2) (a) Whenever a person's driver's license or driving privileges are suspended, revoked or cancelled in accordance with the Mississippi Driver License Compact Law, the Mississippi Implied Consent Law, the Mississippi Motor Vehicle Safety Responsibility Law or subsection (2)(c), (2)(d), (2)(e) or (2)(f) of Section 63-1-53, notice shall be given in writing, in any of the following manners:

* * * (i) By United States * * * first class mail; * * *

(ii) By personal service at the person's address as it appears on the driving record maintained by the Department of Public Safety or at the person's last-known address; * * *



(iii) By personal notice being given by any law enforcement officer of this state or any duly authorized agent of the Commissioner of Public Safety on forms prescribed and furnished by the Commissioner of Public Safety; or

(iv) * * * By notification made to the person's duly issued mobile identification.

(b) Whenever a person's driver's license or driving privileges are suspended, revoked or cancelled in accordance with the Mississippi Commercial Driver's License Law, the Youth Court Law, Chapter 23 of Title 43, Mississippi Code of 1972, Section 63-1-45, Section 63-1-51, subsection (2) (g) or (2) (h) of Section 63-1-53 or Section 63-9-25, notice shall be given in writing, by United States first class mail * * *.

(3) Notice shall be given at the following time:

(a) Before suspension, revocation or cancellation, whenever a person's driver's license or driving privileges are suspended, revoked or cancelled in accordance with the Mississippi Driver License Compact Law, the Mississippi Motor Vehicle Safety Responsibility Law or subsection (2) (c), (2) (d), (2) (e) or (2) (f) of Section 63-1-53.

(b) Unless otherwise specifically provided for by law, at the time of suspension, revocation or cancellation, whenever a person's driver's license or driving privileges are suspended, revoked or cancelled in accordance with the Mississippi Commercial Driver's License Law, the Mississippi Implied Consent Law, the



Youth Court Law, Chapter 23 of Title 43, Mississippi Code of 1972,
Section 63-1-45, Section 63-1-51, subsection (2)(g) or (2)(h) of
Section 63-1-53 * * * or Section 63-9-25.

(4) Whenever the Commissioner of Public Safety suspends,
revokes or cancels the driver's license or driving privileges of
any person in accordance with some provision of law other than a
provision of law referred to in subsections (2) and (3) of this
section, and the manner and time for giving notice is not provided
for in such law, then notice of such suspension, revocation or
cancellation shall be given in the manner and at the time provided
for under subsections (2)(b) and (3)(b) of this section.

SECTION 10. Section 63-1-5, Mississippi Code of 1972, is
brought forward as follows:

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

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

- (i) Class R;
- (ii) Class D;
- (iii) Class A, B or C commercial license governed
by Article 5 of this chapter; and
- (iv) Interlock-restricted license as prescribed in
Section 63-11-31.



(2) (a) Every person who makes application for an original license or a renewal license to operate any single vehicle with a gross weight rating of less than twenty-six thousand one (26,001) pounds or any vehicle towing a vehicle with a gross vehicle weight rating not in excess of ten thousand (10,000) pounds other than vehicles included in Class C, vehicles which require a special endorsement, or to operate a vehicle as a common carrier by motor vehicle, taxicab, passenger coach, dray, contract carrier or private commercial carrier as defined in Section 27-19-3, other than those vehicles for which a Class A, B or C license is required under Article 5 of this chapter, may, in lieu of the Class R regular driver's license, apply for and obtain a Class D driver's license. The fee for the issuance of a Class D driver's license shall be as set forth in Section 63-1-43 and the Class D license shall be valid for the term prescribed in Section 63-1-47. Except as required under Article 5 of this chapter, no driver of a pickup truck shall be required to have a Class D or a commercial license regardless of the purpose for which the pickup truck is used.

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

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



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

SECTION 11. Section 63-1-6, Mississippi Code of 1972, is brought forward as follows:

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

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

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

- (i) Be at least fifteen (15) years of age;
- (ii) Operate a motorcycle only under the direct supervision of a person at least twenty-one (21) years of age who possesses either a valid driver's or operator's license with a



309 motorcycle endorsement or a valid restricted motorcycle operator's
310 license;

311 (iii) Be prohibited from transporting a passenger
312 on a motorcycle;

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

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

317 Temporary motorcycle driving permits shall be valid for the
318 same period of time and may be renewed upon the same conditions as
319 learner's permits issued under Section 63-1-21.

320 **SECTION 12.** Section 63-1-6.1, Mississippi Code of 1972, is
321 brought forward as follows:

322 63-1-6.1. (1) No person shall be required to secure a
323 driver's license with a motorcycle endorsement upon it while
324 operating a motor scooter as defined in Section 63-3-103 provided
325 that:

326 (a) The person is not the owner of the motor scooter
327 and is only renting the scooter for a period of time not to exceed
328 forty-eight (48) hours.

329 (b) The person is operating the motor scooter within
330 the corporate limits of a municipality in which a university
331 campus is located or is immediately adjacent to, or within the
332 limits of, the university's campus.



(c) The person has been issued and has on their person a regular or commercial driver's license issued by the State of Mississippi or the state of their residence.

(2) Any scooter operated on the roads or highways of this state under this section shall not be operated:

(a) At a rate of speed greater than thirty (30) miles per hour;

(b) On a road which has a speed limit greater than thirty-five (35) miles per hour; or

(c) On any road or highway which is prohibited under Section 63-3-210.

SECTION 13. Section 63-1-7, Mississippi Code of 1972, is brought forward as follows:

63-1-7. No license issued pursuant to this article shall be required of:

(a) Any person while operating a motor vehicle for military purposes, if the person is a member of the United States Armed Forces or Reserves on active duty, a member of the National Guard on active duty or full-time National Guard duty, a National Guard military technician, or participating in part-time National Guard training.

(b) Any nonresident person who has in his immediate possession a valid license to drive a motor vehicle on the highways of his home state or country, issued to him by the proper authorities of his home state or country, or of any nonresident



person whose home state or country does not require the licensing of a person to operate a motor vehicle on the highways but does require him to be duly registered. Such person being eighteen (18) years of age or older may operate a motor vehicle in the state for a period of sixty (60) consecutive days without securing a license. However, any nonresident person operating a motor vehicle in this state shall be subject to all the provisions of this article, except as specified above.

(c) Any person while operating a road roller, road machinery or any farm tractor or implement of husbandry temporarily drawn, moved or propelled on the highways.

(d) Any engineer or motorman using tracks for road or street, though used in the streets.

(e) Any person while operating an electric personal assistive mobility device as defined in Section 63-3-103.

(f) A member of any active or reserve component branch of the United States of America Armed Forces, or a spouse or a dependent child not less than sixteen (16) years of age of a member of any active or reserve component branch of the United States of America Armed Forces, who has been licensed as a driver under a law requiring the licensing of drivers in his home state and who has in his immediate possession a valid driver's license issued to him in his home state shall be permitted without examination or license under this article to drive a motor vehicle on public roads, streets and highways of the State of Mississippi.



The provisions of this paragraph shall not be affected by the person's, spouse's or dependent child's ownership of a motor vehicle registered in the State of Mississippi.

SECTION 14. Section 63-1-8, Mississippi Code of 1972, is brought forward as follows:

63-1-8. The Commissioner of Public Safety is authorized to negotiate a mutual agreement between the Mississippi Department of Public Safety and the Republic of China (Taiwan), through the Ministry of Transportation and Communications represented by the Director General of the Taipei Economic and Cultural Office in Houston, Texas, for reciprocity in issuing driver's licenses to citizens of the State of Mississippi residing in the Republic of China (Taiwan) and to Taiwanese citizens residing in the State of Mississippi. The mutual agreement shall be written and signed by the commissioner and Director General.

SECTION 15. Section 63-1-9, Mississippi Code of 1972, is brought forward as follows:

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

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

(b) To any person whose license to operate a motor vehicle on the highways of Mississippi has been previously revoked or suspended by this state or any other state or territory of the



407 United States or the District of Columbia, if the revocation or
408 suspension period has not expired.

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

411 (d) To any person who would not be able by reason of
412 physical or mental disability to operate a motor vehicle on the
413 highways with safety. However, persons who have one (1) arm or
414 leg, or have arms or legs deformed, and are driving a car provided
415 with mechanical devices whereby the person is able to drive in a
416 safe manner over the highways, if otherwise qualified, shall
417 receive an operator's license the same as other persons.

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

419 (e) To any person as an operator who has previously
420 been adjudged to be afflicted with and suffering from any mental
421 disability and who has not at time of application been restored to
422 mental competency.

423 (f) To any person under the age of eighteen (18) years
424 who does not at the time of application present a diploma or other
425 certificate of high school graduation or a general educational
426 development certificate issued to the person in this state or any
427 other state; or on whose behalf documentation has not been
428 received by the Department of Public Safety from that person or a
429 school official verifying that the person:



430 (i) Is enrolled and making satisfactory progress
431 in a course leading to a general educational development
432 certificate;

433 (ii) Is enrolled in school in this state or any
434 other state;

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

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

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

441 (h) Beginning on July 1, 2027, to any person who has
442 not previously obtained a driver's license unless that person has
443 successfully completed a Driver Education and Training Program
444 certified by the State Board of Education or the Department of
445 Public Safety; provided, however, a person under the age of
446 eighteen (18) shall be able to receive a learner's permit as
447 otherwise provided in this article.

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

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

453 (b) A driver's license may be issued to any person who
454 is at least sixteen (16) years of age who otherwise meets the



requirements of this article and who has held a learner's permit for at least one (1) year without any conviction under Section 63-11-30 or of a moving violation. Any conviction under Section 63-11-30 or of a moving violation shall restart the one-year requirement for the holding of a learner's permit before an applicant can qualify for a driver's license.

(c) An applicant for a driver's license who was unable to make timely application for a learner's permit may have the period in which he or she was eligible but unable to apply due to a hardship credited toward the one-year requirement for the holding of a learner's permit. The Department of Public Safety shall set forth the criteria for which a hardship exception may be granted, at the discretion of the department, to any individual who has completed a Driver Education and Training Program certified by the Board of Education or the Department of Public Safety.

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

(e) In addition to the restrictions set forth in Section 63-1-21(3), the commissioner may establish rules, regulations and restrictions for the operation of a motor vehicle



479 during the first twelve (12) months that an individual under the
480 age of eighteen (18) possesses a license.

481 (f) Beginning July 1, 2026, the Department of Public
482 Safety shall establish a Driver Education and Training Program to
483 be taught throughout the state and made available for home school
484 students and adults who have not otherwise taken a driver's
485 education course. Upon completion of the course, each participant
486 shall be issued a Certificate of Completion, and a record of the
487 certificate shall be delivered to the Mississippi Driver Service
488 Bureau.

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

492 **SECTION 16.** Section 63-1-10, Mississippi Code of 1972, is
493 brought forward as follows:

494 63-1-10. (1) Upon the written request of a parent or
495 guardian of any applicant for a license under eighteen (18) years
496 of age, the school district in which the applicant is enrolled
497 shall submit documentation to the Department of Public Safety
498 verifying that the applicant is in compliance with Section
499 63-1-9(1)(g). The verification shall be signed by the school
500 principal or his designee, or, in the case of a home study
501 program, the parent, or the adult education supervisor of the
502 General Educational Development Program or his designee. If the
503 student is enrolled in a nonpublic school, the school principal or



his designee is encouraged to submit the verification on behalf of the student. Documentation of the applicant's enrollment status shall be submitted on a form designed by the State Department of Education that includes the written signed and notarized parent or guardian's consent authorizing the release of the applicant's attendance records to the Department of Public Safety, as approved by the Department of Public Safety, in a manner that insures the authenticity of the form and the information or signature contained thereon, including via facsimile. The forms required under this section to provide documentation shall be made available to all public high schools, private schools accredited by the State Board of Education, adult education supervisors at school board offices and, upon request, to others through the Department of Public Safety.

(2) Whenever an applicant or licensee who is under eighteen (18) years of age is unable to attend any school program due to acceptable circumstances, the school where the student last attended shall transmit documentation to the department to excuse such student from the provisions of Section 63-1-9(1)(g). The school principal or his designee shall determine whether nonattendance or absences are excused pursuant to Section 37-13-91. For purposes of this section, suspension or expulsion from school or incarceration in a correctional institution is not an acceptable circumstance for a person being unable to attend school.



(3) Any person denied a license for failure to satisfy the education requirements of Section 63-1-9(1)(g) shall have the right to file a request within thirty (30) days thereafter for a hearing before the Department of Public Safety to determine whether the person is entitled to a license or is subject to the cancellation of his license under the provisions of this section. The hearing shall be held within ten (10) days of the receipt by the department of the request. Appeal from the decision of the department may be taken under Section 63-1-31.

SECTION 17. Section 63-1-10.1, Mississippi Code of 1972, is brought forward as follows:

63-1-10.1. A school superintendent or designee shall report to the Department of Education on a schedule determined by the State Board of Education when a student under eighteen (18) years of age who has been issued a driver's license or temporary learning permit has been coded as a "dropout" as defined by the State Board of Education. The Department of Education will provide notification to the Department of Public Safety of those students under eighteen (18) years of age who have obtained a driver's license or temporary learning permit and have been coded by the local school district as a "dropout" upon verification that prior written parental consent for the release of educational records has been obtained in compliance with the Family Educational Rights and Privacy Act of 1974, as amended, 20 USCS Section 1232g.



SECTION 18. Section 63-1-13, Mississippi Code of 1972, is brought forward as follows:

63-1-13. The commissioner is hereby authorized and empowered to appoint a Director of the Driver Services Division who is a qualified elector of the State of Mississippi and who meets the qualifications set by the State Personnel Board for the position. Such director shall execute and furnish a bond in the amount of Ten Thousand Dollars (\$10,000.00) with a surety company authorized to do business in this state. The bond shall be conditioned on the faithful performance of his duties and be subject to the approval of the commissioner. The director shall have control and supervision of the Driver Services Division and shall be answerable to the commissioner in the performance of his duties.

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



assistants as may be needed to conduct the work of the bureau.
However, not later than July 1, 2021, the commissioner shall not
employ an active-service Highway Patrol Officer in the bureau.

SECTION 19. Section 63-1-19, Mississippi Code of 1972, is
brought forward as follows:

63-1-19. (1) (a) Every applicant for a license or permit
issued pursuant to this article, or for renewal of such license or
permit, shall file an application for such license, permit or
renewal, on a form provided by the Department of Public Safety,
with the commissioner or an official license examiner of the
department. All persons not holding valid, unexpired licenses
issued in this state shall be required to secure an original
license, except those specifically exempted from licensing under
Section 63-1-7. The application shall state the name, date of
birth, the social security number of the applicant unless the
applicant is not a United States citizen and does not possess a
social security number issued by the United States government,
sex, race, color of eyes, color of hair, weight, height and
residence address, and whether or not the applicant's privilege to
drive has been suspended or revoked at any time, and, if so, when,
by whom, and for what cause, and whether any previous application
by him has been denied, and whether he has any physical defects
which would interfere with his operating a motor vehicle safely
upon the highways.



603 (b) Every applicant for an original license shall show
604 proof of domicile in this state. The commissioner shall
605 promulgate any rules and regulations necessary to enforce this
606 requirement and shall prescribe the means by which an applicant
607 for an original license may show domicile in this state. Proof of
608 domicile shall not be required of applicants under eighteen (18)
609 years of age.

610 (c) Unless the applicant is not a United States citizen
611 and does not possess a social security number issued by the United
612 States government, each application or filing made under this
613 section shall include the social security number(s) of the
614 applicant in accordance with Section 93-11-64, Mississippi Code of
615 1972.

616 (2) No person who is illegally in the United States or
617 Mississippi shall be issued a license. The application of a
618 person who is not a United States citizen and who does not possess
619 a social security number issued by the United States government
620 shall state the name, date of birth, sex, race, color of eyes,
621 color of hair, weight, height and residence address, and whether
622 or not the applicant's privilege to drive has been suspended or
623 revoked at any time, and, if so, when, by whom, and for what
624 cause, and whether any previous application by him has been
625 denied, and whether he has any physical defects which would
626 interfere with his operating a motor vehicle safely upon the
627 highways. The commissioner shall adopt and promulgate such rules



628 and regulations as he deems appropriate requiring additional
629 documents, materials, information or physical evidence to be
630 provided by the applicant as may be necessary to establish the
631 identity of the applicant and that the applicant is not present in
632 the United States or the State of Mississippi illegally.

633 (3) Whenever a person who has applied for or who has been
634 issued a license or permit under this article moves from the
635 address listed in the application or on the permit or license, or
636 whenever the name of a licensee changes by marriage or otherwise,
637 such person, within thirty (30) days thereafter, shall notify, in
638 writing, the Department of Public Safety, Driver Services
639 Division, and inform the department of his or her previous address
640 and new address and of his or her former name and new name. The
641 department shall not change the name of a licensee or permittee on
642 his or her license or permit unless the applicant appears in
643 person at an office of the department and provides a certified
644 copy of his or her marriage license, court order, birth
645 certificate or divorce decree changing the licensee's or
646 permittee's name.

647 (4) (a) Any male who is at least eighteen (18) years of age
648 but less than twenty-six (26) years of age and who applies for a
649 permit or license or a renewal of a permit or license under this
650 chapter shall be registered in compliance with the requirements of
651 Section 3 of the Military Selective Service Act, 50 USCS Section
652 3802, as amended.



653 (b) The department shall forward in an electronic
654 format the necessary personal information of the applicant to the
655 Selective Service System. The applicant's submission of the
656 application shall serve as an indication that the applicant either
657 has already registered with the Selective Service System or that
658 he is authorizing the department to forward to the Selective
659 Service System the necessary information for registration. The
660 commissioner shall notify the applicant on, or as a part of, the
661 application that his submission of the application will serve as
662 his consent to registration with the Selective Service System, if
663 so required. The commissioner also shall notify any male
664 applicant under the age of eighteen (18) that he will be
665 registered upon turning age eighteen (18) as required by federal
666 law.

667 **SECTION 20.** Section 63-1-21, Mississippi Code of 1972, is
668 brought forward as follows:

669 63-1-21. (1) To obtain a new or original Class R or Class D
670 license, every applicant other than a person holding a valid
671 out-of-state license shall first obtain a learner's permit,
672 successfully complete the examination provided for in Section
673 63-1-33, and pay the learner's permit fee and examination fee
674 prescribed in Section 63-1-43.

675 (2) A learner's permit entitles the holder, if the permit is
676 in his immediate possession, to drive a motor vehicle other than a
677 motorcycle on the highways of the State of Mississippi only when



678 accompanied by a licensed operator who is at least twenty-one (21)
679 years of age and who is actually occupying the seat beside the
680 driver. A learner's permit may be issued to any applicant who is
681 at least fifteen (15) years of age and shall be valid for a period
682 of two (2) years from the date of issue.

683 (3) A regular license holder under the age of eighteen (18)
684 shall be allowed unsupervised driving from 6:00 a.m. to 10:00 p.m.
685 Sunday through Thursday and 6:00 a.m. to 11:30 p.m. Friday and
686 Saturday, and shall be allowed unsupervised driving any time for a
687 person traveling directly to or from work or other educational or
688 extracurricular activity. At all other times for the first six
689 (6) months as a regular license holder, the regular license holder
690 under the age of eighteen (18) must be supervised by a parent,
691 guardian or other person aged twenty-one (21) years or older who
692 holds a valid driver's license under this article and who is
693 actually occupying the seat beside the driver.

694 **SECTION 21.** Section 63-1-23, Mississippi Code of 1972, is
695 brought forward as follows:

696 63-1-23. The application of any person under the age of
697 seventeen (17) years for a temporary driving permit or license
698 issued pursuant to this article shall be signed and verified
699 before a person authorized to administer oaths by both the father
700 and mother of the applicant, if both are living and have custody
701 of him, or in the event neither parent is living then by the
702 person or guardian having such custody or by an employer of him,



or in the event there is no guardian or employer then by any other responsible person who is willing to assume the obligation imposed under Section 63-1-25 upon a person signing the application of a minor.

SECTION 22. Section 63-1-25, Mississippi Code of 1972, is brought forward as follows:

63-1-25. Except as otherwise provided in Section 63-1-27, any negligence or wilful misconduct of a minor under the age of seventeen years when driving a motor vehicle upon a highway shall be imputed to the person who has signed the application of such minor for a permit or license, which person shall be jointly or severally liable with such minor for any damages caused by such negligence or wilful misconduct.

SECTION 23. Section 63-1-27, Mississippi Code of 1972, is brought forward as follows:

63-1-27. Any person who has signed the application of a minor for a license may thereafter file with the commissioner a verified written request that the license of said minor so granted be canceled. Thereupon the commissioner shall cancel the license of said minor and the person who signed the application of such minor shall be relieved from the liability imposed under Section 63-1-25 by reason of having signed such application on account of any subsequent negligence or wilful misconduct of such minor in operating a motor vehicle.



727 **SECTION 24.** Section 63-1-31, Mississippi Code of 1972, is
728 brought forward as follows:

729 63-1-31. When a person is denied a license or any temporary
730 driving permit after filing the proper application, he shall have
731 the right within sixty (60) days thereafter to file a petition, in
732 the county or circuit court in the county wherein the application
733 was filed, praying for a hearing in the matter before the judge of
734 the court in which the application is presented. The judge is
735 hereby vested with jurisdiction to hear such matters forthwith
736 within termtime or during vacation, upon five (5) days' written
737 notice to the officer who refused to issue the license or any
738 temporary driving permit. The hearing shall be conducted at a
739 place as may suit the convenience of the court. On the hearing of
740 the petition, testimony may be taken, and the court shall render
741 judgment in the matter as it deems right and proper under the law
742 and evidence.

743 **SECTION 25.** Section 63-1-33, Mississippi Code of 1972, is
744 brought forward as follows:

745 63-1-33. (1) Except as otherwise provided under subsections
746 (6) and (7) of this section, it shall be the duty of the license
747 examiner, when application is made for an operator's license or
748 learner's permit, to test the applicant's ability to read and
749 understand road signs and to give the required signals as adopted
750 by the National Advisory Committee on Uniform Traffic Control



751 Devices and the American Association of Motor Vehicle
752 Administrators.

753 (2) Except as otherwise provided under subsections (6) and
754 (7) of this section, the commissioner shall have prepared and
755 administer a test composed of at least ten (10) questions relating
756 to the safe operation of a motor vehicle and testing the
757 applicant's knowledge of the proper operation of a motor vehicle.
758 Every examination shall ensure adequate knowledge on the part of
759 the applicant as to school bus safety requirements.

760 (3) Prior to the administration of the test, the license
761 examiner shall inspect the horn, lights, brakes, vehicle
762 registration and proof of liability coverage of the motor vehicle
763 which the applicant expects to operate while being tested, and if
764 he finds that any of the aforementioned items are deficient, no
765 license or endorsement shall be issued to the applicant until same
766 have been repaired.

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

771 (5) Except as otherwise provided by Section 63-1-6, when
772 application is made for an original motorcycle endorsement, the
773 applicant shall be required to pass a written test which consists
774 of questions relating to the safe operation of a motorcycle and a
775 skill test similar to the "Motorcycle Operator Skill Test," which



776 is endorsed by the American Association of Motor Vehicle
777 Administrators. The commissioner may exempt any applicant from
778 the skill test if the applicant presents a certificate showing
779 successful completion of a course approved by the commissioner,
780 which includes a similar examination of skills needed in the safe
781 operation of a motorcycle.

782 (6) The Department of Public Safety shall accept the
783 certification of successful completion of an individual's training
784 in the knowledge and skills needed for the proper and safe
785 operation of a motor vehicle from a driver education and training
786 program at a secondary school that meets the standards of the
787 State Board of Education, in lieu of the department administering
788 the examination of the individual for the purpose of obtaining a
789 driver's license. The school may employ teachers duly certified
790 by the Department of Education to teach in such a program. In
791 addition, off-duty members of the Mississippi Highway Safety
792 Patrol shall be authorized to teach in such a program without
793 having to obtain a teaching certificate from the Department of
794 Education. Instructors will be considered employees of the
795 school, not of the Driver License Examining Bureau. The
796 commissioner and the State Board of Education shall jointly
797 promulgate rules and regulations for the administration of this
798 subsection.

799 (7) The commissioner shall develop an affidavit whereby a
800 parent, teacher or guardian may certify that he or she has



witnessed a student operate a motor vehicle for at least fifty (50) hours and attest to the student's proficiency in the proper and safe operation of a motor vehicle and the Department of Public Safety shall accept such in lieu of a skills test conducted by the department.

SECTION 26. Section 63-1-34.1, Mississippi Code of 1972, is brought forward as follows:

63-1-34.1. (1) The Commissioner of Public Safety may issue a limited driver's license for persons using bioptic telescopic lenses. The license shall be valid for one (1) year from the date of issuance. The commissioner may require the reevaluation of a licensee before the reissuance of a limited driver's license.

(2) The commissioner shall prepare and administer a test for the central and peripheral vision of persons using bioptic telescopic lenses. If the person passes the test and is otherwise qualified, the person may receive a license under this section.

(3) The commissioner may issue a one-year driving rehabilitation permit subject to such restrictions as the commissioner may require.

(4) The fee for a license or permit issued under this section shall be the fee required for one-year licenses under Section 63-1-43, Mississippi Code of 1972.

(5) The commissioner may impose restrictions on any license or permit issued under this section and may issue rules and regulations governing such licenses and permits.



826 **SECTION 27.** Section 63-1-35, Mississippi Code of 1972, is
827 brought forward as follows:

828 63-1-35. (1) The Commissioner of Public Safety shall
829 prescribe the form of license issued pursuant to this article
830 which shall, among other features, include a driver's license
831 number assigned by the Department of Public Safety. A licensee
832 shall list his social security number with the department which
833 shall cross reference the social security number with the driver's
834 license number for purposes of identification. Additionally, each
835 license shall bear a full-face color photograph of the licensee in
836 such form that the license and the photograph cannot be separated.
837 The photograph shall be taken so that one (1) exposure will
838 photograph the applicant and the application simultaneously on the
839 same film. The department shall use a process in the issuance of
840 a license with a color photograph that shall prevent as nearly as
841 possible any alteration, counterfeiting, duplication,
842 reproduction, forging or modification of the license or the
843 superimposition of a photograph without ready detection. The
844 photograph shall be replaced by the department at the time of
845 renewal. Drivers' licenses, including photographs appearing
846 thereon, may be renewed by electronic means according to rules and
847 regulations promulgated by the commissioner in conformity to
848 Section 27-104-33.

849 (2) The commissioner shall prescribe the form of license
850 issued pursuant to this article to licensees who are not United



851 States citizens and who do not possess a social security number
852 issued by the United States government. The license of such
853 persons shall include a number and/or other identifying features.

854 (3) Any new, renewal or duplicate driver's license,
855 temporary driving permit or commercial driver's license issued to
856 a person required to register as a sex offender pursuant to
857 Section 45-33-25 shall bear a designation identifying the licensee
858 or permittee as a sex offender.

859 (4) The commissioner is authorized to provide the new,
860 renewal or duplicate driver's license, temporary driving permit or
861 commercial driver's license to any honorably discharged veteran as
862 defined in Title 38 of the United States Code, and such license or
863 permit shall exhibit the letters "Vet" or any other mark
864 identifying the person as a veteran. The veteran requesting the
865 "Vet" designation shall present his DD-214, Military Retiree
866 Identification Card, United States Department of Veterans Affairs
867 Medical Identification Card, United States Department of Veterans
868 Affairs Identification Card or National Guard Form NGB 22. The
869 veteran requesting the "Vet" designation may present his DD-214,
870 Military Retiree Identification Card, United States Department of
871 Veterans Affairs Medical Identification Card, United States
872 Department of Veterans Affairs Identification Card or National
873 Guard Form NGB 22 in person at the Mississippi Department of
874 Public Safety Driver's License Station.



875 (5) Not later than July 1, 2021, the commissioner shall
876 develop and implement a driver's license or driving permit in
877 electronic format as an additional option for license or permit
878 holders. Acceptable electronic formats include display of
879 electronic images on a cellular phone or any other type of
880 electronic device.

881 (6) If false documents are provided by an individual for
882 purposes of obtaining a veteran driver's license, such action
883 shall be considered fraudulent use of identity under Section
884 97-19-85, Mississippi Code of 1972, and shall be punishable, upon
885 conviction, as a felony pursuant to the provisions of that
886 section.

887 **SECTION 28.** Section 63-1-37, Mississippi Code of 1972, is
888 brought forward as follows:

889 63-1-37. If a license or learner's permit issued under the
890 provisions of this article is lost or destroyed, the licensee may
891 obtain a duplicate copy by paying the fee prescribed in Section
892 63-1-43. The license or permit shall be marked "Duplicate."

893 **SECTION 29.** Section 63-1-39, Mississippi Code of 1972, is
894 brought forward as follows:

895 63-1-39. No license issued pursuant to this article shall be
896 valid under the provisions of this article until it has been
897 signed by the applicant.

898 **SECTION 30.** Section 63-1-41, Mississippi Code of 1972, is
899 brought forward as follows:



900 63-1-41. Every licensee shall have the required license in
901 his immediate possession at all times when operating a motor
902 vehicle and shall display the same, upon demand of a justice court
903 judge, a peace officer or license examiner or other authorized
904 employee of the commissioner. However, no person charged with
905 violating this section shall be convicted if he produces in court
906 a license theretofore issued to him and valid at the time of his
907 arrest.

908 **SECTION 31.** Section 63-1-43, Mississippi Code of 1972, is
909 brought forward as follows:

910 63-1-43. (1) The commissioner shall charge and collect the
911 following fees:

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

914 Class R original or renewal four-year license
915 authorized in Section 63-1-5.....\$18.00
916 Class R original or renewal eight-year license
917 authorized in Section 63-1-5.....\$36.00
918 Class D original or renewal four-year license
919 authorized in Section 63-1-47.....\$23.00
920 Class D original or renewal eight-year license
921 authorized in Section 63-1-47.....\$46.00
922 Four-year Identification Card authorized in
923 Section 45-35-7.....\$11.00
924 Eight-year Identification Card authorized in



925 Section 45-35-7.....\$22.00
 926 Eight-year Identification Card for the blind
 927 authorized in Section 45-35-7.....\$11.00
 928 Four-year Disability Identification Card authorized in
 929 Section 45-35-53.....\$11.00
 930 Learner's Permit authorized in
 931 Section 63-1-21.....\$ 1.00
 932 Duplicate Identification Card or Disability
 933 Identification Card.....\$ 5.00
 934 Duplicate Class R or Class D license
 935 authorized in Section 63-1-37.....\$ 5.00
 936 Class A, B or C Commercial driver's license
 937 authorized in Section 63-1-208.....\$48.00
 938 CDL Learner's Permit authorized in Section 63-1-208.....\$10.00
 939 Duplicate CDL or CDL learner's permit.....\$ 5.00
 940 Ignition-Interlock-Restricted License
 941 authorized in Section 63-11-31.....\$50.00
 942 (b) Driver services fees to which the card stock fee
 943 authorized in Section 45-1-21 is not added:
 944 Temporary Motorcycle Permit.....\$ 1.00
 945 Four-year or eight-year Motorcycle Endorsement.....\$ 5.00
 946 Late Renewal Fee.....\$ 1.00
 947 Four-year Identification Card upon medical reason for
 948 surrender of a driver's license as authorized in
 949 Section 45-35-7 (one (1) time only).....No fee



950 Hazardous Materials Background Check (federal).....\$63.00
951 Hazardous Materials Background Check (state).....\$37.00
952 CDL Application Fee.....\$25.00
953 CDL Endorsements:
954 Tanker Endorsement.....\$ 5.00
955 Doubles/Triples Endorsement.....\$ 5.00
956 Passenger Endorsement.....\$ 5.00
957 Hazardous Materials Endorsement.....\$ 5.00
958 School Bus Endorsement.....\$ 5.00

959 (c) In addition to the fees required in this section,
960 an applicant may contribute an additional One Dollar (\$1.00) which
961 shall be deposited into the Statewide Litter Prevention Fund. The
962 applicant shall be informed that he may contribute an additional
963 One Dollar (\$1.00) which shall be deposited into the Statewide
964 Litter Prevention Fund and shall be expended solely for the
965 purpose of funding litter prevention projects or litter education
966 programs, as recommended by the Statewide Litter Prevention
967 Program of Keep Mississippi Beautiful, Inc.

968 (d) Starting January 1, 2021, for any original or
969 renewal license for which the fee is greater than Ten Dollars
970 (\$10.00), if the applicant brings all required documentation but
971 does not receive his or her license within two and one-half
972 (2-1/2) hours of entering and remaining at the license station,
973 Ten Dollars (\$10.00) shall be deducted from the total amount owed
974 for the license.



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

(3) Notwithstanding any provision of law to the contrary in this section, the commissioner shall waive the driver's license or learner's permit fee for any applicant in the custody of the Department of Child Protection Services.

SECTION 32. Section 63-1-47, Mississippi Code of 1972, is brought forward as follows:

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

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

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

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



1000 Section 63-1-9(1)(g), and the documentation used in establishing
1001 compliance must be dated no more than thirty (30) days before the
1002 date of application.

1003 (b) All applications by an operator under eighteen (18)
1004 years of age, if applicable, must be accompanied by documentation
1005 signed and notarized by the parent or guardian of the applicant
1006 and the appropriate school official, authorizing the release of
1007 the applicant's attendance records to the Department of Public
1008 Safety as required under Section 63-1-10.

1009 (c) The commissioner shall suspend the driver's license
1010 or learner's permit of a student under eighteen (18) years of age
1011 who has been reported by the Department of Education as required
1012 by Section 63-1-10.1, and shall give notice of the suspension to
1013 the licensee as provided in Section 63-1-52(4). A school
1014 superintendent or designee may request that the driver's license
1015 or learner's permit that has been suspended under the provisions
1016 of this subsection be reinstated after the student has
1017 successfully completed nine (9) weeks of school attendance without
1018 an unlawful absence.

1019 (4) (a) Any original or renewal license issued under this
1020 chapter to a person who is not a United States citizen shall
1021 expire four (4) years from the date of issuance or on the
1022 expiration date of the applicant's authorized stay in the United
1023 States, whichever is the lesser period of time, and may be
1024 renewed, if the person is otherwise qualified to renew the



1025 license, within thirty (30) days of expiration. The fee for any
1026 such license and for renewal shall be as prescribed in Section
1027 63-1-43.

1028 (b) Any applicant for an original or renewal license
1029 under this subsection (4) must present valid documentary evidence
1030 documenting that the applicant:

1031 (i) Is a citizen or national of the United States;

1032 (ii) Is an alien lawfully admitted for permanent
1033 or temporary residence in the United States;

1034 (iii) Has conditional permanent residence status
1035 in the United States;

1036 (iv) Has an approved application for asylum in the
1037 United States or has entered into the United States in refugee
1038 status;

1039 (v) Has a valid, unexpired nonimmigrant visa or
1040 nonimmigrant visa status for entry into or lawful presence in the
1041 United States;

1042 (vi) Has a pending application for asylum in the
1043 United States;

1044 (vii) Has a pending or approved application for
1045 temporary protected status in the United States;

1046 (viii) Has approved deferred-action status;

1047 (ix) Has a pending application for adjustment of
1048 status to that of an alien lawfully admitted for permanent



1049 residence in the United States or conditional permanent resident
1050 status in the United States; or

1051 (x) Has a valid employment authorization card
1052 issued by the United States Department of Homeland Security.

1053 (5) For any driver's license issued under this chapter, the
1054 Department of Public Safety shall send an email and text message
1055 notification of an upcoming driver's license expiration date to
1056 the known emails and phone numbers authorized by license holders
1057 for such notices not less than thirty (30) days before the
1058 expiration date of that license.

1059 **SECTION 33.** Section 63-1-49, Mississippi Code of 1972, is
1060 brought forward as follows:

1061 63-1-49. (1) An expired license issued pursuant to this
1062 article may be renewed at any time within sixty (60) months after
1063 the expiration date of the license upon application and payment of
1064 the required fee, and the payment of a delinquent fee prescribed
1065 in Section 63-1-43, in lieu of a driver examination, unless the
1066 holder of the expired license is required to be examined, or
1067 unless the department has reason to believe the licensee is no
1068 longer qualified to receive a license.

1069 (2) (a) Any person in the Armed Services of the United
1070 States, who holds a valid license issued pursuant to this chapter
1071 and is out of state due to military service at the time the
1072 license expires, may renew the license by mail or by online
1073 renewal services while out of state due to military service or at



1074 any time within ninety (90) days after being discharged from
1075 military service or upon returning to the state without payment of
1076 any delinquent fee or examination, unless the department has
1077 reason to believe that the licensee is no longer qualified to
1078 receive a license. The person shall make proof by affidavit of
1079 the fact of the person's current military service or of the time
1080 of discharge or return. The expiration of the license of a
1081 military person under the provisions of this paragraph (a) shall
1082 not affect the validity of the license, but the license shall
1083 continue to be valid and permit the person to operate a motor
1084 vehicle in this state for a period of ninety (90) days after
1085 discharge from military service or return to the state or until
1086 renewal of the license, whichever occurs first.

1087 (b) The provisions of paragraph (a) of this subsection
1088 (2) also apply to a dependent of a person in the Armed Services of
1089 the United States who is out of state due to military service if
1090 the dependent resides out of state with the Armed Services member
1091 and the license of the dependent expires during the family
1092 member's absence from the state. The Commissioner of Public
1093 Safety may adopt such rules and regulations under the
1094 Administrative Procedures Act as may be necessary to implement the
1095 provisions of this paragraph.

1096 (3) Any person holding a valid license issued pursuant to
1097 this article who is going overseas for two (2) to four (4) years
1098 and whose license will expire during the stay overseas may renew



1099 the license for four (4) years or eight (8) years before leaving.
1100 The person shall make proof by affidavit of the fact of the
1101 overseas travel.

1102 **SECTION 34.** Section 63-1-53, Mississippi Code of 1972, is
1103 brought forward as follows:

1104 63-1-53. (1) Upon failure of any person to pay timely any
1105 fine, fee or assessment levied as a result of any violation of
1106 this title, the clerk of the court shall give written notice to
1107 such person by United States first-class mail at his last known
1108 address advising such person that, if within ninety (90) days
1109 after such notice is deposited in the mail, the person has not
1110 paid the entire amount of all fines, fees and assessments levied,
1111 then the court will pursue collection as for any other delinquent
1112 payment, and shall be entitled to collection of all additional
1113 fees in accordance with subsection (4) of this section.

1114 (2) The commissioner is hereby authorized to suspend the
1115 license of an operator without preliminary hearing upon a showing
1116 by his records or other sufficient evidence that the licensee:

1117 (a) Has committed an offense for which mandatory
1118 revocation of license is required upon conviction except under the
1119 provisions of the Mississippi Implied Consent Law;

1120 (b) Has been involved as a driver in any accident
1121 resulting in the death or personal injury of another or serious
1122 property damage;



1123 (c) Is an habitually reckless or negligent driver of a
1124 motor vehicle;

1125 (d) Has been convicted with such frequency of serious
1126 offenses against traffic regulations governing the movement of
1127 vehicles as to indicate a disrespect for traffic laws and a
1128 disregard for the safety of other persons on the highways;

1129 (e) Is incompetent to drive a motor vehicle;

1130 (f) Has permitted an unlawful or fraudulent use of such
1131 license;

1132 (g) Has committed an offense in another state which if
1133 committed in this state would be grounds for suspension or
1134 revocation; or

1135 (h) Has committed a violation for which mandatory
1136 revocation of license is required upon conviction, entering a plea
1137 of nolo contendere to, or adjudication of delinquency, pursuant to
1138 the provisions of subsection (1) of Section 63-1-71.

1139 (3) Notice that a person's license is suspended or will be
1140 suspended under subsection (2) of this section shall be given by
1141 the commissioner in the manner and at the time provided for under
1142 Section 63-1-52, and upon such person's request, he shall be
1143 afforded an opportunity for a hearing as early as practicable, but
1144 not to exceed twenty (20) days after receipt of such request in
1145 the county wherein the licensee resides unless the department and
1146 the licensee agree that such hearing may be held in some other
1147 county. Upon such hearing the commissioner, or his duly



1148 authorized agent, may administer oaths and may issue subpoenas for
1149 the attendance of witnesses and the production of relevant books
1150 and papers and may require a reexamination of the licensee. Upon
1151 such hearing the commissioner shall either rescind any order of
1152 suspension or, good cause appearing therefor, may extend any
1153 suspension of such license or revoke such license.

1154 (4) If a licensee has not paid all cash appearance bonds
1155 authorized under Section 99-19-3 or all fines, fees or other
1156 assessments levied as a result of a violation of this title within
1157 ninety (90) days after receiving notice of the licensee's failure
1158 to pay all fines, fees or other assessments as provided in
1159 subsection (1) of this section, the court is authorized to pursue
1160 collection under Section 21-17-1(6) or 19-3-41(2) as for any other
1161 delinquent payment, and shall be entitled to collection of all
1162 additional fees authorized under those sections.

1163 **SECTION 35.** Section 63-1-55, Mississippi Code of 1972, is
1164 brought forward as follows:

1165 63-1-55. A trial judge, in his discretion, if the person so
1166 convicted or who has entered a plea of guilty for any traffic
1167 violation, except the offenses enumerated in paragraphs (a)
1168 through (e) of subsection (1) of Section 63-1-51 and violations of
1169 the Implied Consent Law and the Uniform Controlled Substances Law,
1170 is a minor and dependent upon and subject to the care, custody and
1171 control of his parents or guardian, may, in lieu of the penalties
1172 otherwise provided by law and the provision of said section,



1173 suspend such minor's driver's license by taking and keeping same
1174 in custody of the court for a period of time not to exceed ninety
1175 (90) days. The judge so ordering such suspension shall enter upon
1176 his docket "DEFENDANT'S DRIVER'S LICENSE SUSPENDED FOR _____ DAYS
1177 IN LIEU OF CONVICTION" and such action by the trial judge shall
1178 not constitute a conviction. The trial judge also may require the
1179 minor to successfully complete a defensive driving course approved
1180 by the judge as a condition of the suspension. Costs of court and
1181 penalty assessment for driver education and training program may
1182 be imposed in such actions within the discretion of the court.
1183 Should a minor appeal, in the time and manner as by law provided,
1184 the decision whereby his license is suspended, the trial judge
1185 shall then return said license to the minor and impose the fines
1186 and/or penalties that he would have otherwise imposed and same
1187 shall constitute a conviction.

1188 **SECTION 36.** Section 63-1-57, Mississippi Code of 1972, is
1189 brought forward as follows:

1190 63-1-57. Any person whose license issued pursuant to this
1191 article or driving privilege as a nonresident has been canceled,
1192 suspended or revoked as provided in this title or in Section
1193 93-11-157 or 93-11-163, as the case may be, and who drives any
1194 motor vehicle upon the highways of this state while such license
1195 or privilege is canceled, suspended or revoked, is guilty of a
1196 misdemeanor and upon conviction shall be punished by imprisonment
1197 for not less than two (2) days or more than six (6) months. There



1198 may be imposed in addition thereto a fine of not less than Two
1199 Hundred Dollars (\$200.00) nor more than Five Hundred Dollars
1200 (\$500.00) for each offense.

1201 **SECTION 37.** Section 63-1-58, Mississippi Code of 1972, is
1202 brought forward as follows:

1203 63-1-58. Suspension or restriction of driving privileges for
1204 any person convicted of or nonadjudicated for violations of the
1205 Implied Consent Law or any administrative suspension imposed under
1206 this chapter shall run consecutively and not concurrently.

1207 **SECTION 38.** Section 63-1-59, Mississippi Code of 1972, is
1208 brought forward as follows:

1209 63-1-59. Any person who makes any false affidavit, or
1210 knowingly swears or affirms falsely to any matter or thing
1211 required by the terms of this article to be sworn to or affirmed,
1212 is guilty of perjury and upon conviction shall be punishable by
1213 fine or imprisonment as other persons committing perjury are
1214 punishable.

1215 **SECTION 39.** Section 63-1-60, Mississippi Code of 1972, is
1216 brought forward as follows:

1217 63-1-60. (1) It shall be unlawful for any person:

1218 (a) To display, cause or permit to be displayed, or
1219 have in his possession, any fictitious, fraudulently altered or
1220 fraudulently obtained driver's license;

1221 (b) To display or represent any driver's license not
1222 issued to him as being his own driver's license;



1223 (c) To photograph, photostat, duplicate or in any way
1224 reproduce, manufacture, sell or distribute or alter any driver's
1225 license, or facsimile thereof, in such a manner that it could be
1226 mistaken for a valid driver's license;

1227 (d) To display or have in his possession any
1228 photograph, photostat, duplicate, reproduction or facsimile of a
1229 driver's license unless authorized by law; or

1230 (e) To take a driver's license examination for another
1231 or to use any other name, other than his own, on the driver's
1232 license application in an attempt to take the driver's license
1233 examination for another.

1234 (2) Any person convicted of a violation of paragraph (a),
1235 (b), (d) or (e) of subsection (1) of this section shall be guilty
1236 of a misdemeanor and shall be punished by a fine of not more than
1237 Five Hundred Dollars (\$500.00), or by imprisonment for not more
1238 than thirty (30) days, or by both such fine and imprisonment.

1239 (3) Any person under twenty-one (21) years of age at the
1240 time of the offense who is convicted of a violation of paragraph
1241 (c) of subsection (1) of this section shall be punished as
1242 follows:

1243 (a) A first offense shall be a misdemeanor punishable
1244 by a fine of not more than Five Hundred Dollars (\$500.00), or by
1245 imprisonment for not more than six (6) months, or by both such
1246 fine and imprisonment.



1247 (b) A second or subsequent offense, the offenses being
1248 committed within a period of five (5) years, shall be a
1249 misdemeanor punishable by a fine of not more than Five Thousand
1250 Dollars (\$5,000.00), or by imprisonment for not more than one (1)
1251 year, or by both such fine and imprisonment.

1252 (4) Any person twenty-one (21) years of age or older at the
1253 time of the offense who is convicted of a violation of paragraph
1254 (c) of subsection (1) of this section is guilty of a felony and
1255 shall be punished by a fine of not less than Five Thousand Dollars
1256 (\$5,000.00), or imprisonment for not more than three (3) years, or
1257 by both such fine and imprisonment.

1258 **SECTION 40.** Section 63-1-61, Mississippi Code of 1972, is
1259 brought forward as follows:

1260 63-1-61. No person shall cause or knowingly permit his child
1261 or ward under the age of sixteen (16) years to drive a motor
1262 vehicle upon any highway if such minor is not authorized under the
1263 provisions of this article or is in violation of any of the
1264 provisions of this article. Any penalty imposed under the
1265 provisions of this section shall be in addition to any penalty
1266 imposed against the minor for a violation of this article.

1267 **SECTION 41.** Section 63-1-63, Mississippi Code of 1972, is
1268 brought forward as follows:

1269 63-1-63. No person shall authorize or knowingly permit a
1270 motor vehicle owned by him or under his control to be driven upon
1271 any highway by any person who is not authorized under the



1272 provisions of this article or in violation of any of the
1273 provisions of this article.

1274 **SECTION 42.** Section 63-1-65, Mississippi Code of 1972, is
1275 brought forward as follows:

1276 63-1-65. It shall be unlawful for any person to lend or
1277 borrow any temporary driving permit or license issued pursuant to
1278 this article, or to display or represent a license or temporary
1279 permit not issued to himself. Any person violating this section
1280 shall be fined not less than Five Dollars (\$5.00) and costs and
1281 not more than Twenty-five Dollars (\$25.00) and costs.

1282 **SECTION 43.** Section 63-1-67, Mississippi Code of 1972, is
1283 brought forward as follows:

1284 63-1-67. (1) No person shall rent a motor vehicle to any
1285 other person unless the latter person is then duly licensed under
1286 the provisions of this article, or, in the case of a nonresident,
1287 then duly licensed under the laws of the state or country of his
1288 residence except a nonresident whose home state or country does
1289 not require that an operator be licensed.

1290 (2) No person shall rent a motor vehicle to another until he
1291 has inspected the license of the person to whom the vehicle is to
1292 be rented and compared and verified the signature thereon with the
1293 signature of such person written in his presence.

1294 (3) Every person renting a motor vehicle to another shall
1295 keep a record of the registration number of the motor vehicle so
1296 rented, the name and address of the person to whom the vehicle is



1297 rented, the number of the license of said latter person and the
1298 date and place when and where said license was issued. Such
1299 record shall be open to inspection by any police officer or
1300 officers or employee of the commissioner.

1301 (4) The provisions of this section shall not apply to any
1302 person or business entity lawfully engaging in a peer-to-peer car
1303 sharing program or acting as a shared vehicle owner under the
1304 Peer-to-Peer Car Sharing Program Act.

1305 **SECTION 44.** Section 63-1-69, Mississippi Code of 1972, is
1306 brought forward as follows:

1307 63-1-69. Any person convicted of a violation of this article
1308 or any provisions of said article for which no other penalty is
1309 provided shall be punished by a fine of not less than Five Dollars
1310 (\$5.00) and costs and not more than Two Hundred Fifty Dollars
1311 (\$250.00) and costs, or by imprisonment in the county jail for a
1312 period of from one to six months, or by both the fine and
1313 imprisonment at the discretion of the court.

1314 **SECTION 45.** Section 63-1-71, Mississippi Code of 1972, is
1315 brought forward as follows:

1316 63-1-71. (1) Notwithstanding the provisions of Section
1317 63-11-30(3) and in addition to any penalty authorized by the
1318 Uniform Controlled Substances Law or any other statute indicating
1319 the dispositions that can be ordered for an adjudication of
1320 delinquency, every person convicted of driving under the influence
1321 of a controlled substance, or entering a plea of nolo contendere



1322 thereto, or adjudicated delinquent therefor, in a court of this
1323 state, the United States, another state, a territory or possession
1324 of the United States, the District of Columbia or the Commonwealth
1325 of Puerto Rico, shall forthwith forfeit his right to operate a
1326 motor vehicle over the highways of this state for a period of not
1327 less than six (6) months. In the case of any person who at the
1328 time of the imposition of sentence does not have a driver's
1329 license or is less than sixteen (16) years of age, the period of
1330 the suspension of driving privileges authorized herein shall
1331 commence on the day the sentence is imposed and shall run for a
1332 period of not less than six (6) months after the day the person
1333 obtains a driver's license or reaches the age of sixteen (16). If
1334 the driving privilege of any person is under revocation or
1335 suspension at the time of any conviction or adjudication of
1336 delinquency for driving under the influence of a controlled
1337 substance, the revocation or suspension period imposed herein
1338 shall commence as of the date of termination of the existing
1339 revocation or suspension.

1340 (2) The court in this state before whom any person is
1341 convicted of or adjudicated delinquent for driving under the
1342 influence of a controlled substance shall collect forthwith the
1343 Mississippi driver's license of the person and forward such
1344 license to the Department of Public Safety along with a report
1345 indicating the first and last day of the suspension or revocation
1346 period imposed pursuant to this section. If the court is for any



1347 reason unable to collect the license of the person, the court
1348 shall cause a report of the conviction or adjudication of
1349 delinquency to be filed with the Commissioner of Public Safety.
1350 That report shall include the complete name, address, date of
1351 birth, eye color and sex of the person and shall indicate the
1352 first and last day of the suspension or revocation period imposed
1353 by the court pursuant to this section. The court shall inform the
1354 person orally and in writing that if the person is convicted of
1355 personally operating a motor vehicle during the period of license
1356 suspension or revocation imposed pursuant to this section, the
1357 person shall, upon conviction, be subject to the penalties set
1358 forth in Section 63-11-40. A person shall be required to
1359 acknowledge receipt of the written notice in writing. Failure to
1360 receive a written notice or failure to acknowledge in writing the
1361 receipt of a written notice shall not be a defense to a subsequent
1362 charge of a violation of Section 63-11-40. If the person is the
1363 holder of a driver's license from another jurisdiction, the court
1364 shall not collect the license but shall notify forthwith the
1365 Commissioner of Public Safety who shall notify the appropriate
1366 officials in the licensing jurisdiction. The court shall,
1367 however, in accordance with the provisions of this section, revoke
1368 the person's nonresident driving privilege in this state.

1369 (3) The county court or circuit court having jurisdiction,
1370 on petition, may reduce the suspension of driving privileges under
1371 this section if the suspension would constitute a hardship on the



1372 offender. When the petition is filed, such person shall pay to
1373 the circuit clerk of the court where the petition is filed a fee
1374 of Twenty Dollars (\$20.00) for each year, or portion thereof, of
1375 license revocation or suspension remaining under the original
1376 sentence, which shall be deposited into the State General Fund to
1377 the credit of a special fund hereby created in the State Treasury
1378 to be used for alcohol or drug abuse treatment and education, upon
1379 appropriation by the Legislature. This fee shall be in addition
1380 to any other court costs or fees required for the filing of
1381 petitions.

1382 **SECTION 46.** Section 45-9-101, Mississippi Code of 1972, is
1383 brought forward as follows:

1384 45-9-101. (1) (a) Except as otherwise provided, the
1385 Department of Public Safety is authorized to issue licenses to
1386 carry stun guns, concealed pistols or revolvers to persons
1387 qualified as provided in this section. Such licenses shall be
1388 valid throughout the state for a period of five (5) years from the
1389 date of issuance, except as provided in subsection (25) of this
1390 section. Any person possessing a valid license issued pursuant to
1391 this section may carry a stun gun, concealed pistol or concealed
1392 revolver.

1393 (b) The licensee must carry the license, together with
1394 valid identification, at all times in which the licensee is
1395 carrying a stun gun, concealed pistol or revolver and must display
1396 both the license and proper identification upon demand by a law



1397 enforcement officer. A violation of the provisions of this
1398 paragraph (b) shall constitute a noncriminal violation with a
1399 penalty of Twenty-five Dollars (\$25.00) and shall be enforceable
1400 by summons.

1401 (2) The Department of Public Safety shall issue a license if
1402 the applicant:

1403 (a) Is a resident of the state. However, this
1404 residency requirement may be waived if the applicant possesses a
1405 valid permit from another state, is a member of any active or
1406 reserve component branch of the United States of America Armed
1407 Forces stationed in Mississippi, is the spouse of a member of any
1408 active or reserve component branch of the United States of America
1409 Armed Forces stationed in Mississippi, or is a retired law
1410 enforcement officer establishing residency in the state;

1411 (b) (i) Is twenty-one (21) years of age or older; or
1412 (ii) Is at least eighteen (18) years of age but
1413 not yet twenty-one (21) years of age and the applicant:

1414 1. Is a member or veteran of the United
1415 States Armed Forces, including National Guard or Reserve; and

1416 2. Holds a valid Mississippi driver's license
1417 or identification card issued by the Department of Public Safety
1418 or a valid and current tribal identification card issued by a
1419 federally recognized Indian tribe containing a photograph of the
1420 holder;



1421 (c) Does not suffer from a physical infirmity which
1422 prevents the safe handling of a stun gun, pistol or revolver;

1423 (d) Is not ineligible to possess a firearm by virtue of
1424 having been convicted of a felony in a court of this state, of any
1425 other state, or of the United States without having been pardoned
1426 or without having been expunged for same;

1427 (e) Does not chronically or habitually abuse controlled
1428 substances to the extent that his normal faculties are impaired.
1429 It shall be presumed that an applicant chronically and habitually
1430 uses controlled substances to the extent that his faculties are
1431 impaired if the applicant has been voluntarily or involuntarily
1432 committed to a treatment facility for the abuse of a controlled
1433 substance or been found guilty of a crime under the provisions of
1434 the Uniform Controlled Substances Law or similar laws of any other
1435 state or the United States relating to controlled substances
1436 within a three-year period immediately preceding the date on which
1437 the application is submitted;

1438 (f) Does not chronically and habitually use alcoholic
1439 beverages to the extent that his normal faculties are impaired.
1440 It shall be presumed that an applicant chronically and habitually
1441 uses alcoholic beverages to the extent that his normal faculties
1442 are impaired if the applicant has been voluntarily or
1443 involuntarily committed as an alcoholic to a treatment facility or
1444 has been convicted of two (2) or more offenses related to the use
1445 of alcohol under the laws of this state or similar laws of any



1446 other state or the United States within the three-year period
1447 immediately preceding the date on which the application is
1448 submitted;

1449 (g) Desires a legal means to carry a stun gun,
1450 concealed pistol or revolver to defend himself;

1451 (h) Has not been adjudicated mentally incompetent, or
1452 has waited five (5) years from the date of his restoration to
1453 capacity by court order;

1454 (i) Has not been voluntarily or involuntarily committed
1455 to a mental institution or mental health treatment facility unless
1456 he possesses a certificate from a psychiatrist licensed in this
1457 state that he has not suffered from disability for a period of
1458 five (5) years;

1459 (j) Has not had adjudication of guilt withheld or
1460 imposition of sentence suspended on any felony unless three (3)
1461 years have elapsed since probation or any other conditions set by
1462 the court have been fulfilled;

1463 (k) Is not a fugitive from justice; and

1464 (l) Is not disqualified to possess a weapon based on
1465 federal law.

1466 (3) The Department of Public Safety may deny a license if
1467 the applicant has been found guilty of one or more crimes of
1468 violence constituting a misdemeanor unless three (3) years have
1469 elapsed since probation or any other conditions set by the court
1470 have been fulfilled or expunction has occurred prior to the date



1471 on which the application is submitted, or may revoke a license if
1472 the licensee has been found guilty of one or more crimes of
1473 violence within the preceding three (3) years. The department
1474 shall, upon notification by a law enforcement agency or a court
1475 and subsequent written verification, suspend a license or the
1476 processing of an application for a license if the licensee or
1477 applicant is arrested or formally charged with a crime which would
1478 disqualify such person from having a license under this section,
1479 until final disposition of the case. The provisions of subsection
1480 (7) of this section shall apply to any suspension or revocation of
1481 a license pursuant to the provisions of this section.

1482 (4) The application shall be completed, under oath, on a
1483 form promulgated by the Department of Public Safety and shall
1484 include only:

1485 (a) The name, address, place and date of birth, race,
1486 sex and occupation of the applicant;

1487 (b) The driver's license number or social security
1488 number of applicant;

1489 (c) Any previous address of the applicant for the two
1490 (2) years preceding the date of the application;

1491 (d) A statement that the applicant is in compliance
1492 with criteria contained within subsections (2) and (3) of this
1493 section;

1494 (e) A statement that the applicant has been furnished a
1495 copy of this section and is knowledgeable of its provisions;



1496 (f) A conspicuous warning that the application is
1497 executed under oath and that a knowingly false answer to any
1498 question, or the knowing submission of any false document by the
1499 applicant, subjects the applicant to criminal prosecution; and

1500 (g) A statement that the applicant desires a legal
1501 means to carry a stun gun, concealed pistol or revolver to defend
1502 himself.

1503 (5) The applicant shall submit only the following to the
1504 Department of Public Safety:

1505 (a) A completed application as described in subsection
1506 (4) of this section;

1507 (b) A full-face photograph of the applicant taken
1508 within the preceding thirty (30) days in which the head, including
1509 hair, in a size as determined by the Department of Public Safety,
1510 except that an applicant who is younger than twenty-one (21) years
1511 of age must submit a photograph in profile of the applicant;

1512 (c) A nonrefundable license fee of Eighty Dollars
1513 (\$80.00). Costs for processing the set of fingerprints as
1514 required in paragraph (d) of this subsection shall be borne by the
1515 applicant. Honorably retired law enforcement officers, disabled
1516 veterans and active duty members of the Armed Forces of the United
1517 States, and law enforcement officers employed with a law
1518 enforcement agency of a municipality, county or state at the time
1519 of application for the license, shall be exempt from the payment
1520 of the license fee;



1521 (d) A full set of fingerprints of the applicant
1522 administered by the Department of Public Safety; and

1523 (e) A waiver authorizing the Department of Public
1524 Safety access to any records concerning commitments of the
1525 applicant to any of the treatment facilities or institutions
1526 referred to in subsection (2) of this section and permitting
1527 access to all the applicant's criminal records.

1528 (6) (a) The Department of Public Safety, upon receipt of
1529 the items listed in subsection (5) of this section, shall forward
1530 the full set of fingerprints of the applicant to the appropriate
1531 agencies for state and federal processing.

1532 (b) The Department of Public Safety shall forward a
1533 copy of the applicant's application to the sheriff of the
1534 applicant's county of residence and, if applicable, the police
1535 chief of the applicant's municipality of residence. The sheriff
1536 of the applicant's county of residence, and, if applicable, the
1537 police chief of the applicant's municipality of residence may, at
1538 his discretion, participate in the process by submitting a
1539 voluntary report to the Department of Public Safety containing any
1540 readily discoverable prior information that he feels may be
1541 pertinent to the licensing of any applicant. The reporting shall
1542 be made within thirty (30) days after the date he receives the
1543 copy of the application. Upon receipt of a response from a
1544 sheriff or police chief, such sheriff or police chief shall be
1545 reimbursed at a rate set by the department.



1546 (c) The Department of Public Safety shall, within
1547 forty-five (45) days after the date of receipt of the items listed
1548 in subsection (5) of this section:

1549 (i) Issue the license;

1550 (ii) Deny the application based solely on the
1551 ground that the applicant fails to qualify under the criteria
1552 listed in subsections (2) and (3) of this section. If the
1553 Department of Public Safety denies the application, it shall
1554 notify the applicant in writing, stating the ground for denial,
1555 and the denial shall be subject to the appeal process set forth in
1556 subsection (7); or

1557 (iii) Notify the applicant that the department is
1558 unable to make a determination regarding the issuance or denial of
1559 a license within the forty-five-day period prescribed by this
1560 subsection, and provide an estimate of the amount of time the
1561 department will need to make the determination.

1562 (d) In the event a legible set of fingerprints, as
1563 determined by the Department of Public Safety and the Federal
1564 Bureau of Investigation, cannot be obtained after a minimum of two
1565 (2) attempts, the Department of Public Safety shall determine
1566 eligibility based upon a name check by the Mississippi Highway
1567 Safety Patrol and a Federal Bureau of Investigation name check
1568 conducted by the Mississippi Highway Safety Patrol at the request
1569 of the Department of Public Safety.



1570 (7) (a) If the Department of Public Safety denies the
1571 issuance of a license, or suspends or revokes a license, the party
1572 aggrieved may appeal such denial, suspension or revocation to the
1573 Commissioner of Public Safety, or his authorized agent, within
1574 thirty (30) days after the aggrieved party receives written notice
1575 of such denial, suspension or revocation. The Commissioner of
1576 Public Safety, or his duly authorized agent, shall rule upon such
1577 appeal within thirty (30) days after the appeal is filed and
1578 failure to rule within this thirty-day period shall constitute
1579 sustaining such denial, suspension or revocation. Such review
1580 shall be conducted pursuant to such reasonable rules and
1581 regulations as the Commissioner of Public Safety may adopt.

1582 (b) If the revocation, suspension or denial of issuance
1583 is sustained by the Commissioner of Public Safety, or his duly
1584 authorized agent pursuant to paragraph (a) of this subsection, the
1585 aggrieved party may file within ten (10) days after the rendition
1586 of such decision a petition in the circuit or county court of his
1587 residence for review of such decision. A hearing for review shall
1588 be held and shall proceed before the court without a jury upon the
1589 record made at the hearing before the Commissioner of Public
1590 Safety or his duly authorized agent. No such party shall be
1591 allowed to carry a stun gun, concealed pistol or revolver pursuant
1592 to the provisions of this section while any such appeal is
1593 pending.



1594 (8) The Department of Public Safety shall maintain an
1595 automated listing of license holders and such information shall be
1596 available online, upon request, at all times, to all law
1597 enforcement agencies through the Mississippi Crime Information
1598 Center. However, the records of the department relating to
1599 applications for licenses to carry stun guns, concealed pistols or
1600 revolvers and records relating to license holders shall be exempt
1601 from the provisions of the Mississippi Public Records Act of 1983,
1602 and shall be released only upon order of a court having proper
1603 jurisdiction over a petition for release of the record or records.

1604 (9) Within thirty (30) days after the changing of a
1605 permanent address, or within thirty (30) days after having a
1606 license lost or destroyed, the licensee shall notify the
1607 Department of Public Safety in writing of such change or loss.
1608 Failure to notify the Department of Public Safety pursuant to the
1609 provisions of this subsection shall constitute a noncriminal
1610 violation with a penalty of Twenty-five Dollars (\$25.00) and shall
1611 be enforceable by a summons.

1612 (10) In the event that a stun gun, concealed pistol or
1613 revolver license is lost or destroyed, the person to whom the
1614 license was issued shall comply with the provisions of subsection
1615 (9) of this section and may obtain a duplicate, or substitute
1616 thereof, upon payment of Fifteen Dollars (\$15.00) to the
1617 Department of Public Safety, and furnishing a notarized statement
1618 to the department that such license has been lost or destroyed.



1619 (11) A license issued under this section shall be revoked if
1620 the licensee becomes ineligible under the criteria set forth in
1621 subsection (2) of this section.

1622 (12) (a) Except as provided in subsection (25) of this
1623 section, no less than ninety (90) days prior to the expiration
1624 date of the license, the Department of Public Safety shall send to
1625 each licensee a written notice of the expiration and a renewal
1626 form prescribed by the department. The licensee must renew his
1627 license on or before the expiration date by filing with the
1628 department the renewal form, a notarized affidavit stating that
1629 the licensee remains qualified pursuant to the criteria specified
1630 in subsections (2) and (3) of this section if necessary, and a
1631 full set of fingerprints administered by the Department of Public
1632 Safety or the sheriff of the county of residence of the licensee.
1633 The first renewal may be processed by mail "or other means as
1634 determined by the Department" and the subsequent renewal must be
1635 made in person. Thereafter every other renewal may be processed
1636 by mail to assure that the applicant must appear in person every
1637 ten (10) years for the purpose of obtaining a new photograph.

1638 (i) Except as provided in this subsection, a
1639 renewal fee of Forty Dollars (\$40.00) shall also be submitted
1640 along with costs for processing the fingerprints;

1641 (ii) Honorably retired law enforcement officers,
1642 disabled veterans, active duty members of the Armed Forces of the
1643 United States and law enforcement officers employed with a law



1644 enforcement agency of a municipality, county or state at the time
1645 of renewal, shall be exempt from the renewal fee; and

1646 (iii) The renewal fee for a Mississippi resident
1647 aged sixty-five (65) years of age or older shall be Twenty Dollars
1648 (\$20.00).

1649 (b) The Department of Public Safety shall forward the
1650 full set of fingerprints of the applicant to the appropriate
1651 agencies for state and federal processing. The license shall be
1652 renewed upon receipt of the completed renewal application and
1653 appropriate payment of fees.

1654 (c) A licensee who fails to file a renewal application
1655 on or before its expiration date must renew his license by paying
1656 a late fee of Fifteen Dollars (\$15.00). No license shall be
1657 renewed six (6) months or more after its expiration date, and such
1658 license shall be deemed to be permanently expired. A person whose
1659 license has been permanently expired may reapply for licensure;
1660 however, an application for licensure and fees pursuant to
1661 subsection (5) of this section must be submitted, and a background
1662 investigation shall be conducted pursuant to the provisions of
1663 this section.

1664 (13) No license issued pursuant to this section shall
1665 authorize any person, except a law enforcement officer as defined
1666 in Section 45-6-3 with a distinct license authorized by the
1667 Department of Public Safety, to carry a stun gun, concealed pistol
1668 or revolver into any place of nuisance as defined in Section



1669 95-3-1, Mississippi Code of 1972; any police, sheriff or highway
1670 patrol station; any detention facility, prison or jail; any
1671 courthouse; any courtroom, except that nothing in this section
1672 shall preclude a judge from carrying a concealed weapon or
1673 determining who will carry a concealed weapon in his courtroom;
1674 any polling place; any meeting place of the governing body of any
1675 governmental entity; any meeting of the Legislature or a committee
1676 thereof; any school, college or professional athletic event not
1677 related to firearms; any portion of an establishment, licensed to
1678 dispense alcoholic beverages for consumption on the premises, that
1679 is primarily devoted to dispensing alcoholic beverages; any
1680 portion of an establishment in which beer, light spirit product or
1681 light wine is consumed on the premises, that is primarily devoted
1682 to such purpose; any elementary or secondary school facility; any
1683 junior college, community college, college or university facility
1684 unless for the purpose of participating in any authorized
1685 firearms-related activity; inside the passenger terminal of any
1686 airport, except that no person shall be prohibited from carrying
1687 any legal firearm into the terminal if the firearm is encased for
1688 shipment, for purposes of checking such firearm as baggage to be
1689 lawfully transported on any aircraft; any church or other place of
1690 worship, except as provided in Section 45-9-171; or any place
1691 where the carrying of firearms is prohibited by federal law. In
1692 addition to the places enumerated in this subsection, the carrying
1693 of a stun gun, concealed pistol or revolver may be disallowed in



1694 any place in the discretion of the person or entity exercising
1695 control over the physical location of such place by the placing of
1696 a written notice clearly readable at a distance of not less than
1697 ten (10) feet that the "carrying of a pistol or revolver is
1698 prohibited." No license issued pursuant to this section shall
1699 authorize the participants in a parade or demonstration for which
1700 a permit is required to carry a stun gun, concealed pistol or
1701 revolver.

1702 (14) A law enforcement officer as defined in Section 45-6-3,
1703 chiefs of police, sheriffs and persons licensed as professional
1704 bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of
1705 1972, shall be exempt from the licensing requirements of this
1706 section.

1707 (a) The Commissioner of Public Safety shall promulgate
1708 rules and regulations to provide licenses to law enforcement
1709 officers as defined in Section 45-6-3 who choose to obtain a
1710 license under the provisions of this section, which shall include
1711 a distinction that the officer is an "active duty" law enforcement
1712 officer and an endorsement that such officer is authorized to
1713 carry in the locations listed in subsection (13). A law
1714 enforcement officer shall provide the following information to
1715 receive the license described in this subsection: (i) a letter,
1716 with the official letterhead of the agency or department for which
1717 the officer is employed at the time of application and (ii) a
1718 letter with the official letterhead of the agency or department,



1719 which explains that such officer has completed a certified law
1720 enforcement training academy.

1721 (b) The licensing requirements of this section do not
1722 apply to the carrying by any person of a stun gun, pistol or
1723 revolver, knife, or other deadly weapon that is not concealed as
1724 defined in Section 97-37-1.

1725 (15) Any person who knowingly submits a false answer to any
1726 question on an application for a license issued pursuant to this
1727 section, or who knowingly submits a false document when applying
1728 for a license issued pursuant to this section, shall, upon
1729 conviction, be guilty of a misdemeanor and shall be punished as
1730 provided in Section 99-19-31, Mississippi Code of 1972.

1731 (16) All fees collected by the Department of Public Safety
1732 pursuant to this section shall be deposited into a special fund
1733 hereby created in the State Treasury and shall be used for
1734 implementation and administration of this section. After the
1735 close of each fiscal year, the balance in this fund shall be
1736 certified to the Legislature and then may be used by the
1737 Department of Public Safety as directed by the Legislature.

1738 (17) All funds received by a sheriff or police chief
1739 pursuant to the provisions of this section shall be deposited into
1740 the general fund of the county or municipality, as appropriate,
1741 and shall be budgeted to the sheriff's office or police department
1742 as appropriate.



1743 (18) Nothing in this section shall be construed to require
1744 or allow the registration, documentation or providing of serial
1745 numbers with regard to any stun gun or firearm.

1746 (19) Any person holding a valid unrevoked and unexpired
1747 license to carry stun guns, concealed pistols or revolvers issued
1748 in another state shall have such license recognized by this state
1749 to carry stun guns, concealed pistols or revolvers. The
1750 Department of Public Safety is authorized to enter into a
1751 reciprocal agreement with another state if that state requires a
1752 written agreement in order to recognize licenses to carry stun
1753 guns, concealed pistols or revolvers issued by this state.

1754 (20) The provisions of this section shall be under the
1755 supervision of the Commissioner of Public Safety. The
1756 commissioner is authorized to promulgate reasonable rules and
1757 regulations to carry out the provisions of this section.

1758 (21) For the purposes of this section, the term "stun gun"
1759 means a portable device or weapon from which an electric current,
1760 impulse, wave or beam may be directed, which current, impulse,
1761 wave or beam is designed to incapacitate temporarily, injure,
1762 momentarily stun, knock out, cause mental disorientation or
1763 paralyze.

1764 (22) (a) From and after January 1, 2016, the Commissioner
1765 of Public Safety shall promulgate rules and regulations which
1766 provide that licenses authorized by this section for honorably
1767 retired law enforcement officers and honorably retired



1768 correctional officers from the Mississippi Department of
1769 Corrections shall (i) include the words "retired law enforcement
1770 officer" on the front of the license, and (ii) unless the licensee
1771 chooses to have this license combined with a driver's license or
1772 identification card under subsection (25) of this section, that
1773 the license itself have a red background to distinguish it from
1774 other licenses issued under this section.

1775 (b) An honorably retired law enforcement officer and
1776 honorably retired correctional officer shall provide the following
1777 information to receive the license described in this section: (i)
1778 a letter, with the official letterhead of the agency or department
1779 from which such officer is retiring, which explains that such
1780 officer is honorably retired, and (ii) a letter with the official
1781 letterhead of the agency or department, which explains that such
1782 officer has completed a certified law enforcement training
1783 academy.

1784 (23) A disabled veteran who seeks to qualify for an
1785 exemption under this section shall be required to provide a
1786 veterans health services identification card issued by the United
1787 States Department of Veterans Affairs indicating a
1788 service-connected disability, which shall be sufficient proof of
1789 such service-connected disability.

1790 (24) A license under this section is not required for a
1791 loaded or unloaded pistol or revolver to be carried upon the
1792 person in a sheath, belt holster or shoulder holster or in a



1793 purse, handbag, satchel, other similar bag or briefcase or fully
1794 enclosed case if the person is not engaged in criminal activity
1795 other than a misdemeanor traffic offense, is not otherwise
1796 prohibited from possessing a pistol or revolver under state or
1797 federal law, and is not in a location prohibited under subsection
1798 (13) of this section. However, the medical use of medical
1799 cannabis by a cardholder who is a registered qualifying patient
1800 which is lawful under the provisions of the Mississippi Medical
1801 Cannabis Act and in compliance with rules and regulations adopted
1802 thereunder shall not disqualify a person under this subsection
1803 (24) solely because the person is prohibited from possessing a
1804 firearm under 18 USCS Section 922(g)(3) due to such medical use of
1805 medical cannabis.

1806 (25) An applicant for a license under this section shall
1807 have the option of, instead of being issued a separate card for
1808 the license, having the license appear as a notation on the
1809 individual's driver's license or identification card. If the
1810 applicant chooses this option, the license issued under this
1811 section shall have the same expiration date as the driver's
1812 license or identification card, and renewal shall take place at
1813 the same time and place as renewal of the driver's license or
1814 identification card. The Commissioner of Public Safety shall have
1815 the authority to promulgate rules and regulations which may be
1816 necessary to ensure the effectiveness of the concurrent
1817 application and renewal processes.



1818 **SECTION 47.** Section 63-1-34, Mississippi Code of 1972, which
1819 requires the Mississippi Authority for Educational Television to
1820 prepare video tapes of instructional materials to be loaned by the
1821 Commissioner of Public Safety to assist visually impaired
1822 applicants in preparing for the driver's license examination, is
1823 repealed.

1824 **SECTION 48.** This act shall take effect and be in force from
1825 and after July 1, 2025.

