

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 3176

By Representative(s) Committee

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

7

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

10 63-1-9. (1) No driver's license, intermediate license or
11 temporary driving permit shall be issued pursuant to this article:

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

14 (b) To any person whose license to operate a motor
15 vehicle on the highways of Mississippi has been previously revoked
16 or suspended by this state or any other state and/or territory of
17 the United States or the District of Columbia, and such revocation
18 or suspension period has not expired.

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

21 (d) To any person who would not be able by reason of
22 physical or mental disability, in the opinion of the commissioner
23 or other person authorized to grant an operator's license, to
24 operate a motor vehicle on the highways with safety. However,
25 persons who have one (1) arm or leg, or have arms or legs
26 deformed, and have their car provided with mechanical devices
27 whereby they are able to drive in a safe manner over the highways,

28if otherwise qualified, shall receive an operator's license the
29same as other persons. Moreover, deafness shall not be a bar to
30obtaining a license.

31 (e) To any person who is under the age of seventeen
32(17) years to drive any motor vehicle while in use as a school bus
33for the transportation of pupils to or from school, or to drive
34any motor vehicle while in use as a public or common carrier of
35persons or property.

36 (f) To any person as an operator who has previously
37been adjudged to be afflicted with and suffering from any mental
38disability and who has not at time of application been restored to
39mental competency.

40 (g) To any unmarried person under the age of eighteen
41(18) years who does not at the time of application present a
42diploma or other certificate of high school graduation or a
43general education development certificate issued to the person in
44this state or any other state, or documentation that the person:

45 (i) Is enrolled and making satisfactory progress
46in a course leading to a general education development
47certificate;

48 (ii) Is enrolled in school in this state or any
49other state;

50 (iii) Is enrolled in a "nonpublic school," as such
51term is defined in Section 37-13-91(2)(i); or

52 (iv) Is unable to attend any school program due to
53circumstances deemed acceptable as set out in Section 63-1-10.

54 (h) To any person under the age of eighteen (18) years
55who has been convicted under Section 63-11-30.

56 * * *

57 (2) All permits and licenses issued on or before June 30,
582000, shall be valid according to the terms upon which issued.
59From and after July 1, 2000:

60 (a) A temporary driving permit may be issued to any
61person who is at least fifteen (15) years of age who otherwise
62meets the requirements of this article.

63 (b) An intermediate license may be issued to any person
64who is at least fifteen (15) years of age who has held a temporary
65driving permit for at least six (6) months and who otherwise meets
66the requirements of this article.

67 (c) A driver's license may be issued to any person who
68is at least sixteen (16) years of age who has held an intermediate
69license for at least six (6) months and who otherwise meets the
70requirements of this article. However, a person who is at least
71seventeen (17) years of age who has been issued a temporary
72driving permit shall not be required to have held an intermediate
73license.

74 (d) An applicant for a Mississippi driver's license
75who, at the time of application, is at least sixteen (16) years of
76age and who has held a valid motor vehicle driver's license issued
77by another state for at least ninety (90) days shall not be
78required to hold a temporary driving permit or an intermediate
79license before being issued a driver's license.

80 (3) The commissioner shall ensure that the temporary driving
81permit, intermediate license and driver's license issued under
82this chapter are clear, distinct and easily distinguishable from
83one another.

84 SECTION 2. Section 63-1-21, Mississippi Code of 1972, is
85amended as follows:

86 63-1-21. (1) Every applicant for a new or original driver's
87or operator's license, except persons holding an out-of-state
88license, shall first obtain a temporary driving permit upon the
89payment of a fee of One Dollar (\$1.00) to the Department of Public
90Safety and upon the successful completion of the examination
91provided for in Section 63-1-33 and the payment of the fee for
92such examination provided for in Section 63-1-43.

93 (2) A temporary driving permit entitles the holder, provided
94the permit is in his immediate possession, to drive a motor
95vehicle other than a motorcycle on the highways of the State of
96Mississippi only when accompanied by a licensed operator who is at
97least twenty-one (21) years of age and who is actually occupying

98the seat beside the driver. A temporary driving permit may be
99issued to any applicant who is at least fifteen (15) years of age.
100 A temporary driving permit shall be valid for a period of one (1)
101year from the date of issue.

102 (3) An intermediate license allows unsupervised driving from
1036:00 a.m. to 10:00 p.m. At all other times the intermediate
104licensee must be supervised by a parent, guardian or other person
105aged twenty-one (21) years or older who holds a valid driver's
106license under this article and who is actually occupying the seat
107beside the driver.

108 (4) The fee for issuance of an intermediate license shall be
109Five Dollars (\$5.00). An intermediate license shall expire on
110midnight of the licensee's next birthday and may be renewed
111anytime within seven (7) days before expiration of the license.

112 Except as otherwise provided by Section 63-1-6, every
113applicant for a restricted motorcycle operator's license or a
114motorcycle endorsement shall first obtain a temporary motorcycle
115driving permit upon the payment of a fee of One Dollar (\$1.00) to
116the Department of Public Safety, and upon the successful
117completion of the examination provided for in Section 63-1-33, and
118payment of the fee for said examination provided for in Section
11963-1-43. All applicants for such temporary permit shall (a) be at
120least fifteen (15) years of age; (b) operate a motorcycle only
121under the direct supervision of a person at least twenty-one (21)
122years of age who possesses either a valid driver's or operator's
123license with a motorcycle endorsement or a valid restricted
124motorcycle operator's license; (c) be prohibited from transporting
125a passenger on a motorcycle; (d) be prohibited from operating a
126motorcycle upon any controlled access highway; and (e) be
127prohibited from operating a motorcycle during the hours of 6:00
128p.m. through 6:00 a.m. Temporary motorcycle driving permits shall
129be valid for the same period of time and may be renewed upon the
130same conditions as temporary driving permits issued for vehicles
131other than motorcycles.

132 SECTION 3. Section 63-1-23, Mississippi Code of 1972, is

133 amended as follows:

134 63-1-23. The application of any person under the age of
135 seventeen (17) years for a temporary driving permit, intermediate
136 license or license issued pursuant to this article shall be signed
137 and verified before a person authorized to administer oaths by
138 both the father and mother of the applicant, if both are living
139 and have custody of him, or in the event neither parent is living
140 then by the person or guardian having such custody or by an
141 employer of him, or in the event there is no guardian or employer
142 then by any other responsible person who is willing to assume the
143 obligation imposed under Section 63-1-25 upon a person signing the
144 application of a minor.

145 SECTION 4. Section 63-1-47, Mississippi Code of 1972, is
146 amended as follows:

147 63-1-47. (1) Each applicant for an original license issued
148 pursuant to this article, who is entitled to issuance of same, and
149 who is eighteen (18) years of age or older, shall be issued a
150 four-year license. Each license will expire at midnight on the
151 licensee's birthday.

152 (a) All renewal licenses of operators eighteen (18)
153 years of age or older shall be for four-year periods and may be
154 renewed any time within six (6) months before the expiration of
155 the license upon application and payment of the required fee,
156 unless required to be reexamined.

157 (b) From and after January 1, 1990, no commercial
158 driver's license shall be issued under the provisions of this
159 article for any commercial motor vehicle, the lawful operation of
160 which requires the driver to obtain a Class A, B or C commercial
161 driver's license under Article 2 of this chapter; however, from
162 time to time, the holder of a commercial license may apply for a
163 commercial driver's license under Article 2 of this chapter; and,
164 if he fails to pass the required test for such license, he shall
165 be entitled to an extension of his license that shall be valid for
166 one hundred twenty (120) days or until he again is tested under
167 Article 2 of this chapter, whichever occurs first. The extension

168 shall entitle the license holder to operate all vehicles which
169 such license authorized him to operate prior to taking the
170 required test. The first extension shall be without charge;
171 however, a fee of Fifteen Dollars (\$15.00) shall be imposed for
172 any subsequent extension. No extension shall be valid past March
173 31, 1992.

174 (2) [none]

175 (3) Any commercial driver's license issued under this
176 article before January 1, 1990, which expires after March 31,
177 1992, shall be void on April 1, 1992, for the operation of any
178 commercial vehicle requiring a commercial license to be issued
179 under Article 2 of this chapter; however, if the holder of any
180 such license applies for a commercial driver's license under
181 Article 2 of this chapter, passes the required tests for such
182 license, pays all applicable fees under Article 2 of this chapter
183 except the Forty Dollars (\$40.00) license fee and otherwise meets
184 all requirements for the issuance of such license, then such
185 person shall be issued a license under Article 2 of this chapter
186 which shall expire on the expiration date of the commercial
187 driver's license being replaced.

188 (4) [none]

189 (5) The Commissioner of Public Safety shall notify, by
190 United States mail addressed to the last known address of record
191 with the Department of Public Safety, all holders of commercial
192 driver's licenses issued under this article before January 1,
193 1990, and which expire after March 31, 1992, that such licenses
194 will be void on and after April 1, 1992, for the operation of any
195 vehicle for which a commercial driver's license is required to be
196 issued under Article 2 of this chapter.

197 (6) Any person holding a valid commercial driver's license
198 issued under this article before January 1, 1990, shall continue
199 thereafter, until expiration of such license, to be entitled to
200 operate all vehicles which such license authorized him to operate
201 immediately before January 1, 1990, except that from and after
202 April 1, 1992, such license shall not entitle the licensee to

203operate a commercial motor vehicle the lawful operation of which
204requires a commercial driver's license under Article 2 of this
205chapter.

206 (7) Except as otherwise provided in this article, each
207applicant for an original license issued pursuant to this article,
208who is entitled to issuance of same, being under eighteen (18)
209years of age, shall be issued a one-year license. Each license
210will expire at midnight on the licensee's birthday. Renewal
211licenses of operators under the age of eighteen (18) shall be for
212one-year periods and may be renewed any time within two (2) months
213before the expiration of the license upon application and payment
214of the required fee, unless required to be reexamined. The
215application for renewal by an operator under the age of eighteen
216(18) must be accompanied by documentation that the applicant is in
217compliance with the education requirements of Section 63-1-9(g);
218the documentation must be dated no more than thirty (30) days
219prior to the date of application.

220 SECTION 5. This act shall take effect and be in force from
221and after July 1, 2000.