

By: Senator(s) Simmons, Blackmon, Johnson  
(38th), Harden, Jackson, Jordan, Horhn

To: Education; Juvenile  
Justice

SENATE BILL NO. 2453

1 AN ACT TO ESTABLISH A MOTIVATING PARENTS AND CHILDREN  
2 (M.P.A.C.) PILOT PROGRAM WITHIN THE STATE DEPARTMENT OF EDUCATION  
3 FOR THE PURPOSE OF MAKING GRANTS TO SCHOOL DISTRICTS THAT PROVIDE  
4 PARENTAL INVOLVEMENT SERVICES TO FAMILIES OF COMPULSORY-SCHOOL-AGE  
5 CHILDREN RESIDING IN SUCH SCHOOL DISTRICT; TO SET FORTH THE  
6 PURPOSES OF THE M.P.A.C. PILOT PROGRAM; TO AUTHORIZE THE STATE  
7 DEPARTMENT OF EDUCATION TO DEVELOP AND IMPLEMENT THE M.P.A.C.  
8 PILOT PROGRAM; TO PRESCRIBE THE BASIC COMPONENTS OF SERVICES TO BE  
9 OFFERED BY SCHOOL DISTRICTS UNDER THE M.P.A.C. PILOT PROGRAM; TO  
10 PROVIDE AN APPLICATION AND SELECTION PROCEDURE FOR SCHOOL  
11 DISTRICTS PARTICIPATING IN THE M.P.A.C. PILOT PROGRAM; TO AMEND  
12 SECTION 37-11-53, MISSISSIPPI CODE OF 1972, TO REQUIRE PARENTS TO  
13 ATTEND CONFERENCES AND OTHER FUNCTIONS OF SCHOOL DISTRICTS  
14 PARTICIPATING IN THE M.P.A.C. PILOT PROGRAM; TO AMEND SECTION  
15 63-1-10, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILDREN UNDER  
16 18 RESIDING IN SCHOOL DISTRICTS PARTICIPATING IN THE M.P.A.C.  
17 PILOT PROGRAM WHO WITHDRAW FROM SCHOOL MAY HAVE THEIR DRIVER'S  
18 LICENSE SUSPENDED; TO AMEND SECTION 63-1-46, MISSISSIPPI CODE OF  
19 1972, TO EXEMPT SUCH MINORS FROM LICENSE REINSTATEMENT FEES; TO  
20 AMEND SECTION 63-1-53, MISSISSIPPI CODE OF 1972, IN CONFORMITY  
21 THERETO; AND FOR RELATED PURPOSES.

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

23 SECTION 1. (1) The Legislature finds that:

24 (a) Students who exhibit serious behavior problems in  
25 school become juvenile and adult offenders;

26 (b) A major contributing factor to this problem is a  
27 lack of positive parental involvement with both their children and  
28 school personnel;

29 (c) Growing numbers of children live in conditions that  
30 place them at risk of school failure;

31 (d) The provision of school and support services to  
32 these children and their families by public and nonprofit agencies  
33 is fragmented and does not prepare these children to learn  
34 effectively and have a successful school experience;

35           (e) The lack of collaboration among schools, families,  
36 local agencies and other groups involved in family support and  
37 youth development activities results in the inefficient and  
38 ineffective use of resources to meet the needs of these children;

39           (f) Schools are dedicating an increasing amount of  
40 their time and resources to responding to disruptive and violent  
41 behavior rather than fulfilling their mission to challenge with  
42 high expectations each child to learn, to achieve and to fulfill  
43 his or her potential;

44           (g) The relationships between school failure,  
45 disruptive and violent behavior in schools, unemployment and  
46 criminal behavior are clear;

47           (h) Responding to the needs of students who are at risk  
48 of school failure and providing for a safe and secure learning  
49 environment are cost-effective because it enables the state to  
50 substitute preventive measures for expensive and reactionary  
51 crisis intervention through use of co-location of services and  
52 repositioning of staff; and

53           (i) Differing local needs and local resources  
54 necessitate the development of locally-generated, community-based  
55 plans that coordinate and leverage existing resources, not the  
56 imposition of uniform and inflexible state-mandated plans.

57           (2) There is hereby established within the State Department  
58 of Education the Motivating Parents and Children (M.P.A.C.) pilot  
59 program. The purpose of the program is (a) to provide grants to  
60 certain local school districts for innovative local programs that  
61 target juvenile crime by coordinating school and support services  
62 to children-at-risk and their families with required parental  
63 involvement; (b) enhance educational attainment through  
64 coordinated services to respond to the needs of students who are  
65 at risk of school failure and at risk of participation in juvenile  
66 crime; and (c) provide a safe and secure learning environment.

67           (3) The Motivating Parents and Children (M.P.A.C.) pilot  
68 program described in this section shall be conducted in six (6)  
69 school districts selected by the State Superintendent of Education  
70 with the approval of the State Board of Education, which school  
71 districts shall represent the different geographical areas,  
72 population levels and economic levels of the state. Three (3)  
73 districts shall be selected from urban areas of the state and  
74 three (3) districts shall be selected from rural areas of the  
75 state. The department shall give preference to school districts  
76 that express a desire to participate in the pilot program. The  
77 program shall apply to all compulsory-school-age children residing  
78 in the pilot school districts and their custodial and noncustodial  
79 parents or legal guardians.

80           (4) The State Department of Education shall develop policies  
81 and procedures to administer the Motivating Parents and Children  
82 (M.P.A.C.) pilot program.

83           (5) The selected pilot school districts shall implement the  
84 M.P.A.C. program, and in doing so shall:

85                 (a) Employ a District M.P.A.C. Program Coordinator who  
86 will be responsible for planning and coordinating activities for  
87 parents of school children, and the delivery of integrated and  
88 comprehensive services to children and their families.

89                 (b) Employ three (3) licensed social workers and three  
90 (3) certified guidance counselors, one (1) each to be assigned to  
91 the high schools, middle schools and elementary schools within the  
92 district who will work in conjunction to assist families in  
93 resolving social and other problems that may impact the child's  
94 school performance.

95                 (c) Develop and implement a program of family support  
96 services that is school-based and/or school-linked designed  
97 according to the Communities In Schools (CIS) model. The CIS  
98 model is a well-known national dropout prevention model that has  
99 developed effective and proven step-by-step guidelines that can be

100 used to increase parent and community involvement. The M.P.A.C.  
101 program services provided shall include a community advisory  
102 board, private/public partnerships, an assessment of community  
103 needs, co-location of services, repositioned staff, parenting  
104 classes that would include parent-child activities, and a  
105 structured plan for referrals and evaluation. The M.P.A.C. pilot  
106 program may also provide after-school care, adult literacy  
107 programs, early childhood education for children in high-risk  
108 populations, alternate learning programs, peer mediation and  
109 conflict resolution activities.

110 (d) Train the M.P.A.C. program staff in the CIS model.  
111 Principles and practices evaluated and proven effective shall be  
112 incorporated into the program design. Upon determination of the  
113 pilot sites involved, an orientation must be provided to all  
114 district staff. In addition, staff must be trained and developed  
115 on an ongoing basis to ensure maximum coordination and cooperation  
116 with emphasis placed on learning how to effectively work with  
117 parents to enhance their participation level. The M.P.A.C.  
118 program services shall be designed to (i) prepare children to  
119 attain academic and social success; (ii) enhance the ability of  
120 families to become advocates for and supporters of education for  
121 the children in their families; (iii) provide parenting classes to  
122 the parents of children who are at risk of school failure; (iv)  
123 provide adult literacy and employability skills classes for  
124 parents; (v) serve as a referral source for children and their  
125 families to ensure that needed services are accessed by the  
126 family; and (vi) otherwise enhance the ability of families to  
127 function as nurturing and effective family units.

128 (e) Require a parent or guardian to spend a day in  
129 school with his child after violation of a major rule. Such  
130 action would be taken when the rule violated is major but not  
131 serious enough to warrant expulsion in order to invite parental  
132 intervention before a child is suspended or expelled. The parent

133 or guardian may be required either to attend class with his child  
134 for a full day or to attend parenting classes offered at alternate  
135 times to accommodate the parent's or guardian's work schedules and  
136 transportation issues. Failure to attend one (1) of the options  
137 will result in suspension of the child.

138 (f) Create an incentive program for children whose  
139 parent or guardian attends meetings of PTA/PTO's, parenting  
140 classes, and volunteers a minimum of ten (10) hours in the  
141 classroom. Examples of an incentive program are: (i) the  
142 issuance of an activity card that grants the child full admission  
143 to all school-sponsored activities such as football and basketball  
144 games; and (ii) exemption from certain classroom or laboratory  
145 fees as determined feasible by the local school board.

146 (g) Create a program using volunteers to provide child  
147 care services for parents who volunteer, attend parenting classes,  
148 and attend after-school or evening programs.

149 (h) Create a summer employability skills/on-the-job  
150 training (OJT) fund, utilizing TANF and other federal  
151 welfare-to-work program funds. These funds may be expended by  
152 local school boards to provide job opportunities for juniors and  
153 seniors in high school. Employers and nonprofit organizations who  
154 participate in "Adopt-a-School" programs may qualify to employ  
155 such students during the summer. Wages up to Seven Dollars  
156 (\$7.00) per hour will be paid from the fund to eligible students  
157 who work for the employers or nonprofit organizations who are  
158 committed to participating in the "Adopt-a-School" program within  
159 the next school year.

160 (i) Require the pilot school districts to conduct a  
161 family needs assessment (FNA) using social workers and licensed  
162 counselors once every three (3) years. The assessment should be  
163 coordinated with other community organizations such as head start  
164 to encourage collaboration and lessen duplication.

165           (6) (a) A local school district may apply for a Motivating  
166 Parents and Children (M.P.A.C.) pilot program grant, and up to  
167 three (3) adjacent local school districts may apply jointly for a  
168 grant.

169           (b) The application shall include the following  
170 information:

171                   (i) Data on the incidence of juvenile crime in the  
172 geographical area to be served by the grant. Sources of data may  
173 include the youth court in the county, the district attorney and  
174 local law enforcement officials.

175                   (ii) An assessment of local resources from all  
176 sources for, and local deficiencies with regard to, responding to  
177 the needs of children who live in conditions that place them at  
178 risk of school failure.

179                   (iii) A detailed plan for removing barriers to  
180 success in school that exist for these children and coordinating  
181 services for parents and children as authorized under this  
182 section.

183           (7) In reviewing grant applications, the State  
184 Superintendent of Education shall consider the prevalence of  
185 under-served students and families in low-income neighborhoods and  
186 in isolated rural areas in the area for which the grant is  
187 requested, the severity of the local problems with regard to  
188 children-at-risk of school failure and with regard to school  
189 discipline, whether the proposed program meets state standards,  
190 and the likelihood that the locally designed plan will deal with  
191 the problems successfully. During the review process, the  
192 superintendent may recommend modifications in grant applications  
193 to applicants. The superintendent shall submit recommendations to  
194 the State Board of Education as to which applicants should receive  
195 grants and the amount they should receive.

196           In selecting grant recipients, the State Board of Education  
197 shall consider (a) the recommendations of the superintendent, (b)

198 the geographic location of the applicants, and (c) the demographic  
199 profile of the applicants. After considering these factors, the  
200 State Board of Education shall give priority to grant applications  
201 that will serve areas that have a high incidence of juvenile crime  
202 to serve as models for other communities. The State Board of  
203 Education shall select the grant recipients prior to July 1, 2001,  
204 for local programs that will be in operation at the beginning of  
205 the 2001-2002 school year, and prior to July 1 and thereafter for  
206 the appropriate school year.

207 A grant recipient may request a modification of a grant or  
208 additional funds to implement a grant through the grant  
209 application process. The request shall be reviewed and accepted  
210 or rejected in the same manner as a grant application.

211 (8) The State Department of Education shall administer the  
212 grant program under the direction of the State Board of Education.  
213 The State Department of Education shall provide technical  
214 assistance to grant applicants and recipients.

215 (9) All agencies of the state and local government,  
216 including departments of human services, health departments, local  
217 mental health, mental retardation, court personnel, law  
218 enforcement agencies, and municipalities and counties shall  
219 cooperate with the State Department of Education and local school  
220 boards that receive grants by co-locating services and  
221 repositioning staff.

222 (10) The Department of Education shall develop and implement  
223 an evaluation system, under the direction of the State Board of  
224 Education, that will assess the efficiency and effectiveness of  
225 the M.P.A.C. program.

226 (11) Any child in a pilot school district who is suspended  
227 from school shall have his driver's license suspended for one (1)  
228 calendar year by the Mississippi Department of Public Safety.

229 SECTION 2. Section 37-11-53, Mississippi Code of 1972, is  
230 amended as follows:

231           37-11-53. (1) A copy of the school district's discipline  
232 plan shall be distributed to each student enrolled in the district  
233 and the parents, guardian or custodian of such student shall sign  
234 a statement verifying that they have been given notice of the  
235 discipline policies of their respective school district. The  
236 school board shall have its official discipline plan legally  
237 audited on an annual basis to insure that its policies and  
238 procedures are currently in compliance with applicable statutes,  
239 case law and state and federal constitutional provisions.

240           (2) All discipline plans of school districts shall include,  
241 but not be limited to, the following:

242           (a) A parent, guardian or custodian of a  
243 compulsory-school-age child enrolled in a public school district  
244 shall be responsible financially for his or her minor child's  
245 destructive acts against school property or persons;

246           (b) A parent, guardian or custodian of a  
247 compulsory-school-age child enrolled in a public school district  
248 may be requested to appear at school by an appropriate school  
249 official for a conference regarding acts of the child specified in  
250 paragraph (a) of this subsection, or for any other discipline  
251 conference regarding the acts of the child;

252           (c) Any parent, guardian or custodian of a  
253 compulsory-school-age child enrolled in a school district who  
254 refuses or willfully fails to attend such discipline conference  
255 specified in paragraph (b) of this section may be summoned by  
256 proper notification by the superintendent of schools and be  
257 required to attend such discipline conference or parenting classes  
258 scheduled to accommodate the working hours and transportation  
259 needs of the parent, guardian or custodian; \* \* \*

260           (d) A parent, guardian or custodian of a  
261 compulsory-school-age child enrolled in a public school district  
262 shall be responsible for any criminal fines brought against such



263 student for unlawful activity as defined in Section 37-11-29  
264 occurring on school grounds; and

265 (e) A parent, guardian or custodian of a  
266 compulsory-school-age child enrolled in a public school in a  
267 school district participating in a Motivating Parents and Children  
268 (M.P.A.C.) grant program as provided in Senate Bill No. 2453, 2001  
269 Regular Session, who has been summoned by proper notification by  
270 an appropriate school official to attend a conference, school  
271 meeting, after-school meeting or class regarding the acts of such  
272 child or parent specified under said program shall be required  
273 under this provision to attend such conference, school meeting,  
274 after-school meeting or class, provided that scheduling is  
275 sensitive to the parent's work hours and transportation needs.

276 (3) Any parent, guardian or custodian of a  
277 compulsory-school-age child who (a) fails to attend a discipline  
278 conference to which such parent, guardian or custodian has been  
279 summoned under the provisions of this section, or (b) refuses or  
280 willfully fails to perform any other duties imposed upon him or  
281 her under the provisions of this section, shall first be given the  
282 opportunity to enroll in a series of parenting classes consisting  
283 of not less than twenty (20) hours of instruction as developed by  
284 the M.P.A.C. Program Coordinator and appropriate to the age of the  
285 parent's child. If the parent does not attend the series of  
286 classes, he shall be guilty of a misdemeanor and, upon conviction,  
287 shall be fined not to exceed Two Hundred Fifty Dollars (\$250.00).

288 (4) Any public school district shall be entitled to recover  
289 damages in an amount not to exceed Twenty Thousand Dollars  
290 (\$20,000.00), plus necessary court costs, from the parents of any  
291 minor under the age of eighteen (18) years and over the age of six  
292 (6) years, who maliciously and willfully damages or destroys  
293 property belonging to such school district. However, this section  
294 shall not apply to parents whose parental control of such child  
295 has been removed by court order or decree. The action authorized

296 in this section shall be in addition to all other actions which  
297 the school district is entitled to maintain and nothing in this  
298 section shall preclude recovery in a greater amount from the minor  
299 or from a person, including the parents, for damages to which such  
300 minor or other person would otherwise be liable.

301 SECTION 3. Section 63-1-10, Mississippi Code of 1972, is  
302 amended as follows:

303 63-1-10. (1) Any applicant for a license under eighteen  
304 (18) years of age must submit with the application documentation  
305 from the appropriate authority that the applicant is in compliance  
306 with Section 63-1-9(g). The appropriate authority shall be the  
307 school principal of a public or private school or his designee,  
308 or, in the case of a home study program, the parent, or the adult  
309 education supervisor of the General Education Development Program  
310 or his designee. Documentation of the applicant's enrollment  
311 status shall be on a form designed by the Department of Education  
312 as approved by the Department of Public Safety in a manner that  
313 insures the authenticity of the form and any information or  
314 signature contained thereon. Any student who is eligible to apply  
315 for a license and who is properly enrolled in a school under the  
316 jurisdiction of the authority is entitled to receive the  
317 documentation for presentation to the Department of Public Safety  
318 to accompany the application. The forms required under this  
319 section to provide documentation shall be made available to public  
320 schools, private schools approved by the State Board of Elementary  
321 and Secondary Education, and adult education supervisors at school  
322 board offices and shall be made available to others through the  
323 Department of Public Safety.

324 (2) Whenever an applicant who is under eighteen (18) years  
325 of age is unable to attend any school program due to acceptable  
326 circumstances, the appropriate authority where the student last  
327 attended shall provide the student with documentation to present  
328 to the department to excuse such student from the provisions of

329 Section 63-1-9(g). The appropriate authority shall be the sole  
330 judge of whether withdrawal of a student or failure of a student  
331 to attend is due to acceptable circumstances. Suspension or  
332 expulsion from school or incarceration in a correctional  
333 institution is not an acceptable circumstance for a person being  
334 unable to attend school.

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

344 (4) Whenever a licensee under the age of eighteen (18) who  
345 resides in a school district participating in the Motivating  
346 Parents and Children (M.P.A.C.) program provided under Senate Bill  
347 No. 2453, 2001 Regular Session, and who has not attained a diploma  
348 or other certificate of graduation as prescribed in Section  
349 63-1-19(2) withdraws or is suspended from his educational  
350 instruction, the attendance counselor, social worker, parent,  
351 guardian or school administrator designated by the State Board of  
352 Education to verify the applicant's educational status under the  
353 provisions of said program may, in his discretion, immediately  
354 notify the Department of Public Safety of such withdrawal or  
355 suspension. Within five (5) days of receipt of such notice, the  
356 Department of Public Safety shall send notice to the licensee that  
357 the license shall automatically be suspended for one (1) year  
358 under the provisions of Section 63-1-53 on the thirtieth day  
359 following the date the notice was sent unless documentation of  
360 compliance with the provisions of subsection (2) of this section  
361 is received by the department before such time. For the purposes

362 of this subsection, withdrawal shall be defined as more than ten  
363 (10) consecutive unexcused and unlawful absences during a single  
364 semester for school-age applicants under the age of eighteen (18)  
365 attending school.

366 SECTION 4. Section 63-1-46, Mississippi Code of 1972, is  
367 amended as follows:

368 63-1-46. (1) A fee of Twenty-five Dollars (\$25.00) shall be  
369 charged for the reinstatement of a license issued pursuant to this  
370 article to every person whose license has been validly suspended,  
371 revoked or cancelled, except those persons whose licenses were  
372 suspended under Section 63-1-53(1)(k). This fee shall be in  
373 addition to the fee provided for in Section 63-1-43, Mississippi  
374 Code of 1972.

375 (2) The funds received under the provisions of subsection  
376 (1) of this section shall be deposited into the State General Fund  
377 in accordance with Section 45-1-23, Mississippi Code of 1972.

378 (3) In addition to the fee provided for in subsection (1) of  
379 this section, an additional fee of Seventy-five Dollars (\$75.00)  
380 shall be charged for the reinstatement of a license issued  
381 pursuant to this article to every person whose license has been  
382 suspended or revoked under the provisions of the Mississippi  
383 Implied Consent Law or as a result of a conviction of a violation  
384 of the Uniform Controlled Substances Law under the provisions of  
385 Section 63-1-71.

386 (4) The funds received under the provisions of subsection  
387 (3) of this section shall be placed in a special fund hereby  
388 created in the State Treasury. Monies in such special fund may be  
389 expended solely to contribute to the Disability and Relief Fund  
390 for members of the Mississippi Highway Safety Patrol such amounts  
391 as are necessary to make sworn agents of the Mississippi Bureau of  
392 Narcotics who were employed by such bureau prior to December 1,  
393 1990, and who were subsequently employed as enforcement troopers  
394 by the Department of Public Safety, full members of the retirement

395 system for the Mississippi Highway Safety Patrol with full credit  
396 for the time they were employed as sworn agents for the  
397 Mississippi Bureau of Narcotics. The Board of Trustees of the  
398 Public Employees' Retirement System shall certify to the State  
399 Treasurer the amounts necessary for the purposes described above.  
400 The State Treasurer shall monthly transfer from the special fund  
401 created pursuant to this subsection the amounts deposited in such  
402 special fund to the Disability and Relief Fund for members of the  
403 Mississippi Highway Safety Patrol until such time as the certified  
404 amount has been transferred. At such time as the certified amount  
405 has been transferred, the State Treasurer shall transfer any funds  
406 remaining in the special fund created pursuant to this subsection  
407 to the State General Fund and shall then dissolve such special  
408 fund. This subsection (4) shall stand repealed at such time when  
409 the State Treasurer transfers funds and dissolves the special fund  
410 account in accordance with the provisions of this subsection.

411 (5) The procedure for the reinstatement of a license issued  
412 pursuant to this article that has been suspended for being out of  
413 compliance with an order for support, as defined in Section  
414 93-11-153, and the payment of any fees for the reinstatement of a  
415 license suspended for that purpose, shall be governed by Section  
416 93-11-157 or 93-11-163, as the case may be.

417 SECTION 5. Section 63-1-53, Mississippi Code of 1972, is  
418 amended as follows:

419 63-1-53. (1) Upon failure of any person to respond timely  
420 and properly to a summons or citation charging such person with  
421 any violation of this title, or upon failure of any person to pay  
422 timely any fine, fee or assessment levied as a result of any  
423 violation of this title, the clerk of the court shall give written  
424 notice to such person by United States first class mail at his  
425 last known address advising such person that if within ten (10)  
426 days after such notice is deposited in the mail the person has not  
427 properly responded to the summons or citation or has not paid the

428 entire amount of all fines, fees and assessments levied, then the  
429 court will give notice thereof to the Commissioner of Public  
430 Safety and the commissioner may suspend the driver's license of  
431 such person. The actual cost incurred by the court in the giving  
432 of such notice may be added to any other court costs assessed in  
433 such case. If within ten (10) days after the notice is given in  
434 accordance with this subsection such person has not satisfactorily  
435 disposed of the matter pending before the court, then the clerk of  
436 the court immediately shall mail a copy of the abstract of the  
437 court record, along with a certified copy of the notice given  
438 under this subsection, to the Commissioner of Public Safety, and  
439 the commissioner may suspend the driver's license of such person  
440 as authorized under subsections (2) and (3) of this section.

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

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

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

450 (c) Is an habitually reckless or negligent driver of a  
451 motor vehicle;

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

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

457 (f) Has permitted an unlawful or fraudulent use of such  
458 license;

459 (g) Has committed an offense in another state which if  
460 committed in this state would be grounds for suspension or  
461 revocation;

462 (h) Has failed to pay any fine, fee or other assessment  
463 levied as a result of any violation of this title;

464 (i) Has failed to respond to a summons or citation  
465 which charged a violation of this title; \* \* \*

466 (j) Has committed a violation for which mandatory  
467 revocation of license is required upon conviction, entering a plea  
468 of nolo contendere to, or adjudication of delinquency, pursuant to  
469 the provisions of subsection (1) of Section 63-1-71; or

470 (k) Is under the age of eighteen (18) and has withdrawn  
471 or been suspended from his educational instruction program  
472 pursuant to the provisions of Section 63-1-10(4).

473 (3) Notice that a person's license is suspended or will be  
474 suspended under subsection (2) of this section shall be given by  
475 the commissioner in the manner and at the time provided for under  
476 Section 63-1-52, and upon such person's request, he shall be  
477 afforded an opportunity for a hearing as early as practical within  
478 not to exceed twenty (20) days after receipt of such request in  
479 the county wherein the licensee resides unless the department and  
480 the licensee agree that such hearing may be held in some other  
481 county. Upon such hearing the commissioner, or his duly  
482 authorized agent, may administer oaths and may issue subpoenas for  
483 the attendance of witnesses and the production of relevant books  
484 and papers and may require a reexamination of the licensee. Upon  
485 such hearing the commissioner shall either rescind any order of  
486 suspension or, good cause appearing therefor, may extend any  
487 suspension of such license or revoke such license.

488 SECTION 6. This act shall take effect and be in force from  
489 and after July 1, 2001.