

By: Senator(s) Frazier

To: Judiciary, Division B

SENATE BILL NO. 2865

1 AN ACT TO AMEND SECTION 63-1-35, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE COMMISSIONER OF PUBLIC SAFETY TO PROVIDE A VOLUNTARY
3 DESIGNATION OF CERTAIN MEDICAL INFORMATION OF THE LICENSEE ON THE
4 REVERSE SIDE OF A DRIVER'S LICENSE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 63-1-35, Mississippi Code of 1972, is
7 amended as follows:

8 63-1-35. (1) The Commissioner of Public Safety shall
9 prescribe the form of licenses issued pursuant to this article
10 which shall, among other features, include a driver's license
11 number assigned by the Department of Public Safety which, at the
12 option of the licensee, may or may not be the social security
13 number of the licensee. A licensee who chooses not to use his
14 social security number as his driver's license number, except as
15 otherwise provided under subsection (2) of this section, shall
16 list his social security number with the department which shall
17 cross reference the social security number with the driver's
18 license number for purposes of identification. Additionally, each
19 license shall bear a full face color photograph of the licensee in
20 such form that the license and the photograph cannot be separated.
21 Such photograph shall be taken so that one (1) exposure will
22 photograph the applicant and the application simultaneously on the
23 same film. The department shall use a process in the issuance of
24 a license with a color photograph which shall prevent as nearly as
25 possible any alteration, counterfeiting, duplication,
26 reproduction, forging or modification of such license or the
27 superimposition of a photograph without ready detection. Such
28 photograph shall be replaced by the department at the time of

29 renewal. Driver licenses, including photographs appearing
30 thereon, may be renewed by electronic means according to rules and
31 regulations promulgated by the commissioner. The Department of
32 Public Safety may accept bank credit cards and debit cards in
33 payment of fees for driver license renewals that are processed by
34 electronic means and, if authorized by general law, may charge an
35 additional fee for the use of such cards.

36 (2) The commissioner shall prescribe the form of licenses
37 issued pursuant to this article to licensees who are not United
38 States citizens and who do not possess a social security number
39 issued by the United States government. The licenses of such
40 persons shall include a number and/or other identifying features.

41 (3) On the reverse side of a driver's license, the
42 commissioner shall:

43 (a) Print:

44 (i) Allergic reaction to drugs: _____;

45 (ii) Directive to physician has been filed at
46 telephone number _____;

47 (iii) Emergency contact telephone number _____;

48 (iv) Any medical information provided by the
49 license holder under Section 63-1-19(4).

50 (b) Include to the right of the statement under
51 subsection (1)(ii) and (iii) a surface on which the license holder
52 may write the appropriate telephone number; and

53 (c) Include to the left of each of the statements under
54 subsection (1)(ii) and (iii) a box that the license holder may use
55 to indicate for what purpose the telephone number applies. In
56 addition to the requirements of subsection (3)(a)(iv), the
57 commissioner shall indicate any medical information by a uniform
58 symbol or code on the face of the license in the space where the
59 Department of Public Safety indicates a restriction or
60 endorsement.

61 (4) The applications must provide space for the applicant to
62 voluntarily list any health condition that may impede
63 communication with peace officers as evidenced by a written
64 statement from a licensed physician.

65 **SECTION 2.** Section 63-1-19, Mississippi Code of 1972, is
66 amended as follows:

67 63-1-19. (1) (a) Every applicant for a license or permit
68 issued pursuant to this article, or for renewal of such license or
69 permit, shall file an application for such license, permit or
70 renewal, on a form provided by the Department of Public Safety,
71 with the commissioner or an official license examiner of the
72 department. All persons not holding valid, unexpired licenses
73 issued in this state shall be required to secure an original
74 license, except those specifically exempted from licensing under
75 Section 63-1-7. The application shall state the name, date of
76 birth, the social security number of the applicant unless the
77 applicant is not a United States citizen and does not possess a
78 social security number issued by the United States government,
79 sex, race, color of eyes, color of hair, weight, height and
80 residence address, and whether or not the applicant's privilege to
81 drive has been suspended or revoked at any time, and, if so, when,
82 by whom, and for what cause, and whether any previous application
83 by him has been denied, and whether he has any physical defects
84 which would interfere with his operating a motor vehicle safely
85 upon the highways.

86 (b) Every applicant for an original license shall show
87 proof of domicile in this state. The commissioner shall
88 promulgate any rules and regulations necessary to enforce this
89 requirement and shall prescribe the means by which an applicant
90 for an original license may show domicile in this state. Proof of
91 domicile shall not be required of applicants under eighteen (18)
92 years of age.

93 (c) Unless the applicant is not a United States citizen
94 and does not possess a social security number issued by the United
95 States government, each application or filing made under this
96 section shall include the social security number(s) of the
97 applicant in accordance with Section 93-11-64, Mississippi Code of
98 1972.

99 (2) No person who is illegally in the United States or
100 Mississippi shall be issued a license. The application of a
101 person who is not a United States citizen and who does not possess
102 a social security number issued by the United States government
103 shall state the name, date of birth, sex, race, color of eyes,
104 color of hair, weight, height and residence address, and whether
105 or not the applicant's privilege to drive has been suspended or
106 revoked at any time, and, if so, when, by whom, and for what
107 cause, and whether any previous application by him has been
108 denied, and whether he has any physical defects which would
109 interfere with his operating a motor vehicle safely upon the
110 highways. The commissioner shall adopt and promulgate such rules
111 and regulations as he deems appropriate requiring additional
112 documents, materials, information or physical evidence to be
113 provided by the applicant as may be necessary to establish the
114 identity of the applicant and that the applicant is not present in
115 the United States or the State of Mississippi illegally.

116 (3) (a) Any male who is at least eighteen (18) years of age
117 but less than twenty-six (26) years of age and who applies for a
118 permit or license or a renewal of a permit or license under this
119 chapter shall be registered in compliance with the requirements of
120 Section 3 of the Military Selective Service Act, 50 USCS Appx 451
121 et seq., as amended.

122 (b) The department shall forward in an electronic
123 format the necessary personal information of the applicant to the
124 Selective Service System. The applicant's submission of the
125 application shall serve as an indication that the applicant either

126 has already registered with the Selective Service System or that
127 he is authorizing the department to forward to the Selective
128 Service System the necessary information for registration. The
129 commissioner shall notify the applicant on, or as a part of, the
130 application that his submission of the application will serve as
131 his consent to registration with the Selective Service System, if
132 so required. The commissioner also shall notify any male
133 applicant under the age of eighteen (18) that he will be
134 registered upon turning age eighteen (18) as required by federal
135 law.

136 (4) The applications must provide space for the applicant to
137 voluntarily list any health condition that may impede
138 communication with peace officers as evidenced by a written
139 statement from a licensed physician.

140 **SECTION 3.** This act shall take effect and be in force from
141 and after July 1, 2005.