

By: Representative Lott

To: Transportation

## HOUSE BILL NO. 1371

1 AN ACT TO AMEND SECTION 63-1-19, MISSISSIPPI CODE OF 1972, TO  
 2 PRESCRIBE CERTAIN ADDITIONAL INFORMATION AND DOCUMENTATION THAT  
 3 MUST BE PRESENTED TO THE COMMISSIONER OF PUBLIC SAFETY UPON  
 4 APPLICATION FOR A DRIVER'S LICENSE OR PERMIT; TO REQUIRE THE  
 5 DEPARTMENT OF PUBLIC SAFETY TO VERIFY THE LEGAL STATUS OF A PERSON  
 6 WHO APPLIES FOR A DRIVER'S LICENSE OR PERMIT; TO AUTHORIZE THE  
 7 DEPARTMENT TO CHARGE AN ADDITIONAL FEE FOR COLLECTING, ANALYZING  
 8 AND VERIFYING INFORMATION AND DOCUMENTS REGARDING LEGAL STATUS; TO  
 9 PROVIDE THAT A PERSON WHO IS NOT A CITIZEN OR NATIONAL OF THE  
 10 UNITED STATES AND WHO HAS CERTAIN LEGAL STATUS IN THE UNITED  
 11 STATES MAY BE ISSUED ONLY A TEMPORARY DRIVER'S LICENSE OR PERMIT;  
 12 TO AMEND SECTION 63-1-35, MISSISSIPPI CODE OF 1972, TO PRESCRIBE  
 13 CERTAIN ADDITIONAL INFORMATION THAT MUST APPEAR ON DRIVER'S  
 14 LICENSES AND PERMITS; TO PROVIDE THAT A TEMPORARY LICENSE OR  
 15 PERMIT SHALL INDICATE CLEARLY ON ITS FACE THAT THE LICENSE OR  
 16 PERMIT IS TEMPORARY AND SHALL STATE THE EXPIRATION DATE; TO AMEND  
 17 SECTION 45-35-5, MISSISSIPPI CODE OF 1972, TO PRESCRIBE CERTAIN  
 18 ADDITIONAL INFORMATION AND DOCUMENTATION THAT MUST BE PRESENTED TO  
 19 THE COMMISSIONER OF PUBLIC SAFETY UPON APPLICATION FOR AN  
 20 IDENTIFICATION CARD; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO  
 21 VERIFY THE LEGAL STATUS OF A PERSON WHO APPLIES FOR AN  
 22 IDENTIFICATION CARD; TO AUTHORIZE THE DEPARTMENT TO CHARGE AN  
 23 ADDITIONAL FEE FOR COLLECTING, ANALYZING AND VERIFYING INFORMATION  
 24 AND DOCUMENTS REGARDING LEGAL STATUS; TO PROVIDE THAT A PERSON WHO  
 25 IS NOT A CITIZEN OR NATIONAL OF THE UNITED STATES AND WHO HAS  
 26 CERTAIN LEGAL STATUS IN THE UNITED STATES MAY BE ISSUED ONLY A  
 27 TEMPORARY IDENTIFICATION CARD; TO AMEND SECTION 45-35-7,  
 28 MISSISSIPPI CODE OF 1972, TO PROVIDE AN EXPIRATION DATE FOR  
 29 TEMPORARY IDENTIFICATION CARDS; TO REDUCE FROM TEN YEARS TO EIGHT  
 30 YEARS THE PERIOD OF TIME THAT AN INITIAL OR RENEWAL OF AN  
 31 IDENTIFICATION CARD ISSUED TO A BLIND PERSON MAY BE VALID; TO  
 32 AMEND SECTION 45-35-11, MISSISSIPPI CODE OF 1972, TO PRESCRIBE  
 33 CERTAIN ADDITIONAL INFORMATION THAT MUST APPEAR ON IDENTIFICATION  
 34 CARDS; TO PROVIDE THAT A TEMPORARY IDENTIFICATION CARD SHALL  
 35 INDICATE CLEARLY ON ITS FACE THAT THE CARD IS TEMPORARY AND SHALL  
 36 STATE THE EXPIRATION DATE; TO AMEND SECTIONS 45-35-3, 45-35-9,  
 37 63-1-9, 63-1-17, 63-1-21, 63-1-23, 63-1-31, 63-1-33, 63-1-37,  
 38 63-1-43, 63-1-45, 63-1-47, 63-1-49, 63-1-65 AND 63-10-1,  
 39 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS  
 40 ACT; AND FOR RELATED PURPOSES.

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

42 **SECTION 1.** Section 63-1-19, Mississippi Code of 1972, is  
 43 amended as follows:

44 63-1-19. (1) (a) Every applicant for an initial license or  
 45 permit issued pursuant to this article \* \* \* shall file an  
 46 application for such license or permit \* \* \* on a form provided by

47 the Department of Public Safety, with the commissioner or an  
48 official license examiner of the department. All persons not  
49 holding valid, unexpired licenses issued in this state shall be  
50 required to secure a license, except those specifically exempted  
51 from licensing under Section 63-1-7. The application shall state  
52 the full legal name, date of birth, the social security number of  
53 the applicant unless the applicant is not a citizen or national of  
54 the United States \* \* \* and is not eligible for a social security  
55 number issued by the United States government, the sex, race,  
56 color of eyes, color of hair, weight, height and residence  
57 address, and whether or not the applicant's privilege to drive has  
58 been suspended or revoked at any time, and, if so, when, by whom,  
59 and for what cause, and whether any previous application by him  
60 has been denied, and whether he has any physical defects which  
61 would interfere with his operating a motor vehicle safely upon the  
62 highways. Each initial application shall also be accompanied  
63 with:

64 (i) A photo identity document, except that a  
65 nonphoto identity document is acceptable if it includes both the  
66 person's full legal name and date of birth;

67 (ii) Documentation showing the person's date of  
68 birth;

69 (iii) Proof of the person's social security  
70 account number or verification that the person is not eligible for  
71 a social security account number; and

72 (iv) Documentation showing the person's name and  
73 address of principal residence.

74 (b) Every applicant for an initial license or permit  
75 shall show proof of domicile in this state. The commissioner  
76 shall promulgate any rules and regulations necessary to enforce  
77 this requirement and shall prescribe the means by which an  
78 applicant for an initial license may show domicile in this state.  
79 Proof of domicile shall not be required of applicants under

80 eighteen (18) years of age or of applicants who are not citizens  
81 or nationals of the United States and who are not domiciled in the  
82 United States. However, persons who are not citizens or nationals  
83 of the United States and who are not domiciled in the United  
84 States must show proof of residence in Mississippi as provided  
85 under paragraph (a)(iv) of this subsection (1).

86 \* \* \*

87 (2) Before issuance of an initial license or permit under  
88 this article, the applicant shall present to the Department of  
89 Public Safety valid documentary evidence that the applicant:

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

91 (b) Is an alien lawfully admitted for permanent or  
92 temporary residence in the United States;

93 (c) Has conditional permanent resident status in the  
94 United States;

95 (d) Has an approved application for asylum in the  
96 United States or has entered into the United States in refugee  
97 status;

98 (e) Has a valid, unexpired nonimmigrant visa or  
99 nonimmigrant visa status for entry into the United States;

100 (f) Has a pending application for asylum in the United  
101 States;

102 (g) Has a pending or approved application for temporary  
103 protected status in the United States;

104 (h) Has approved deferred action status; or

105 (i) Has a pending application for adjustment of status  
106 to that of an alien lawfully admitted for permanent residence in  
107 the United States or conditional permanent resident status in the  
108 United States.

109 (3) A person who is required to present evidence of legal  
110 status under any of paragraphs (e) through (i) of subsection (2)  
111 of this section, if otherwise authorized to be issued a license or  
112 permit under this article, may be issued only a temporary driver's

113 license or permit which shall be in the form provided under  
114 Section 63-1-35(2), which shall be valid for such period of time  
115 as provided under Section 63-1-47, and which shall be subject to  
116 such fees as provided under Section 63-1-43 and as otherwise  
117 provided under this article.

118 (4) The Commissioner of Public Safety, by rule or  
119 regulation, shall prescribe the minimum information and documents  
120 required to be presented to the Department of Public Safety for  
121 renewal of a license or permit issued under this article to a  
122 person who is a citizen or national of the United States; however,  
123 each application for renewal of a license or permit by a person  
124 who is not a citizen or national of the United States shall  
125 contain and be accompanied with all of the same information and  
126 documents required under subsections (1) and (2) of this section  
127 for issuance of an initial license or permit.

128 (5) For collecting, analyzing and verifying the information  
129 and documents required under subsections (1) and (2) of this  
130 section for the issuance of licenses and permits under this  
131 article, the Department of Public Safety may charge applicants a  
132 fee, which fee shall be in addition to any other fees authorized  
133 or required to be charged or collected under this article. The  
134 commissioner shall fix the fee in such amount so as to defray the  
135 reasonable and necessary costs that the department incurs in  
136 verifying the information and documents required under subsections  
137 (1) and (2) of this section. The additional fee shall be the same  
138 amount for all persons who are subject under this article to the  
139 additional fee.

140 (6) No person who is illegally in the United States or  
141 Mississippi shall be issued a license or permit under this  
142 article. \* \* \* The commissioner shall adopt and promulgate such  
143 rules and regulations as he deems appropriate requiring additional  
144 documents, materials, information or physical evidence to be  
145 provided by the applicant as may be necessary to establish and

146 verify the identity of the applicant and that the applicant is not  
147 present in the United States or the State of Mississippi  
148 illegally.

149       (7) Whenever a person who has applied for or who has been  
150 issued a license or permit under this article moves from the  
151 address listed in the application or on the permit or license, or  
152 whenever the name of a licensee changes by marriage or otherwise,  
153 such person, within thirty (30) days thereafter, shall notify, in  
154 writing, the Department of Public Safety, Driver Services  
155 Division, and inform the department of his or her previous address  
156 and new address and of his or her former name and new name. The  
157 department shall not change the name of a licensee or permittee on  
158 his or her license or permit unless the applicant appears in  
159 person at an office of the department and provides a certified  
160 copy of his or her marriage license, court order, birth  
161 certificate or divorce decree changing the licensee's or  
162 permittee's name.

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

169       (b) The department shall forward in an electronic  
170 format the necessary personal information of the applicant to the  
171 Selective Service System. The applicant's submission of the  
172 application shall serve as an indication that the applicant either  
173 has already registered with the Selective Service System or that  
174 he is authorizing the department to forward to the Selective  
175 Service System the necessary information for registration. The  
176 commissioner shall notify the applicant on, or as a part of, the  
177 application that his submission of the application will serve as  
178 his consent to registration with the Selective Service System, if

179 so required. The commissioner also shall notify any male  
180 applicant under the age of eighteen (18) that he will be  
181 registered upon turning age eighteen (18) as required by federal  
182 law.

183 **SECTION 2.** Section 63-1-35, Mississippi Code of 1972, is  
184 amended as follows:

185 63-1-35. (1) The Commissioner of Public Safety shall  
186 prescribe the form of licenses and permits issued pursuant to this  
187 article which shall, among other features, include the full legal  
188 name of the licensee or permittee, the person's date of birth, the  
189 person's sex, the person's address of principle residence, the  
190 person's signature, the expiration date of the license or permit  
191 and a driver's license number or permit number assigned by the  
192 Department of Public Safety which, at the option of the licensee  
193 or permittee, may or may not be the social security number of the  
194 licensee. A licensee or permittee who has a social security number  
195 but who chooses not to use his social security number as his  
196 driver's license or permit number, \* \* \* shall list his social  
197 security number with the department which shall cross reference  
198 the social security number with the driver's license or permit  
199 number for purposes of identification. A person who is not a  
200 citizen or national of the United States and who is not eligible  
201 for a social security number but who otherwise qualifies for  
202 issuance of a license or permit under this article shall be  
203 assigned a license or permit number by the department.

204 Additionally, each license or permit shall bear a full face color  
205 photograph of the licensee or permittee in such form that the  
206 license or permit and the photograph cannot be separated. \* \* \*  
207 The department shall use a process in the issuance of a license or  
208 permit with a color photograph which shall prevent as nearly as  
209 possible any alteration, counterfeiting, duplication,  
210 reproduction, forging or modification of such license or permit or  
211 the superimposition of a photograph without ready detection. Such

212 photograph shall be replaced by the department at the time of  
213 renewal. Driver licenses and permits, including photographs  
214 appearing thereon, may be renewed by electronic means according to  
215 rules and regulations promulgated by the commissioner. The  
216 Department of Public Safety may accept bank credit cards and debit  
217 cards in payment of fees for driver license renewals or permit  
218 renewals that are processed by electronic means and, if authorized  
219 by general law, may charge an additional fee for the use of such  
220 cards.

221 (2) The form of any temporary driver's license or permit  
222 issued to a person as provided under Section 63-1-19(3), in  
223 addition to meeting the requirements of subsection (1) of this  
224 section, shall clearly indicate on the face of the license or  
225 permit that it is temporary and shall state the date on which the  
226 license or permit expires.

227 **SECTION 3.** Section 45-35-5, Mississippi Code of 1972, is  
228 amended as follows:

229 45-35-5. (1) (a) Every applicant for an initial  
230 identification card shall file an application for such  
231 identification card with the commissioner on a form provided by  
232 the department. The application shall state the full legal name,  
233 date of birth, the social security number of the applicant unless  
234 the applicant is not a citizen or national of the United States  
235 and is not eligible for a social security number issued by the  
236 United States government, the sex, race, color of eyes, color of  
237 hair, weight, height and residence address. Each initial  
238 application shall also be accompanied with:

239 (i) A photo identity document, except that a  
240 nonphoto identity document is acceptable if it includes both the  
241 person's full legal name and date of birth;

242 (ii) Documentation showing the person's date of  
243 birth;

244 (iii) Proof of the person's social security  
245 account number or verification that the person is not eligible for  
246 a social security account number; and

247 (iv) Documentation showing the person's name and  
248 address of principal residence.

249 (b) Every applicant for an initial identification card  
250 shall show proof of domicile in this state. The commissioner  
251 shall promulgate any rules and regulations necessary to enforce  
252 this requirement and shall prescribe the means by which an  
253 applicant for an identification card may show domicile in this  
254 state. Proof of domicile shall not be required of applicants  
255 under eighteen (18) years of age or of applicants who are not  
256 citizens or nationals of the United States and who are not  
257 domiciled in the United States. However, persons who are not  
258 citizens or nationals of the United States and who are not  
259 domiciled in the United States, regardless of age, must show proof  
260 of residence in Mississippi as provided under paragraph (a)(iv) of  
261 this subsection (1).

262 (2) Before issuance of an initial identification card under  
263 this chapter, the applicant shall present to the Department of  
264 Public Safety valid documentary evidence that the applicant:

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

266 (b) Is an alien lawfully admitted for permanent or  
267 temporary residence in the United States;

268 (c) Has conditional permanent resident status in the  
269 United States;

270 (d) Has an approved application for asylum in the  
271 United States or has entered into the United States in refugee  
272 status;

273 (e) Has a valid, unexpired nonimmigrant visa or  
274 nonimmigrant visa status for entry into the United States;

275 (f) Has a pending application for asylum in the United  
276 States;



277           (g) Has a pending or approved application for temporary  
278 protected status in the United States;

279           (h) Has approved deferred action status; or

280           (i) Has a pending application for adjustment of status  
281 to that of an alien lawfully admitted for permanent residence in  
282 the United States or conditional permanent resident status in the  
283 United States.

284           (3) A person who is required to present evidence of legal  
285 status under any of paragraphs (e) through (i) of subsection (2)  
286 of this section, if otherwise authorized to be issued an  
287 identification card under this chapter, may be issued only a  
288 temporary identification card which shall be in the form as  
289 provided under Section 45-35-11, shall be valid for such period of  
290 time as provided under Section 45-35-7, and shall be subject to  
291 such fees as provided under this section and Section 45-35-7.

292           (4) The Commissioner of Public Safety, by rule or  
293 regulation, shall prescribe the minimum information and documents  
294 required to be presented to the Department of Public Safety for  
295 renewal of an identification card issued under this chapter to a  
296 person who is a citizen or national of the United States; however,  
297 each application for renewal of an identification card by a person  
298 who is not a citizen or national of the United States shall  
299 contain and be accompanied with all of the same information and  
300 documents required under subsections (1) and (2) of this section  
301 for issuance of an initial identification card.

302           (5) For collecting, analyzing and verifying the information  
303 and documents required under subsections (1) and (2) of this  
304 section for the issuance of an identification card under this  
305 chapter, the Department of Public Safety may charge applicants a  
306 fee, which fee shall be in addition to any other fees authorized  
307 or required to be charged or collected under this chapter. The  
308 commissioner shall fix the fee in such amount so as to defray the  
309 reasonable and necessary costs that the department incurs in

310 verifying the information and documents required under subsections  
311 (1) and (2) of this section. The additional fee shall be the same  
312 amount for all persons who are subject under this chapter to the  
313 additional fee.

314 (6) No person who is illegally in the United States or  
315 Mississippi shall be issued an identification card under this  
316 chapter. The commissioner shall adopt and promulgate such rules  
317 and regulations as he deems appropriate requiring additional  
318 documents, materials, information or physical evidence to be  
319 provided by the applicant as may be necessary to establish and  
320 verify the identity of the applicant and that the applicant is not  
321 present in the United States or the State of Mississippi  
322 illegally.

323 (7) Whenever a person who has applied for or who has been  
324 issued an identification card under this chapter moves from the  
325 address listed in the application or on the identification card,  
326 or whenever the name of the holder of an identification card  
327 changes by marriage or otherwise, such person, within thirty (30)  
328 days thereafter, shall notify, in writing, the Department of  
329 Public Safety, Driver Services Division, and inform the department  
330 of his or her previous address and new address and of his or her  
331 former name and new name. The department shall not change the  
332 name of on his or her identification card unless the applicant  
333 appears in person at an office of the department and provides a  
334 certified copy of his or her marriage license, court order, birth  
335 certificate or divorce decree changing the cardholder's name.

336 **SECTION 4.** Section 45-35-7, Mississippi Code of 1972, is  
337 amended as follows:

338 45-35-7. (1) Except as provided in subsection (3) of this  
339 section, each applicant for an initial identification card issued  
340 pursuant to this chapter who is entitled to issuance of such a  
341 card shall be issued a four-year card which shall expire at  
342 midnight on the last day of the cardholder's birth month.

343 (2) Except as provided in subsection (3) of this section,  
344 all renewal identification cards shall be for four-year periods  
345 and may be renewed any time during the birth month of the  
346 cardholder upon application and payment of the required fees.

347 (3) (a) Except as otherwise provided in this subsection,  
348 any applicant who is blind, as defined in Section 43-6-1, upon  
349 payment of the required fees \* \* \*, shall be issued an initial  
350 identification card which shall remain valid for a period of eight  
351 (8) years. All renewal identification cards issued to such  
352 persons shall also be valid for a period of eight (8) years.

353 (b) An initial identification card issued to any  
354 applicant who is not a citizen or national of the United States  
355 \* \* \* and who is only eligible to be issued a temporary  
356 identification card as provided under Section 45-35-5(3) shall be  
357 valid only during the period of time of the applicant's authorized  
358 stay in the United States or, if there is no definite end to the  
359 period of authorized stay, for a period of one (1) year from the  
360 date of issuance. Such identification card may be renewed, if  
361 such person is otherwise qualified to renew such card, within  
362 thirty (30) days of expiration and shall be valid only during the  
363 period of time of the applicant's authorized stay in the United  
364 States or, if there is no definite end to the period of authorized  
365 stay, for a period of one (1) year from the date of issuance.

366 (4) A fee of Eleven Dollars (\$11.00) shall be collected for  
367 the issuance of an initial or renewal identification card plus the  
368 applicable photograph fee as provided in subsection (5) of this  
369 section. The fee of Eleven Dollars (\$11.00) shall be deposited  
370 into the State General Fund. The photograph fee shall be  
371 deposited into a special photograph fee account or the State  
372 General Fund as provided under subsection (5) of this section.

373 (5) The Commissioner of Public Safety, by rule or  
374 regulation, shall establish an identification card photograph fee  
375 which shall be the actual cost of the photograph rounded off to

376 the next highest dollar. Monies collected for the photograph fee  
377 shall be deposited into a special photograph fee account which the  
378 Department of Public Safety shall use to pay the actual cost of  
379 producing the photographs. Any monies collected in excess of the  
380 actual costs of the photography shall be deposited to the General  
381 Fund of the State of Mississippi.

382 (6) Any person who, for medical reasons, surrenders his  
383 unexpired driver's license, and any person whose unexpired  
384 driver's license is suspended for medical reasons by the  
385 Commissioner of Public Safety under Section 63-1-53(e), may be  
386 issued an identification card without payment of a fee. The  
387 identification card shall be valid for a period of four (4) years  
388 from its date of issue. All renewals of such card shall be  
389 subject to the fees prescribed in subsections (4) and (5) of this  
390 section. The provisions of this subsection shall not be  
391 applicable to persons who are not citizens or nationals of the  
392 United States and who are only eligible to be issued a temporary  
393 driver's license or permit.

394 (7) In addition to the fees required to be charged and  
395 collected under this section, the Department of Public Safety  
396 shall charge and collect a fee as provided under Section  
397 45-35-5(5) from every person upon application for issuance of an  
398 initial identification card under this chapter and from persons  
399 who are not citizens or nationals of the United States upon each  
400 application by any such person for renewal of an identification  
401 card issued under this chapter.

402 (8) The department shall maintain a record of all  
403 identification cards issued, except for those cards cancelled,  
404 surrendered or denied renewal.

405 (9) (a) Any male who is at least eighteen (18) years of age  
406 but less than twenty-six (26) years of age and who applies for an  
407 identification card or a renewal of an identification card under  
408 this chapter shall be registered in compliance with the

409 requirements of Section 3 of the Military Selective Service Act,  
410 50 USCS Appx 451 et seq., as amended.

411 (b) The department shall forward in an electronic  
412 format the necessary personal information of the applicant to the  
413 Selective Service System. The applicant's submission of the  
414 application shall serve as an indication that the applicant either  
415 has already registered with the Selective Service System or that  
416 he is authorizing the department to forward to the Selective  
417 Service System the necessary information for registration. The  
418 commissioner shall notify the applicant on, or as a part of, the  
419 application that his submission of the application will serve as  
420 his consent to registration with the Selective Service System, if  
421 so required. The commissioner also shall notify any male  
422 applicant under the age of eighteen (18) that he will be  
423 registered upon turning age eighteen (18) as required by federal  
424 law.

425 **SECTION 5.** Section 45-35-11, Mississippi Code of 1972, is  
426 amended as follows:

427 45-35-11. (1) All identification cards shall be centrally  
428 issued by the department \* \* \*.

429 (2) The Commissioner of Public Safety shall prescribe the  
430 form of identification cards issued pursuant to this chapter  
431 which, among other features, shall include the full legal name of  
432 the cardholder, the person's date of birth, the person's sex, the  
433 person's address of principle residence, the person's signature,  
434 the expiration date of the identification card and an  
435 identification card number assigned by the Department of Public  
436 Safety which, at the option of the cardholder, may or may not be  
437 the social security number of the cardholder. A cardholder who  
438 has a social security number but who chooses not to use his social  
439 security number as his identification card number, shall list his  
440 social security number with the department which shall cross  
441 reference the social security number with the identification card

442 number for purposes of identification. A person who is not a  
443 citizen or national of the United States and who is not eligible  
444 for a social security number but who otherwise qualifies for  
445 issuance of an identification card under this chapter shall be  
446 assigned an identification card number by the department.  
447 Additionally, each identification card shall bear a full face  
448 color photograph of the cardholder in such form that the  
449 cardholder and the photograph cannot be separated. The department  
450 shall use a process in the issuance of an identification card with  
451 a color photograph which shall prevent as nearly as possible any  
452 alteration, counterfeiting, duplication, reproduction, forging or  
453 modification of such license or permit or the superimposition of a  
454 photograph without ready detection. Such photograph shall be  
455 replaced by the department at the time of renewal. Identification  
456 cards, including photographs appearing thereon, may be renewed by  
457 electronic means according to rules and regulations promulgated by  
458 the commissioner. The Department of Public Safety may accept bank  
459 credit cards and debit cards in payment of fees for identification  
460 card renewals that are processed by electronic means and, if  
461 authorized by general law, may charge an additional fee for the  
462 use of such credit cards and debit cards.

463 (2) The form of any temporary identification card issued to  
464 a person as provided under Section 45-35-5(3), in addition to  
465 meeting the requirements of subsection (1) of this section, shall  
466 clearly indicate on the face of the identification card that it is  
467 temporary and shall state the date on which the identification  
468 card expires.

469 **SECTION 6.** Section 45-35-3, Mississippi Code of 1972, is  
470 amended as follows:

471 45-35-3. Any person six (6) years of age or older may be  
472 issued an identification card by the department by making  
473 application for, presenting the documentation and identifying data  
474 as required by, and meeting the requirements of Section 45-35-5.

475           **SECTION 7.** Section 45-35-9, Mississippi Code of 1972, is  
476 amended as follows:

477           45-35-9. (1) If an identification card issued under this  
478 chapter is lost, destroyed or mutilated, or a new name is  
479 required, the person to whom it was issued may obtain a duplicate  
480 by furnishing satisfactory proof of such fact to the department.  
481 The same identifying data shall be furnished for a duplicate as  
482 for an initial card. A fee of Three Dollars (\$3.00) plus the  
483 applicable photograph fee shall be collected for the first  
484 duplicate card issued and a fee of Eight Dollars (\$8.00) plus the  
485 applicable photograph fee shall be collected for the second and  
486 each subsequent duplicate copy. However, whenever a duplicate  
487 copy of an identification card is issued only because a new name  
488 is required and the previously issued identification card is  
489 returned to the department, the fee for the issuance of such  
490 duplicate shall be Three Dollars (\$3.00) plus the applicable  
491 photograph fee, regardless of whether the duplicate is the first,  
492 second or subsequent duplicate copy. All fees collected under  
493 this section, except photograph fees, shall be deposited into the  
494 State General Fund. Photograph fees collected under this section  
495 shall be deposited into a special photograph fee account or into  
496 the State General Fund in the same manner as photograph fees  
497 collected from the issuance of drivers' licenses under Section  
498 63-1-43.

499           (2) Any person who loses an identification card and who,  
500 after obtaining a duplicate, finds the original card shall  
501 promptly surrender the original card to the department.

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

504           63-1-9. (1) No driver's license, intermediate license or  
505 learner's permit shall be issued pursuant to this article:

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

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

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

515           (d) To any person who would not be able by reason of  
516 physical or mental disability, in the opinion of the commissioner  
517 or other person authorized to grant an operator's license, to  
518 operate a motor vehicle on the highways with safety. However,  
519 persons who have one (1) arm or leg, or have arms or legs  
520 deformed, and have their car provided with mechanical devices  
521 whereby they are able to drive in a safe manner over the highways,  
522 if otherwise qualified, shall receive an operator's license the  
523 same as other persons. Moreover, deafness shall not be a bar to  
524 obtaining a license.

525           (e) To any person who is under the age of seventeen  
526 (17) years to drive any motor vehicle while in use as a school bus  
527 for the transportation of pupils to or from school, or to drive  
528 any motor vehicle while in use as a public or common carrier of  
529 persons or property.

530           (f) To any person as an operator who has previously  
531 been adjudged to be afflicted with and suffering from any mental  
532 disability and who has not at time of application been restored to  
533 mental competency.

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



539 (i) Is enrolled and making satisfactory progress  
540 in a course leading to a general education development  
541 certificate;

542 (ii) Is enrolled in school in this state or any  
543 other state;

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

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

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

550 (i) To any person who is illegally in the United States  
551 or Mississippi.

552 (2) \* \* \*

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

556 (b) An intermediate license may be issued to any person  
557 who is at least fifteen (15) years of age who otherwise meets the  
558 requirements of this article and who has held a learner's permit  
559 for at least six (6) months without any conviction under Section  
560 63-11-30 or of a moving violation. Any conviction under Section  
561 63-11-30 or of a moving violation shall restart the six-month  
562 requirement for the holding of a learner's permit before an  
563 applicant can qualify for an intermediate license.

564 (c) A driver's license may be issued to any person who  
565 is at least sixteen (16) years of age who otherwise meets the  
566 requirements of this article and who has held an intermediate  
567 license for at least six (6) months without any conviction under  
568 Section 63-11-30 or of a moving violation. Any conviction under  
569 Section 63-11-30 or of a moving violation shall restart the  
570 six-month requirement for the holding of an intermediate license  
571 before an applicant can qualify for a driver's license. However,

572 a person who is at least seventeen (17) years of age who has been  
573 issued a learner's permit and who has never been convicted under  
574 Section 63-11-30 or of a moving violation shall not be required to  
575 have held an intermediate license.

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

582 (3) The commissioner shall ensure that the learner's permit,  
583 intermediate license, and driver's license issued under this  
584 article are clear, distinct and easily distinguishable from one  
585 another.

586 **SECTION 9.** Section 63-1-17, Mississippi Code of 1972, is  
587 amended as follows:

588 63-1-17. As the license examiners file their statements  
589 showing the serial numbers of licenses and learner's permits  
590 issued pursuant to this article during the preceding month, the  
591 commissioner shall keep a record of all licenses and permits  
592 issued pursuant to this article by such examiners, a record of all  
593 licenses and permits revoked, a record of all perforated sections  
594 mailed to him by the trial judges, and such other information that  
595 he deems necessary to carry out the provisions of this article.

596 **SECTION 10.** Section 63-1-21, Mississippi Code of 1972, is  
597 amended as follows:

598 63-1-21. (1) Every applicant for a new or initial driver's  
599 or operator's license, except persons holding an out-of-state  
600 license, shall first obtain a learner's permit upon the payment of  
601 a fee of One Dollar (\$1.00) to the Department of Public Safety and  
602 upon the successful completion of the examination provided for in  
603 Section 63-1-33 and the payment of the fee for such examination  
604 provided for in Section 63-1-43.

605           (2) A learner's permit entitles the holder, provided the  
606 permit is in his immediate possession, to drive a motor vehicle  
607 other than a motorcycle on the highways of the State of  
608 Mississippi only when accompanied by a licensed operator who is at  
609 least twenty-one (21) years of age and who is actually occupying  
610 the seat beside the driver. A learner's permit may be issued to  
611 any applicant who is at least fifteen (15) years of age. A  
612 learner's permit shall be valid for a period of one (1) year from  
613 the date of issue.

614           (3) An intermediate license allows unsupervised driving from  
615 6:00 a.m. to 10:00 p.m. At all other times the intermediate  
616 licensee must be supervised by a parent, guardian or other person  
617 age twenty-one (21) years or older who holds a valid driver's  
618 license under this article and who is actually occupying the seat  
619 beside the driver.

620           (4) The fee for issuance of an intermediate license shall be  
621 Five Dollars (\$5.00).

622           Except as otherwise provided by Section 63-1-6, every  
623 applicant for a restricted motorcycle operator's license or a  
624 motorcycle endorsement shall first obtain a \* \* \* motorcycle  
625 learner's permit upon the payment of a fee of One Dollar (\$1.00)  
626 to the Department of Public Safety, and upon the successful  
627 completion of the examination provided for in Section 63-1-33, and  
628 payment of the fee for said examination provided for in Section  
629 63-1-43. All applicants for such learner's permit shall (a) be at  
630 least fifteen (15) years of age; (b) operate a motorcycle only  
631 under the direct supervision of a person at least twenty-one (21)  
632 years of age who possesses either a valid driver's or operator's  
633 license with a motorcycle endorsement or a valid restricted  
634 motorcycle operator's license; (c) be prohibited from transporting  
635 a passenger on a motorcycle; (d) be prohibited from operating a  
636 motorcycle upon any controlled access highway; and (e) be  
637 prohibited from operating a motorcycle during the hours of 6:00

638 p.m. through 6:00 a.m. \* \* \* Motorcycle learner's permits shall  
639 be valid for the same period of time and may be renewed upon the  
640 same conditions as learner's permits issued for vehicles other  
641 than motorcycles.

642 **SECTION 11.** Section 63-1-23, Mississippi Code of 1972, is  
643 amended as follows:

644 63-1-23. The application of any person under the age of  
645 seventeen (17) years for a learner's permit, intermediate license  
646 or license issued pursuant to this article shall be signed and  
647 verified before a person authorized to administer oaths by both  
648 the father and mother of the applicant, if both are living and  
649 have custody of him, or in the event neither parent is living then  
650 by the person or guardian having such custody or by an employer of  
651 him, or in the event there is no guardian or employer then by any  
652 other responsible person who is willing to assume the obligation  
653 imposed under Section 63-1-25 upon a person signing the  
654 application of a minor.

655 **SECTION 12.** Section 63-1-31, Mississippi Code of 1972, is  
656 amended as follows:

657 63-1-31. When a person is denied a license or any learner's  
658 permit after filing the proper application, he shall have the  
659 right within sixty (60) days thereafter to file a petition, in the  
660 county circuit or chancery court in the county wherein such  
661 application was filed, praying for a hearing in the matter before  
662 the judge of the court in which such application is presented.  
663 Such judge or chancellor is hereby vested with jurisdiction to  
664 hear such matters forthwith within term time or during vacation,  
665 upon five (5) days' written notice to the officer who refused to  
666 issue such license or any learner's permit. Said hearing shall be  
667 conducted at such place as may suit the convenience of the court.  
668 On the hearing of the petition, testimony may be taken, and the  
669 court shall render such judgment in the matter as it deems right  
670 and proper under the law and evidence.

671           **SECTION 13.** Section 63-1-33, Mississippi Code of 1972, is  
672 amended as follows:

673           63-1-33. It shall be the duty of the license examiner, when  
674 application is made for an operator's license or learner's permit,  
675 to test the applicant's ability to read and understand road signs  
676 and to give the required signals as adopted by the National  
677 Advisory Committee on Uniform Traffic Control Devices and the  
678 American Association of Motor Vehicle Administrators.

679           The commissioner shall have prepared and administer a test  
680 composed of at least ten (10) questions relating to the safe  
681 operation of a motor vehicle and testing the applicant's knowledge  
682 of the proper operation of a motor vehicle.

683           Prior to the administration of the test the license examiner  
684 shall inspect the horn, lights, brakes, inspection certificate and  
685 vehicle registration of the motor vehicle which the applicant  
686 expects to operate while being tested, and if he finds that any of  
687 the aforementioned items are deficient, no license or endorsement  
688 shall be issued to the applicant until same have been repaired.

689           An applicant for a Mississippi driver's license who, at the  
690 time of application, holds a valid motor vehicle driver's license  
691 issued by another state shall not be required to take a written  
692 test.

693           Except as otherwise provided by Section 63-1-6, when  
694 application is made for an initial motorcycle endorsement or a  
695 restricted motorcycle operator's license, the applicant shall be  
696 required to pass a written test which consists of questions  
697 relating to the safe operation of a motorcycle and a skill test  
698 similar to the "Motorcycle Operator Skill Test," which is endorsed  
699 by the American Association of Motor Vehicle Administrators. The  
700 commissioner may exempt any applicant from the skill test if the  
701 applicant presents a certificate showing successful completion of  
702 a course approved by the commissioner, which includes a similar

703 examination of skills needed in the safe operation of a  
704 motorcycle.

705         **SECTION 14.** Section 63-1-37, Mississippi Code of 1972, is  
706 amended as follows:

707         63-1-37. In the event that a license or learner's permit  
708 issued under the provisions of this article is lost or destroyed,  
709 the licensee shall obtain from the commissioner a duplicate copy  
710 thereof and shall pay a fee in the amount of Three Dollars (\$3.00)  
711 plus the applicable photograph fee for the first duplicate copy  
712 and a fee in the amount of Eight Dollars (\$8.00) plus the  
713 applicable photograph fee for the second and each subsequent  
714 duplicate copy. The license or permit shall be marked  
715 "Duplicate."

716         All fees collected under this section, except photograph  
717 fees, shall be deposited into the State General Fund. Photograph  
718 fees collected under this section shall be deposited pursuant to  
719 the provisions of Section 63-1-43.

720         **SECTION 15.** Section 63-1-43, Mississippi Code of 1972, is  
721 amended as follows:

722         63-1-43. (1) The fee for receiving the application and  
723 issuing the regular driver's or operator's license and the fee for  
724 renewing the license shall be:

725                 (a) Eighteen Dollars (\$18.00) plus the applicable  
726 photograph fee for each applicant for a four-year license;

727                 (b) Three Dollars (\$3.00) plus the applicable  
728 photograph fee for each applicant for a one-year license, except  
729 as provided in paragraph (c) of this subsection; and

730                 (c) Eight Dollars (\$8.00) plus the applicable  
731 photograph fee for a temporary driver's license for each applicant  
732 who is not a citizen or national of the United States \* \* \* and  
733 who is required to present evidence of legal status under Section  
734 63-1-19(3).

735 All initial and renewals of regular operators' licenses shall  
736 be in compliance with Section 63-1-47.

737 (2) The fee for receiving the application and issuing a  
738 motorcycle endorsement shall be Five Dollars (\$5.00). Motorcycle  
739 endorsements shall be valid for the same period of time as the  
740 applicant's operator's license.

741 (3) The fee for receiving the application and issuing a  
742 restricted motorcycle operator's license and the fee for renewing  
743 such license shall be:

744 (a) Eleven Dollars (\$11.00) plus the applicable  
745 photograph fee for a four-year license; and

746 (b) Eight Dollars (\$8.00) plus the applicable  
747 photograph fee for a one-year license or for a temporary  
748 restricted motorcycle operator's license for an applicant who is  
749 not a citizen or national of the United States and who is required  
750 to present evidence of legal status under Section 63-1-19(3).

751 All initial and renewals of restricted motorcycle licenses  
752 shall be valid for the same period of time that an initial regular  
753 driver's license may be issued to such person in compliance with  
754 Section 63-1-47.

755 (4) From and after January 1, 1990, every person who makes  
756 application for an initial license or a renewal license to operate  
757 a vehicle as a common carrier by motor vehicle, taxicab, passenger  
758 coach, dray, contract carrier or private commercial carrier as  
759 such terms are defined in Section 27-19-3, except for those  
760 vehicles for which a Class A, B or C license is required under  
761 Article 2 of this chapter, shall, in lieu of the regular driver's  
762 license above provided for, apply for and obtain a Class D  
763 commercial driver's license. Except as otherwise provided in  
764 subsection (5) of this section, the fee for the issuance of a  
765 Class D commercial driver's license shall be Twenty-three Dollars  
766 (\$23.00) plus the applicable photograph fee for a period of four  
767 (4) years; however, except as required under Article 2 of this

768 chapter, no driver of a pickup truck shall be required to have a  
769 commercial license regardless of the purpose for which the pickup  
770 truck is used.

771 Except as otherwise provided in subsection (5) of this  
772 section, all initial and renewals of commercial licenses issued  
773 under this section shall be valid for a period of four (4) years,  
774 in compliance with Section 63-1-47. Only persons who operate the  
775 above-mentioned vehicles in the course of the regular and  
776 customary business of the owner shall be required to obtain a  
777 Class D commercial operator's license, and persons operating such  
778 vehicles for private purposes or in emergencies shall not be  
779 required to obtain such license.

780 (5) The initial and each renewal of a commercial driver's  
781 license issued under this section to a person who is not a citizen  
782 or national of the United States \* \* \* and who is only eligible to  
783 be issued a temporary license under Section 63-1-19(3), shall be  
784 issued for a \* \* \* fee of Eight Dollars (\$8.00) plus the  
785 applicable photograph fee \* \* \*. Such person may renew a  
786 commercial license issued under this section within thirty (30)  
787 days of expiration of the license if such person otherwise  
788 qualifies for issuance of such license.

789 (6) The Commissioner of Public Safety, by rule or  
790 regulation, shall establish a driver's license photograph fee  
791 which shall be the actual cost of the photograph rounded off to  
792 the next highest dollar. Monies collected for the photograph fee  
793 shall be deposited into a special photograph fee account which the  
794 Department of Public Safety shall use to pay the actual cost of  
795 producing the photographs. Any monies collected in excess of the  
796 actual costs of the photography shall be deposited to the General  
797 Fund of the State of Mississippi.

798 (7) In addition to the fees required to be charged and  
799 collected under this section, the Department of Public Safety  
800 shall charge and collect a fee as provided under Section



801 63-1-19(5) from every person upon application for issuance of an  
802 initial license or permit under this article and from persons who  
803 are not citizens or nationals of the United States upon each  
804 application by any such person for renewal of a license or permit  
805 issued under this article.

806         **SECTION 16.** Section 63-1-45, Mississippi Code of 1972, is  
807 amended as follows:

808         63-1-45. License examiners shall keep a complete record of  
809 all funds received from applicants upon forms to be prescribed and  
810 furnished by the department out of the operating funds of the  
811 department. Application forms shall be printed in book form and  
812 serially numbered and in such form that the original thereof may  
813 be transmitted by the license examiner to the commissioner,  
814 together with the renewal fee. A copy thereof, signed by the  
815 examiner, shall be given to the applicant, and a copy thereof  
816 shall be retained by the examiner. The license examiner shall,  
817 not later than ten (10) days from the date of an application,  
818 transmit the same, together with the fee, to the commissioner.  
819 Such application blanks and funds shall be subject to audit at any  
820 time. The commissioner shall maintain records of all application  
821 forms on hand and issued to the examiners, who shall be charged  
822 therewith. The receipt provided for herein shall be the only  
823 valid and recognized form of receipt for fees paid by applicants,  
824 and such receipt shall be sufficient in lieu of the renewed  
825 license for a period of sixty (60) days or until such renewed  
826 license has been issued to the applicant by the commissioner.  
827 There shall be tendered with all applications for a learner's  
828 permit or \* \* \* motorcycle learner's permit, or for the initial  
829 issuance of any license issued pursuant to this article, the  
830 proper fee required by law, in cash, or by money order, cashier's  
831 or certified check. The required fee for issuance of renewal  
832 licenses, duplicate licenses or other services, for which a fee is  
833 charged, shall be tendered with the application therefor by cash,

834 check or money order. In the event a check for renewal of a  
835 license is dishonored for any reason, the person whose license was  
836 being renewed by such check shall be notified in writing and be  
837 given thirty (30) days after such written notice in which to pay  
838 the renewal fee. This shall be done by forwarding a certified  
839 check or postal money order in the correct amount to the  
840 department. If, at the end of thirty (30) days, such certified  
841 check or postal money order has not been received by the  
842 department, the commissioner shall cancel that person's license,  
843 and, in order for that license to be reinstated, a reinstatement  
844 fee of Ten Dollars (\$10.00) plus the amount due on the returned  
845 check must be received by the department.

846 The Commissioner of Public Safety shall deposit the amount of  
847 fees, together with all fees for duplicate licenses, permits,  
848 delinquent fees and reinstatement fees collected by him into the  
849 General Fund of the State Treasury, in accordance with the  
850 provisions of Section 45-1-23(2); however, Seven Dollars (\$7.00)  
851 of the fee derived from the fee charged for initial and renewal  
852 operators' licenses imposed under Section 63-1-43(1) and Four  
853 Dollars (\$4.00) of the fee derived from the fee charged for  
854 initial and renewal Class D commercial drivers' licenses under  
855 Section 63-1-43(4) shall be deposited into a special fund that is  
856 created in the State Treasury. Monies in the fund may be expended  
857 pursuant to legislative appropriation solely for the purchase by  
858 the Mississippi Highway Safety Patrol of patrol cars,  
859 communications equipment and weapons.

860 **SECTION 17.** Section 63-1-47, Mississippi Code of 1972, is  
861 amended as follows:

862 63-1-47. (1) Except as otherwise provided in this article,  
863 each applicant for an initial license issued pursuant to this  
864 article, who is entitled to issuance of same, and who is eighteen  
865 (18) years of age or older, shall be issued a four-year license  
866 which will expire at midnight on the licensee's birthday.

867 \* \* \* Except as otherwise provided in this section, all  
868 renewal licenses of operators eighteen (18) years of age or older  
869 shall be for four-year periods and may be renewed any time within  
870 six (6) months before the expiration of the license upon  
871 application and payment of the required fee, unless required to be  
872 reexamined.

873 \* \* \*

874 (2) The fee for the issuance of an initial and renewals of a  
875 Class D commercial driver's license under this article to an  
876 applicant who is not a citizen or national of the United States  
877 \* \* \* and is only eligible to be issued a temporary license under  
878 Section 63-1-19(3) shall be as provided in Section 63-1-43(5), and  
879 the period for which such license will be valid and expire, shall  
880 be as prescribed in subsection (4) of this section.

881 \* \* \*

882 (3) Except as otherwise provided in this article, each  
883 applicant for an initial driver's license issued pursuant to this  
884 article, who is entitled to issuance of same, being under eighteen  
885 (18) years of age, shall be issued a one-year license which will  
886 expire at midnight on the licensee's birthday. Renewal drivers'  
887 licenses of operators under the age of eighteen (18) shall be for  
888 one-year periods and may be renewed any time within two (2) months  
889 before the expiration of the license upon application and payment  
890 of the required fee, unless required to be reexamined. An  
891 intermediate license shall be valid for one (1) year from its date  
892 of issue and may be renewed any time within fourteen (14) days  
893 before expiration of the license. All applications by an operator  
894 under the age of eighteen (18) must be accompanied by  
895 documentation that the applicant is in compliance with the  
896 education requirements of Section 63-1-9(1)(g), and the  
897 documentation must be dated no more than thirty (30) days prior to  
898 the date of application.

899       (4) Any license or permit issued under this article to a  
900 person who is not a citizen or national of the United States  
901       \* \* \* and who is only eligible to be issued a temporary license  
902 or permit under Section 63-1-19(3), shall be valid only during the  
903 period of time of the applicant's authorized stay in the United  
904 States or, if there is no definite end to the period of authorized  
905 stay, a period of one (1) year from the date of issuance. Such  
906 license or permit may be renewed, if such person is otherwise  
907 qualified to renew such license, within thirty (30) days of  
908 expiration and shall be valid only during the period of time of  
909 the applicant's authorized stay in the United States or, if there  
910 is no definite end to the period of authorized stay, a period of  
911 one (1) year from the date of issuance. The fee for any such  
912 license and for renewal shall be as prescribed in Section 63-1-43.

913       **SECTION 18.** Section 63-1-49, Mississippi Code of 1972, is  
914 amended as follows:

915       63-1-49. (1) An expired license issued pursuant to this  
916 article may be renewed at any time within twelve (12) months after  
917 the expiration date of said license upon application and payment  
918 of the required fee, and the payment of a delinquent fee of One  
919 Dollar (\$1.00), in lieu of a driver examination, unless the holder  
920 of the expired license is required to be examined, or unless the  
921 department has reason to believe the licensee is no longer  
922 qualified to receive a license. If any person shall obtain a new  
923 license, his last previous license having been good and valid,  
924 except for its lapsing, without his having obtained a renewal  
925 within the time required by law, then such reissuance of a license  
926 shall constitute a renewal of the previous license and not a new  
927 license.

928       (2) (a) Any person in the armed services of the United  
929 States, holding a valid license issued pursuant to this article  
930 and being out of state due to military service at the time the  
931 license expires, may renew the license by mail or by on-line

932 renewal services or at any time within ninety (90) days after  
933 being discharged from such military service or upon returning to  
934 the state, without payment of any delinquent fee or examination,  
935 unless the department has reason to believe that the licensee is  
936 no longer qualified to receive a license. Such person shall make  
937 proof by affidavit of the fact of such military service and of the  
938 time of discharge or return. The expiration of the license of a  
939 military person under the provisions of this paragraph (a) shall  
940 not affect the validity of the license, but such license shall  
941 continue to be valid and permit such person to operate a motor  
942 vehicle for a period of ninety (90) days after he is discharged  
943 from military service or returns to the state or until he renews  
944 his license, whichever event first occurs.

945 (b) The provisions of paragraph (a) of this subsection  
946 (2) also apply to a dependent of a person in the armed services of  
947 the United States who is out of state due to military service if  
948 the dependent resides out of state with the armed services member  
949 and the license of the dependent expires during his or her absence  
950 from the state. The Commissioner of Public Safety may adopt such  
951 rules and regulations as may be necessary to implement the  
952 provisions of this paragraph.

953 (3) Any person holding a valid license issued pursuant to  
954 this article who is going overseas for two (2) to four (4) years  
955 and whose license shall expire during the stay overseas may renew  
956 said license for four (4) years prior to leaving. Said person  
957 shall make proof by affidavit of the fact of such overseas travel.  
958 Such reissuance of a license shall constitute a renewal of the  
959 previous license and not a new license.

960 (4) None of the provisions of this section shall be  
961 construed to authorize renewal of the license or permit of a  
962 person who is not a citizen or national of the United States  
963 except upon verification by the Department of Public Safety of the  
964 legal status of such person and payment of the applicable fees for

965 renewal of such license or permit for the prescribed period of  
966 time for which such license of such person may be renewed, all as  
967 otherwise provided under this article.

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

970             63-1-65. It shall be unlawful for any person to lend or  
971 borrow any learner's permit or license issued pursuant to this  
972 article, or to display or represent a license or temporary permit  
973 not issued to himself. Any person violating this section shall be  
974 fined not less than Five Dollars (\$5.00) and costs and not more  
975 than Twenty-five Dollars (\$25.00) and costs.

976         **SECTION 20.** Section 63-10-1, Mississippi Code of 1972, is  
977 amended as follows:

978             63-10-1. As used in this chapter:

979             (a) "State" means a state, territory or possession of  
980 the United States, the District of Columbia or the Commonwealth of  
981 Puerto Rico.

982             (b) "Reciprocating state" means any state which extends  
983 by its laws to residents of Mississippi, substantially the same  
984 rights and privileges as provided for by this chapter.

985             (c) "Citation" means any citation, ticket or other  
986 document issued by a state highway patrol officer for the  
987 violation of a traffic law, ordinance, rule or regulation,  
988 ordering the alleged offender to appear.

989             (d) "License" means any operator's or chauffeur's  
990 permit or license, or any other license or permit to operate a  
991 motor vehicle issued under the laws of this state or a  
992 reciprocating state including:

993             (i) Any \* \* \* learner's permit;

994             (ii) The privilege of any person to operate a  
995 motor vehicle whether or not such person holds a valid license;

996 and

997 (iii) Any nonresident's operating privilege  
998 conferred upon a nonresident of a state pertaining to the  
999 operation by such person of a motor vehicle in such state.

1000 (e) "Collateral" or "bond" means any cash or other  
1001 security deposited to secure an appearance for trial following the  
1002 issuance of a citation by a state highway patrol officer for the  
1003 violation of a traffic law, ordinance, rule or regulation.

1004 (f) "Personal recognizance" means a signed agreement by  
1005 an alleged offender that he will comply with the terms of a  
1006 court's directive as the result of a traffic citation served him.

1007 (g) "Nonresident" refers only to a person who is a  
1008 resident of or holds a driver's license issued by a reciprocating  
1009 state.

1010 **SECTION 21.** This act shall take effect and be in force from  
1011 and after July 1, 2007.