

By: Senator(s) White

To: Highways and
Transportation

SENATE BILL NO. 2003

1 AN ACT TO AMEND SECTION 63-1-19, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT NO APPLICANT SHALL BE ISSUED A DRIVER'S LICENSE
3 WITHOUT SIGNING A STATEMENT THAT HE UNDERSTANDS THE CRIMINAL
4 PENALTIES FOR VIOLATION OF THE HIGHWAY LITTER LAW, AND SIGNS A
5 STATEMENT AGREEING TO REPORT ANY OFFENDERS OF THIS LAW TO PROPER
6 LAW ENFORCEMENT OFFICERS; TO AMEND SECTION 63-1-33, MISSISSIPPI
7 CODE OF 1972, TO DIRECT THE COMMISSIONER OF PUBLIC SAFETY TO
8 INCLUDE QUESTIONS RELATING TO THE HIGHWAY LITTER LAW ON THE
9 DRIVER'S LICENSE EXAMINATION; AND FOR RELATED PURPOSES.

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

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

13 63-1-19. (1) (a) Every applicant for a license or permit
14 issued pursuant to this article, or for renewal of such license or
15 permit, shall file an application for such license, permit or
16 renewal, on a form provided by the Department of Public Safety,
17 with the commissioner or an official license examiner of the
18 department. All persons not holding valid, unexpired licenses
19 issued in this state shall be required to secure an original
20 license, except those specifically exempted from licensing under
21 Section 63-1-7. The application shall state the name, date of
22 birth, the social security number of the applicant unless the
23 applicant is not a United States citizen and does not possess a
24 social security number issued by the United States government,
25 sex, race, color of eyes, color of hair, weight, height and
26 residence address, and whether or not the applicant's privilege to
27 drive has been suspended or revoked at any time, and, if so, when,
28 by whom, and for what cause, and whether any previous application
29 by him has been denied, and whether he has any physical defects

30 which would interfere with his operating a motor vehicle safely
31 upon the highways.

32 (b) Every applicant for an original license shall show
33 proof of domicile in this state. The commissioner shall
34 promulgate any rules and regulations necessary to enforce this
35 requirement and shall prescribe the means by which an applicant
36 for an original license may show domicile in this state. Proof of
37 domicile shall not be required of applicants under eighteen (18)
38 years of age.

39 (c) Unless the applicant is not a United States citizen
40 and does not possess a social security number issued by the United
41 States government, each application or filing made under this
42 section shall include the social security number(s) of the
43 applicant in accordance with Section 93-11-64, Mississippi Code of
44 1972.

45 (2) No person who is illegally in the United States or
46 Mississippi shall be issued a license. The application of a
47 person who is not a United States citizen and who does not possess
48 a social security number issued by the United States government
49 shall state the name, date of birth, sex, race, color of eyes,
50 color of hair, weight, height and residence address, and whether
51 or not the applicant's privilege to drive has been suspended or
52 revoked at any time, and, if so, when, by whom, and for what
53 cause, and whether any previous application by him has been
54 denied, and whether he has any physical defects which would
55 interfere with his operating a motor vehicle safely upon the
56 highways. The commissioner shall adopt and promulgate such rules
57 and regulations as he deems appropriate requiring additional
58 documents, materials, information or physical evidence to be
59 provided by the applicant as may be necessary to establish the
60 identity of the applicant and that the applicant is not present in
61 the United States or the State of Mississippi illegally.

62 (3) Whenever a person who has applied for or who has been
63 issued a license or permit under this article moves from the
64 address listed in the application or on the permit or license, or
65 whenever the name of a licensee changes by marriage or otherwise,
66 such person, within thirty (30) days thereafter, shall notify, in
67 writing, the Department of Public Safety, Driver Services
68 Division, and inform the department of his or her previous address
69 and new address and of his or her former name and new name. The
70 department shall not change the name of a licensee or permittee on
71 his or her license or permit unless the applicant appears in
72 person at an office of the department and provides a certified
73 copy of his or her marriage license, court order, birth
74 certificate or divorce decree changing the licensee's or
75 permittee's name.

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

82 (b) The department shall forward in an electronic
83 format the necessary personal information of the applicant to the
84 Selective Service System. The applicant's submission of the
85 application shall serve as an indication that the applicant either
86 has already registered with the Selective Service System or that
87 he is authorizing the department to forward to the Selective
88 Service System the necessary information for registration. The
89 commissioner shall notify the applicant on, or as a part of, the
90 application that his submission of the application will serve as
91 his consent to registration with the Selective Service System, if
92 so required. The commissioner also shall notify any male
93 applicant under the age of eighteen (18) that he will be

94 registered upon turning age eighteen (18) as required by federal
95 law.

96 (5) (a) From and after July 1, 2007, no applicant shall be
97 issued a license to operate a motor vehicle under this section
98 unless and until he signs a statement certifying that he
99 understands that littering the roads and highways of this state is
100 a violation of Section 97-15-29, Mississippi Code of 1972, and
101 that violators are guilty of a misdemeanor and may be fined,
102 required to perform community service, and pay prosecutorial
103 expenses as provided in Section 97-15-29.

104 (b) As a further condition for issuance of a license,
105 the applicant shall sign a statement that he will not litter the
106 roads and highways and will report any offender of the antilitter
107 law to the proper law enforcement authorities by calling a toll
108 free number to be provided by the commissioner on the reverse side
109 of the license.

110 **SECTION 2.** Section 63-1-33, Mississippi Code of 1972, is
111 amended as follows:

112 63-1-33. It shall be the duty of the license examiner, when
113 application is made for an operator's license or temporary driving
114 permit, to test the applicant's ability to read and understand
115 road signs and to give the required signals as adopted by the
116 National Advisory Committee on Uniform Traffic Control Devices and
117 the American Association of Motor Vehicle Administrators.

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

122 From and after July 1, 2007, the commissioner shall include a
123 copy of the antilitter law contained in Section 97-15-29,
124 Mississippi Code of 1972, in the instructional material issued to
125 first-time applicants for study in preparation for the written
126 driver's test, and shall include in the test not less than one (1)

127 question relating to the law and the criminal penalties for
128 violation of the law.

129 Prior to the administration of the test the license examiner
130 shall inspect the horn, lights, brakes, inspection certificate and
131 vehicle registration of the motor vehicle which the applicant
132 expects to operate while being tested, and if he finds that any of
133 the aforementioned items are deficient, no license or endorsement
134 shall be issued to the applicant until same have been repaired.

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

139 Except as otherwise provided by Section 63-1-6, when
140 application is made for an original motorcycle endorsement or a
141 restricted motorcycle operator's license, the applicant shall be
142 required to pass a written test which consists of questions
143 relating to the safe operation of a motorcycle and a skill test
144 similar to the "Motorcycle Operator Skill Test," which is endorsed
145 by the American Association of Motor Vehicle Administrators. The
146 commissioner may exempt any applicant from the skill test if the
147 applicant presents a certificate showing successful completion of
148 a course approved by the commissioner, which includes a similar
149 examination of skills needed in the safe operation of a
150 motorcycle.

151 **SECTION 3.** This act shall take effect and be in force from
152 and after July 1, 2007.