

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2190: Driver's license; amend provisions related to.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

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

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

39 63-1-1. This article may be cited as the * * * Driver's
40 License * * * Act.

41 **SECTION 2.** Section 63-1-3, Mississippi Code of 1972, is
42 amended as follows:

43 63-1-3. The following words and phrases when used in this
44 article shall, for the purpose of such law, have the meanings
45 respectively ascribed to them in this section:

46 (a) The term "commissioner" means the commissioner of
47 public safety of this state * * *.

48 (b) The term "highway" means every way or place of
49 whatever nature open to the use of the public for the purpose of



vehicular travel, and shall include streets of
municipalities * * *.

(c) The term "operator" means any person in actual
physical control of a motor vehicle on the highway * * *.

(d) The term "owner" means a person who holds the legal
title of a vehicle; in the event a vehicle is the subject of an
agreement for the conditional sale or lease thereof with the right
of purchase upon performance of the conditions stated in the
agreement and with an immediate right of possession vested in the
conditional vendee or lessee, or in the event a mortgagor of a
vehicle is entitled to possession, then such conditional vendee or
lessee or mortgagor shall be deemed the owner for the purpose of
this article.

(e) The term "system of record" means the software
database which maintains all documents related to credentials
issued by the Driver Service Bureau of the Department of Public
Safety.

SECTION 3. Section 63-1-15, Mississippi Code of 1972, is
amended as follows:

63-1-15. (1) The commissioner * * * shall be authorized to
designate persons who may act as examiners for license or
instruction permits. The commissioner may promulgate rules and
regulations to effectuate this chapter.

* * *



74 (2) License examiners shall input each rejected or approved
75 application into the system of record in accordance with the rules
76 and regulations promulgated by the commissioner.

77 **SECTION 4.** Section 63-1-16, Mississippi Code of 1972, is
78 amended as follows:

79 63-1-16. (1) The Department of Public Safety shall, upon
80 request of the board of supervisors, furnish a Driver Service
81 Bureau public access computer at a location in each county seat to
82 access the Driver Service Bureau website. The county shall
83 furnish the internet connectivity at the location for the Driver
84 Service Bureau public access computer.

85 (2) At each driver's license location in the state, there
86 shall be location signs prominently displayed providing for
87 required information for the various licenses, cards and other
88 services.

89 (3) On the Driver Services Bureau's website, there shall be
90 tutorial videos linked to online procedures to help clearly
91 illustrate how to use the website.

92 * * *

93 **SECTION 5.** Section 63-1-17, Mississippi Code of 1972, is
94 amended as follows:

95 63-1-17. As the license examiners file their statements
96 showing the serial numbers of licenses and temporary driving
97 permits issued pursuant to this article during the preceding
98 month, the commissioner shall keep a record of all licenses and



permits issued pursuant to this article by such examiners, a record of all licenses and permits revoked, a record of all * * * orders mailed to him by the trial judges, and such other information that he deems necessary to carry out the provisions of this article.

SECTION 6. Section 63-1-45, Mississippi Code of 1972, is amended as follows:

63-1-45. (1) * * * License examiners shall retain a record of all funds received from applicants upon digital record or accounting systems as prescribed and furnished by the department. A receipt of the transactions shall be provided to the applicant. Funds received from an application shall be subject to audit at any time by the department. Upon submission, application forms should be digitized and stored in the system of record.

(2) There shall be tendered with all applications for a temporary driving permit, temporary motorcycle driving permit, initial issuance of any license issued pursuant to this article, renewal licenses, duplicate licenses or any other services for which a fee is charged, the proper fee required by law by cash, certified check, money order or electronic payment as authorized under Section 27-104-33.

(3) The Commissioner of Public Safety shall deposit the amount of fees, together with all fees for duplicate licenses, permits, delinquent fees and reinstatement fees collected by him into the General Fund of the State Treasury, in accordance with



the provisions of Section 45-1-23(2); however, Seven Dollars (\$7.00) of the fee derived from the fee charged for original and renewal operators' licenses imposed under Section 63-1-43(1) and Four Dollars (\$4.00) of the fee derived from the fee charged for original and renewal Class D commercial drivers' licenses under Section 63-1-43(4) shall be deposited into a special fund that is created in the State Treasury. Monies in the fund may be expended upon legislative appropriation solely for the purchase by the Mississippi Highway Safety Patrol of patrol cars, communications equipment and weapons.

SECTION 7. Section 63-1-51, Mississippi Code of 1972, is amended as follows:

63-1-51. (1) It shall be the duty of the court clerk, upon conviction of any person holding a license issued pursuant to this article where the penalty for a traffic violation is as much as Ten Dollars (\$10.00), to mail a copy of abstract of the court record or provide an electronically or computer generated copy of abstract of the court record immediately to the commissioner * * *, showing the date of conviction, penalty, etc., so that a record of same may be made by the Department of Public Safety. The commissioner shall forthwith revoke the license of any person for a period of one (1) year upon receiving a duly certified record of each person's convictions of any of the following offenses when such conviction has become final:



148 (a) Manslaughter or negligent homicide resulting from
149 the operation of a motor vehicle;

150 (b) Any felony in the commission of which a motor
151 vehicle is used;

152 (c) Failure to stop and render aid as required under
153 the laws of this state in event of a motor vehicle accident
154 resulting in the death or personal injury of another;

155 (d) Perjury or the willful making of a false affidavit
156 or statement under oath to the department under this article or
157 under any other law relating to the ownership or operation of
158 motor vehicles; or

159 (e) Conviction, or forfeiture of bail not vacated, upon
160 three (3) charges of reckless driving committed within a period of
161 twelve (12) months.

162 (2) The commissioner shall revoke the license issued
163 pursuant to this article of any person convicted of negligent
164 homicide, in addition to any penalty now provided by law.

165 (3) In addition to the reasons specified in this section,
166 the commissioner shall be authorized to suspend the license issued
167 to any person pursuant to this article for being out of compliance
168 with an order for support, as defined in Section 93-11-153. The
169 procedure for suspension of a license for being out of compliance
170 with an order for support, and the procedure for the reissuance or
171 reinstatement of a license suspended for that purpose, and the
172 payment of any fees for the reissuance or reinstatement of a



license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this article, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 8. Section 63-1-52, Mississippi Code of 1972, is amended as follows:

63-1-52. (1) Whenever the Commissioner of Public Safety suspends, cancels or revokes the driver's license or driving privileges of any person, notice of the suspension, cancellation or revocation shall be given to such person by the commissioner, or his duly authorized agent, in the manner provided in subsection (2) of this section and at the time provided in subsection (3) of this section or in the manner and at the time provided in subsection (4) of this section.

(2) Notice shall be given in the following manner:

(a) In writing, (i) by United States * * * first-class mail; * * * (ii) by personal service at the person's address as it appears on the driving record maintained by the Department of Public Safety or at the person's last-known address; or (iii) by personal notice being given by any law enforcement officer of this state or any duly authorized agent of the Commissioner of Public Safety on forms prescribed and furnished by the Commissioner of Public Safety; or (iv) by notification made to the person's duly issued mobile identification, whenever a person's driver's license



or driving privileges are suspended, revoked or cancelled in accordance with the Mississippi Driver License Compact Law, the Mississippi Implied Consent Law, the Mississippi Motor Vehicle Safety Responsibility Law or subsection (2)(c), (2)(d), (2)(e) or (2)(f) of Section 63-1-53.

(b) In writing, by United States first-class mail, whenever a person's driver's license or driving privileges are suspended, revoked or cancelled in accordance with the Mississippi Commercial Driver's License Law, the Youth Court Law, Chapter 23 of Title 43, Mississippi Code of 1972, Section 63-1-45, Section 63-1-51, subsection (2)(g) or (2)(h) of Section 63-1-53, or Section 63-9-25.

(3) Notice shall be given at the following time:

(a) Before suspension, revocation or cancellation, whenever a person's driver's license or driving privileges are suspended, revoked or cancelled in accordance with the Mississippi Driver License Compact Law, the Mississippi Motor Vehicle Safety Responsibility Law or subsection (2)(c), (2)(d), (2)(e) or (2)(f) of Section 63-1-53.

(b) Unless otherwise specifically provided for by law, at the time of suspension, revocation or cancellation, whenever a person's driver's license or driving privileges are suspended, revoked or cancelled in accordance with the Mississippi Commercial Driver's License Law, the Mississippi Implied Consent Law, the Youth Court Law, Chapter 23 of Title 43, Mississippi Code of 1972,



223 Section 63-1-45, Section 63-1-51, subsection (2)(g) or (2)(h) of
224 Section 63-1-53, or Section 63-9-25.

225 (4) Whenever the Commissioner of Public Safety suspends,
226 revokes or cancels the driver's license or driving privileges of
227 any person in accordance with some provision of law other than a
228 provision of law referred to in subsections (2) and (3) of this
229 section, and the manner and time for giving notice is not provided
230 for in such law, then notice of such suspension, revocation or
231 cancellation shall be given in the manner and at the time provided
232 for under subsections (2)(b) and (3)(b) of this section.

233 **SECTION 9.** Section 45-9-101, Mississippi Code of 1972, is
234 amend as follows:

235 45-9-101. (1) (a) Except as otherwise provided, the
236 Department of Public Safety is authorized to issue licenses to
237 carry stun guns, concealed pistols or revolvers to persons
238 qualified as provided in this section. Such licenses shall be
239 valid throughout the state for a period of five (5) years from the
240 date of issuance, except as provided in subsection (25) of this
241 section. Any person possessing a valid license issued pursuant to
242 this section may carry a stun gun, concealed pistol or concealed
243 revolver.

244 (b) The licensee must carry the license, together with
245 valid identification, at all times in which the licensee is
246 carrying a stun gun, concealed pistol or revolver and must display
247 both the license and proper identification upon demand by a law



enforcement officer. A violation of the provisions of this paragraph (b) shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$25.00) and shall be enforceable by summons.

(2) The Department of Public Safety shall issue a license if the applicant:

(a) Is a resident of the state. However, this residency requirement may be waived if the applicant possesses a valid permit from another state, is a member of any active or reserve component branch of the United States of America Armed Forces stationed in Mississippi, is the spouse of a member of any active or reserve component branch of the United States of America Armed Forces stationed in Mississippi, or is a retired law enforcement officer establishing residency in the state;

(b) (i) Is twenty-one (21) years of age or older; or
(ii) Is at least eighteen (18) years of age but not yet twenty-one (21) years of age and the applicant:

1. Is a member or veteran of the United States Armed Forces, including National Guard or Reserve; and

2. Holds a valid Mississippi driver's license or identification card issued by the Department of Public Safety or a valid and current tribal identification card issued by a federally recognized Indian tribe containing a photograph of the holder;



272 (c) Does not suffer from a physical infirmity which
273 prevents the safe handling of a stun gun, pistol or revolver;

274 (d) Is not ineligible to possess a firearm by virtue of
275 having been convicted of a felony in a court of this state, of any
276 other state, or of the United States without having been pardoned
277 or without having been expunged for same;

278 (e) Does not chronically or habitually abuse controlled
279 substances to the extent that his normal faculties are impaired.
280 It shall be presumed that an applicant chronically and habitually
281 uses controlled substances to the extent that his faculties are
282 impaired if the applicant has been voluntarily or involuntarily
283 committed to a treatment facility for the abuse of a controlled
284 substance or been found guilty of a crime under the provisions of
285 the Uniform Controlled Substances Law or similar laws of any other
286 state or the United States relating to controlled substances
287 within a three-year period immediately preceding the date on which
288 the application is submitted;

289 (f) Does not chronically and habitually use alcoholic
290 beverages to the extent that his normal faculties are impaired.
291 It shall be presumed that an applicant chronically and habitually
292 uses alcoholic beverages to the extent that his normal faculties
293 are impaired if the applicant has been voluntarily or
294 involuntarily committed as an alcoholic to a treatment facility or
295 has been convicted of two (2) or more offenses related to the use
296 of alcohol under the laws of this state or similar laws of any



297 other state or the United States within the three-year period
298 immediately preceding the date on which the application is
299 submitted;

300 (g) Desires a legal means to carry a stun gun,
301 concealed pistol or revolver to defend himself;

302 (h) Has not been adjudicated mentally incompetent, or
303 has waited five (5) years from the date of his restoration to
304 capacity by court order;

305 (i) Has not been voluntarily or involuntarily committed
306 to a mental institution or mental health treatment facility unless
307 he possesses a certificate from a psychiatrist licensed in this
308 state that he has not suffered from disability for a period of
309 five (5) years;

310 (j) Has not had adjudication of guilt withheld or
311 imposition of sentence suspended on any felony unless three (3)
312 years have elapsed since probation or any other conditions set by
313 the court have been fulfilled;

314 (k) Is not a fugitive from justice; and

315 (l) Is not disqualified to possess a weapon based on
316 federal law.

317 (3) The Department of Public Safety may deny a license if
318 the applicant has been found guilty of one or more crimes of
319 violence constituting a misdemeanor unless three (3) years have
320 elapsed since probation or any other conditions set by the court
321 have been fulfilled or expunction has occurred prior to the date



on which the application is submitted, or may revoke a license if the licensee has been found guilty of one or more crimes of violence within the preceding three (3) years. The department shall, upon notification by a law enforcement agency or a court and subsequent written verification, suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime which would disqualify such person from having a license under this section, until final disposition of the case. The provisions of subsection (7) of this section shall apply to any suspension or revocation of a license pursuant to the provisions of this section.

(4) The application shall be completed, under oath, on a form promulgated by the Department of Public Safety and shall include only:

(a) The name, address, place and date of birth, race, sex and occupation of the applicant;

(b) The driver's license number or social security number of applicant;

(c) Any previous address of the applicant for the two (2) years preceding the date of the application;

(d) A statement that the applicant is in compliance with criteria contained within subsections (2) and (3) of this section;

(e) A statement that the applicant has been furnished a copy of this section and is knowledgeable of its provisions;



347 (f) A conspicuous warning that the application is
348 executed under oath and that a knowingly false answer to any
349 question, or the knowing submission of any false document by the
350 applicant, subjects the applicant to criminal prosecution; and

351 (g) A statement that the applicant desires a legal
352 means to carry a stun gun, concealed pistol or revolver to defend
353 himself.

354 (5) The applicant shall submit only the following to the
355 Department of Public Safety:

356 (a) A completed application as described in subsection
357 (4) of this section;

358 (b) A full-face photograph of the applicant taken
359 within the preceding thirty (30) days in which the head, including
360 hair, in a size as determined by the Department of Public Safety,
361 except that an applicant who is younger than twenty-one (21) years
362 of age must submit a photograph in profile of the applicant;

363 (c) A nonrefundable license fee of Eighty Dollars
364 (\$80.00). Costs for processing the set of fingerprints as
365 required in paragraph (d) of this subsection shall be borne by the
366 applicant. Honorably retired law enforcement officers, disabled
367 veterans and active duty members of the Armed Forces of the United
368 States, and law enforcement officers employed with a law
369 enforcement agency of a municipality, county or state at the time
370 of application for the license, shall be exempt from the payment
371 of the license fee;



372 (d) A full set of fingerprints of the applicant
373 administered by the Department of Public Safety; and

374 (e) A waiver authorizing the Department of Public
375 Safety access to any records concerning commitments of the
376 applicant to any of the treatment facilities or institutions
377 referred to in subsection (2) of this section and permitting
378 access to all the applicant's criminal records.

379 (6) (a) The Department of Public Safety, upon receipt of
380 the items listed in subsection (5) of this section, shall forward
381 the full set of fingerprints of the applicant to the appropriate
382 agencies for state and federal processing.

383 (b) The Department of Public Safety shall forward a
384 copy of the applicant's application to the sheriff of the
385 applicant's county of residence and, if applicable, the police
386 chief of the applicant's municipality of residence. The sheriff
387 of the applicant's county of residence, and, if applicable, the
388 police chief of the applicant's municipality of residence may, at
389 his discretion, participate in the process by submitting a
390 voluntary report to the Department of Public Safety containing any
391 readily discoverable prior information that he feels may be
392 pertinent to the licensing of any applicant. The reporting shall
393 be made within thirty (30) days after the date he receives the
394 copy of the application. Upon receipt of a response from a
395 sheriff or police chief, such sheriff or police chief shall be
396 reimbursed at a rate set by the department.



397 (c) The Department of Public Safety shall, within
398 forty-five (45) days after the date of receipt of the items listed
399 in subsection (5) of this section:

400 (i) Issue the license;

401 (ii) Deny the application based solely on the
402 ground that the applicant fails to qualify under the criteria
403 listed in subsections (2) and (3) of this section. If the
404 Department of Public Safety denies the application, it shall
405 notify the applicant in writing, stating the ground for denial,
406 and the denial shall be subject to the appeal process set forth in
407 subsection (7); or

408 (iii) Notify the applicant that the department is
409 unable to make a determination regarding the issuance or denial of
410 a license within the forty-five-day period prescribed by this
411 subsection, and provide an estimate of the amount of time the
412 department will need to make the determination.

413 (d) In the event a legible set of fingerprints, as
414 determined by the Department of Public Safety and the Federal
415 Bureau of Investigation, cannot be obtained after a minimum of two
416 (2) attempts, the Department of Public Safety shall determine
417 eligibility based upon a name check by the Mississippi Highway
418 Safety Patrol and a Federal Bureau of Investigation name check
419 conducted by the Mississippi Highway Safety Patrol at the request
420 of the Department of Public Safety.



421 (7) (a) If the Department of Public Safety denies the
422 issuance of a license, or suspends or revokes a license, the party
423 aggrieved may appeal such denial, suspension or revocation to the
424 Commissioner of Public Safety, or his authorized agent, within
425 thirty (30) days after the aggrieved party receives written notice
426 of such denial, suspension or revocation. The Commissioner of
427 Public Safety, or his duly authorized agent, shall rule upon such
428 appeal within thirty (30) days after the appeal is filed and
429 failure to rule within this thirty-day period shall constitute
430 sustaining such denial, suspension or revocation. Such review
431 shall be conducted pursuant to such reasonable rules and
432 regulations as the Commissioner of Public Safety may adopt.

433 (b) If the revocation, suspension or denial of issuance
434 is sustained by the Commissioner of Public Safety, or his duly
435 authorized agent pursuant to paragraph (a) of this subsection, the
436 aggrieved party may file within ten (10) days after the rendition
437 of such decision a petition in the circuit or county court of his
438 residence for review of such decision. A hearing for review shall
439 be held and shall proceed before the court without a jury upon the
440 record made at the hearing before the Commissioner of Public
441 Safety or his duly authorized agent. No such party shall be
442 allowed to carry a stun gun, concealed pistol or revolver pursuant
443 to the provisions of this section while any such appeal is
444 pending.



445 (8) The Department of Public Safety shall maintain an
446 automated listing of license holders and such information shall be
447 available online, upon request, at all times, to all law
448 enforcement agencies through the Mississippi Crime Information
449 Center. However, the records of the department relating to
450 applications for licenses to carry stun guns, concealed pistols or
451 revolvers and records relating to license holders shall be exempt
452 from the provisions of the Mississippi Public Records Act of 1983,
453 and shall be released only upon order of a court having proper
454 jurisdiction over a petition for release of the record or records.

455 (9) Within thirty (30) days after the changing of a
456 permanent address, or within thirty (30) days after having a
457 license lost or destroyed, the licensee shall notify the
458 Department of Public Safety in writing of such change or loss.
459 Failure to notify the Department of Public Safety pursuant to the
460 provisions of this subsection shall constitute a noncriminal
461 violation with a penalty of Twenty-five Dollars (\$25.00) and shall
462 be enforceable by a summons.

463 (10) In the event that a stun gun, concealed pistol or
464 revolver license is lost or destroyed, the person to whom the
465 license was issued shall comply with the provisions of subsection
466 (9) of this section and may obtain a duplicate, or substitute
467 thereof, upon payment of Fifteen Dollars (\$15.00) to the
468 Department of Public Safety, and furnishing a notarized statement
469 to the department that such license has been lost or destroyed.



470 (11) A license issued under this section shall be revoked if
471 the licensee becomes ineligible under the criteria set forth in
472 subsection (2) of this section.

473 (12) (a) Except as provided in subsection (25) of this
474 section, no less than ninety (90) days prior to the expiration
475 date of the license, the Department of Public Safety shall send to
476 each licensee a written notice of the expiration and a renewal
477 form prescribed by the department. The licensee must renew his
478 license on or before the expiration date by filing with the
479 department the renewal form, a notarized affidavit stating that
480 the licensee remains qualified pursuant to the criteria specified
481 in subsections (2) and (3) of this section if necessary, and a
482 full set of fingerprints administered by the Department of Public
483 Safety or the sheriff of the county of residence of the licensee.
484 The first renewal may be processed by mail "or other means as
485 determined by the Department" and the subsequent renewal must be
486 made in person. Thereafter every other renewal may be processed
487 by mail to assure that the applicant must appear in person every
488 ten (10) years for the purpose of obtaining a new photograph.

489 (i) Except as provided in this subsection, a
490 renewal fee of Forty Dollars (\$40.00) shall also be submitted
491 along with costs for processing the fingerprints;

492 (ii) Honorably retired law enforcement officers,
493 disabled veterans, active duty members of the Armed Forces of the
494 United States and law enforcement officers employed with a law



enforcement agency of a municipality, county or state at the time of renewal, shall be exempt from the renewal fee; and

(iii) The renewal fee for a Mississippi resident aged sixty-five (65) years of age or older shall be Twenty Dollars (\$20.00).

(b) The Department of Public Safety shall forward the full set of fingerprints of the applicant to the appropriate agencies for state and federal processing. The license shall be renewed upon receipt of the completed renewal application and appropriate payment of fees.

(c) A licensee who fails to file a renewal application on or before its expiration date must renew his license by paying a late fee of Fifteen Dollars (\$15.00). No license shall be renewed six (6) months or more after its expiration date, and such license shall be deemed to be permanently expired. A person whose license has been permanently expired may reapply for licensure; however, an application for licensure and fees pursuant to subsection (5) of this section must be submitted, and a background investigation shall be conducted pursuant to the provisions of this section.

(13) No license issued pursuant to this section shall authorize any person, except a law enforcement officer as defined in Section 45-6-3 with a distinct license authorized by the Department of Public Safety, to carry a stun gun, concealed pistol or revolver into any place of nuisance as defined in Section



95-3-1, Mississippi Code of 1972; any police, sheriff or highway patrol station; any detention facility, prison or jail; any courthouse; any courtroom, except that nothing in this section shall preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his courtroom; any polling place; any meeting place of the governing body of any governmental entity; any meeting of the Legislature or a committee thereof; any school, college or professional athletic event not related to firearms; any portion of an establishment, licensed to dispense alcoholic beverages for consumption on the premises, that is primarily devoted to dispensing alcoholic beverages; any portion of an establishment in which beer, light spirit product or light wine is consumed on the premises, that is primarily devoted to such purpose; any elementary or secondary school facility; any junior college, community college, college or university facility unless for the purpose of participating in any authorized firearms-related activity; inside the passenger terminal of any airport, except that no person shall be prohibited from carrying any legal firearm into the terminal if the firearm is encased for shipment, for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; any church or other place of worship, except as provided in Section 45-9-171; or any place where the carrying of firearms is prohibited by federal law. In addition to the places enumerated in this subsection, the carrying of a stun gun, concealed pistol or revolver may be disallowed in



any place in the discretion of the person or entity exercising control over the physical location of such place by the placing of a written notice clearly readable at a distance of not less than ten (10) feet that the "carrying of a pistol or revolver is prohibited." No license issued pursuant to this section shall authorize the participants in a parade or demonstration for which a permit is required to carry a stun gun, concealed pistol or revolver.

(14) A law enforcement officer as defined in Section 45-6-3, chiefs of police, sheriffs and persons licensed as professional bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of 1972, shall be exempt from the licensing requirements of this section.

(a) The Commissioner of Public Safety shall promulgate rules and regulations to provide licenses to law enforcement officers as defined in Section 45-6-3 who choose to obtain a license under the provisions of this section, which shall include a distinction that the officer is an "active duty" law enforcement officer and an endorsement that such officer is authorized to carry in the locations listed in subsection (13). A law enforcement officer shall provide the following information to receive the license described in this subsection: (i) a letter, with the official letterhead of the agency or department for which the officer is employed at the time of application and (ii) a letter with the official letterhead of the agency or department,



which explains that such officer has completed a certified law enforcement training academy.

(b) The licensing requirements of this section do not apply to the carrying by any person of a stun gun, pistol or revolver, knife, or other deadly weapon that is not concealed as defined in Section 97-37-1.

(15) Any person who knowingly submits a false answer to any question on an application for a license issued pursuant to this section, or who knowingly submits a false document when applying for a license issued pursuant to this section, shall, upon conviction, be guilty of a misdemeanor and shall be punished as provided in Section 99-19-31, Mississippi Code of 1972.

(16) All fees collected by the Department of Public Safety pursuant to this section shall be deposited into a special fund hereby created in the State Treasury and shall be used for implementation and administration of this section. After the close of each fiscal year, the balance in this fund shall be certified to the Legislature and then may be used by the Department of Public Safety as directed by the Legislature.

(17) All funds received by a sheriff or police chief pursuant to the provisions of this section shall be deposited into the general fund of the county or municipality, as appropriate, and shall be budgeted to the sheriff's office or police department as appropriate.



594 (18) Nothing in this section shall be construed to require
595 or allow the registration, documentation or providing of serial
596 numbers with regard to any stun gun or firearm.

597 (19) Any person holding a valid unrevoked and unexpired
598 license to carry stun guns, concealed pistols or revolvers issued
599 in another state shall have such license recognized by this state
600 to carry stun guns, concealed pistols or revolvers. The
601 Department of Public Safety is authorized to enter into a
602 reciprocal agreement with another state if that state requires a
603 written agreement in order to recognize licenses to carry stun
604 guns, concealed pistols or revolvers issued by this state.

605 (20) The provisions of this section shall be under the
606 supervision of the Commissioner of Public Safety. The
607 commissioner is authorized to promulgate reasonable rules and
608 regulations to carry out the provisions of this section.

609 (21) For the purposes of this section, the term "stun gun"
610 means a portable device or weapon from which an electric current,
611 impulse, wave or beam may be directed, which current, impulse,
612 wave or beam is designed to incapacitate temporarily, injure,
613 momentarily stun, knock out, cause mental disorientation or
614 paralyze.

615 (22) (a) From and after January 1, 2016, the Commissioner
616 of Public Safety shall promulgate rules and regulations which
617 provide that licenses authorized by this section for honorably
618 retired law enforcement officers and honorably retired



619 correctional officers from the Mississippi Department of
620 Corrections shall (i) include the words "retired law enforcement
621 officer" on the front of the license, and (ii) unless the licensee
622 chooses to have this license combined with a driver's license or
623 identification card under subsection (25) of this section, that
624 the license itself have a red background to distinguish it from
625 other licenses issued under this section.

626 (b) An honorably retired law enforcement officer and
627 honorably retired correctional officer shall provide the following
628 information to receive the license described in this section: (i)
629 a letter, with the official letterhead of the agency or department
630 from which such officer is retiring, which explains that such
631 officer is honorably retired, and (ii) a letter with the official
632 letterhead of the agency or department, which explains that such
633 officer has completed a certified law enforcement training
634 academy.

635 (23) A disabled veteran who seeks to qualify for an
636 exemption under this section shall be required to provide a
637 veterans health services identification card issued by the United
638 States Department of Veterans Affairs indicating a
639 service-connected disability, which shall be sufficient proof of
640 such service-connected disability.

641 (24) A license under this section is not required for a
642 loaded or unloaded pistol or revolver to be carried upon the
643 person in a sheath, belt holster or shoulder holster or in a



644 purse, handbag, satchel, other similar bag or briefcase or fully
645 enclosed case if the person is not engaged in criminal activity
646 other than a misdemeanor traffic offense, is not otherwise
647 prohibited from possessing a pistol or revolver under state or
648 federal law, and is not in a location prohibited under subsection
649 (13) of this section. However, the medical use of medical
650 cannabis by a cardholder who is a registered qualifying patient
651 which is lawful under the provisions of the Mississippi Medical
652 Cannabis Act and in compliance with rules and regulations adopted
653 thereunder shall not disqualify a person under this subsection
654 (24) solely because the person is prohibited from possessing a
655 firearm under 18 USCS Section 922(g)(3) due to such medical use of
656 medical cannabis.

657 * * *

658 **SECTION 10.** Section 63-1-35, Mississippi Code of 1972, is
659 amended as follows:

660 63-1-35. (1) The Commissioner of Public Safety shall
661 prescribe the form of license issued pursuant to this article
662 which shall, among other features, include a driver's license
663 number assigned by the Department of Public Safety. A licensee
664 shall list his social security number with the department which
665 shall cross reference the social security number with the driver's
666 license number for purposes of identification. Additionally, each
667 license shall bear a full-face color photograph of the licensee in
668 such form that the license and the photograph cannot be separated.



669 The photograph shall be taken so that one (1) exposure will
670 photograph the applicant and the application simultaneously on the
671 same film. The department shall use a process in the issuance of
672 a license with a color photograph that shall prevent as nearly as
673 possible any alteration, counterfeiting, duplication,
674 reproduction, forging or modification of the license or the
675 superimposition of a photograph without ready detection. The
676 photograph shall be replaced by the department at the time of
677 renewal. Drivers' licenses, including photographs appearing
678 thereon, may be renewed by electronic means according to rules and
679 regulations promulgated by the commissioner in conformity to
680 Section 27-104-33.

681 (2) The commissioner shall prescribe the form of license
682 issued pursuant to this article to licensees who are not United
683 States citizens and who do not possess a social security number
684 issued by the United States government. The license of such
685 persons shall include a number and/or other identifying features.

686 (3) Any new, renewal or duplicate driver's license,
687 temporary driving permit or commercial driver's license issued to
688 a person required to register as a sex offender pursuant to
689 Section 45-33-25 shall bear a designation identifying the licensee
690 or permittee as a sex offender.

691 (4) The commissioner is authorized to provide the new,
692 renewal or duplicate driver's license, temporary driving permit or
693 commercial driver's license to any honorably discharged veteran as



defined in Title 38 of the United States Code, and such license or permit shall exhibit the letters "Vet" or any other mark identifying the person as a veteran. The veteran requesting the "Vet" designation shall present his DD-214, Military Retiree Identification Card, United States Department of Veterans Affairs Medical Identification Card, United States Department of Veterans Affairs Identification Card or National Guard Form NGB 22. The veteran requesting the "Vet" designation may present his DD-214, Military Retiree Identification Card, United States Department of Veterans Affairs Medical Identification Card, United States Department of Veterans Affairs Identification Card or National Guard Form NGB 22 in person at the Mississippi Department of Public Safety Driver's License Station.

(5) Not later than July 1, 2021, the commissioner shall develop and implement a driver's license or driving permit in electronic format as an additional option for license or permit holders. Acceptable electronic formats include display of electronic images on a cellular phone or any other type of electronic device.

(6) If false documents are provided by an individual for purposes of obtaining a veteran driver's license, such action shall be considered fraudulent use of identity under Section 97-19-85, Mississippi Code of 1972, and shall be punishable, upon conviction, as a felony pursuant to the provisions of that section.



(7) Any new, renewal or duplicate driver's license,
temporary driving permit or commercial driver's license issued to
a person under this chapter shall bear an indication of the sex of
the individual which shall be consistent with the sex of the
individual determined at birth. A court order that is
inconsistent with this subsection shall have no effect upon
issuance or renewal of a license under this chapter.

SECTION 11. Section 63-1-34, Mississippi Code of 1972, which
requires the Commissioner of Public Safety to prepare and make
available assistive videotapes for reading-impaired applicants, is
repealed.

SECTION 12. This act shall take effect and be in force from
and after July 1, 2025.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

AN ACT TO AMEND SECTION 63-1-1, MISSISSIPPI CODE OF 1972, TO
REVISE THE TITLE OF THE HIGHWAY SAFETY PATROL AND DRIVER'S LICENSE
LAW OF 1938; TO AMEND SECTION 63-1-3, MISSISSIPPI CODE OF 1972, TO
DEFINE THE TERM "SYSTEM OF RECORD"; TO AMEND SECTION 63-1-15,
MISSISSIPPI CODE OF 1972, TO REQUIRE LICENSE EXAMINERS TO INPUT
EACH REJECTED AND ACCEPTED APPLICATION INTO THE SYSTEM OF RECORD;
TO AMEND SECTION 63-1-16, MISSISSIPPI CODE OF 1972, TO DELETE THE
REQUIREMENT THAT THE "WAIT ANYWHERE APPOINTMENT" PROGRAM BE MADE
AVAILABLE ON THE DRIVER SERVICE BUREAU'S WEBSITE; TO AMEND SECTION
63-1-17, MISSISSIPPI CODE OF 1972, TO UPDATE CERTAIN LANGUAGE
RELATED TO RECORDKEEPING; TO AMEND SECTION 63-1-45, MISSISSIPPI
CODE OF 1972, TO REVISE THE MECHANISMS FOR KEEPING RECORDS OF ALL
FUNDS RECEIVED FROM APPLICANTS; TO REQUIRE LICENSE EXAMINERS TO
RETAIN A RECORD OF ALL FUNDS RECEIVED FROM APPLICANTS UPON DIGITAL
RECORD OR ACCOUNTING SYSTEMS AS PRESCRIBED AND FURNISHED BY THE
DEPARTMENT; TO PROVIDE THAT FUNDS RECEIVED FROM AN APPLICATION
SHALL BE SUBJECT TO AUDIT AT ANY TIME BY THE DEPARTMENT; TO
REQUIRE THAT THE APPLICATIONS BE DIGITIZED AND STORED IN THE



19 SYSTEM OF RECORD; TO AMEND SECTION 63-1-51, MISSISSIPPI CODE OF
20 1972, TO DELETE THE REQUIREMENT THAT THE COMMISSIONER OF PUBLIC
21 SAFETY BE LOCATED IN JACKSON, MISSISSIPPI; TO AMEND SECTION
22 63-1-52, MISSISSIPPI CODE OF 1972, TO REVISE THE METHOD OF SERVICE
23 FOR NOTICES OF SUSPENSION, CANCELLATION OR REVOCATION; TO REPEAL
24 SECTION 63-1-34, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE
25 COMMISSIONER OF PUBLIC SAFETY TO PREPARE AND MAKE AVAILABLE
26 ASSISTIVE VIDEOTAPES FOR READING-IMPAIRED APPLICANTS; TO AMEND
27 SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO DELETE THE
28 AUTHORITY OF THE DEPARTMENT OF PUBLIC SAFETY TO PLACE CERTAIN
29 ENDORSEMENTS ON DRIVER'S LICENSES OR IDENTIFICATION CARDS; AN ACT
30 TO AMEND SECTION 63-1-35, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY
31 NEW, RENEWAL OR DUPLICATE DRIVER'S LICENSE, TEMPORARY DRIVING
32 PERMIT OR COMMERCIAL DRIVER'S LICENSE ISSUED TO A PERSON UNDER
33 THIS CHAPTER TO BEAR AN INDICATION OF THE SEX OF THE INDIVIDUAL
34 WHICH SHALL BE CONSISTENT WITH THE SEX OF THE INDIVIDUAL
35 DETERMINED AT BIRTH; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

X (SIGNED)
Fillingane

X (SIGNED)
Hill

X (SIGNED)
Barrett

CONFEREES FOR THE HOUSE

X (SIGNED)
Horan

X (SIGNED)
Ford (73rd)

(NOT SIGNED)
Porter

