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Chapter No. 346

10/HR03/R605

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HOUSE BILL NO. 511

Originated in House Don Richardson Clerk

HOUSE BILL NO. 511

AN ACT TO AMEND SECTION 63-1-33, MISSISSIPPI CODE OF 1972, TO ALLOW THE DEPARTMENT OF PUBLIC SAFETY TO ACCEPT THE CERTIFICATION OF SUCCESSFUL COMPLETION OF AN INDIVIDUAL'S TRAINING IN THE SKILLS AND KNOWLEDGE OF THE PROPER OPERATION OF A MOTOR VEHICLE FROM A DRIVER'S EDUCATION PROGRAM MEETING THE STANDARDS OF THE DEPARTMENT; TO REQUIRE THAT THE COMMISSIONER OF PUBLIC SAFETY AND THE STATE BOARD OF EDUCATION SHALL JOINTLY PROMULGATE RULES AND REGULATIONS FOR THE ADMINISTRATION OF THIS ACT; AND FOR RELATED PURPOSES.

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

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

63-1-33. (1) Except as otherwise provided under subsection (6) of this section, it shall be the duty of the license examiner, when application is made for an operator's license or temporary driving permit, to test the applicant's ability to read and understand road signs and to give the required signals as adopted by the National Advisory Committee on Uniform Traffic Control Devices and the American Association of Motor Vehicle Administrators.

(2) Except as otherwise provided under subsection (6) of this section, the commissioner shall have prepared and administer a test composed of at least ten (10) questions relating to the safe operation of a motor vehicle and testing the applicant's knowledge of the proper operation of a motor vehicle.

(3) Prior to the administration of the test the license examiner shall inspect the horn, lights, brakes, inspection certificate and vehicle registration of the motor vehicle which the applicant expects to operate while being tested, and if he finds that any of the aforementioned items are deficient, no

license or endorsement shall be issued to the applicant until same have been repaired.

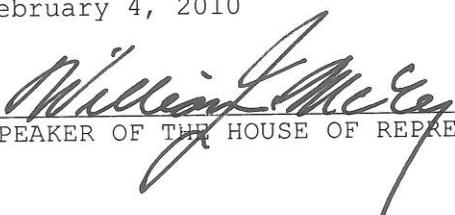
(4) An applicant for a Mississippi driver's license who, at the time of application, holds a valid motor vehicle driver's license issued by another state shall not be required to take a written test.

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

(6) The Department of Public Safety may accept the certification of successful completion of an individual's training in the knowledge and skills needed for the proper and safe operation of a motor vehicle from a driver education and training program at a secondary school that meets the standards of the department, in lieu of the department administering the examination of the individual for the purpose of obtaining a driver's license. The commissioner and the State Board of Education shall jointly promulgate rules and regulations for the administration of this subsection.

SECTION 2. This act shall take effect and be in force from and after July 1, 2010.

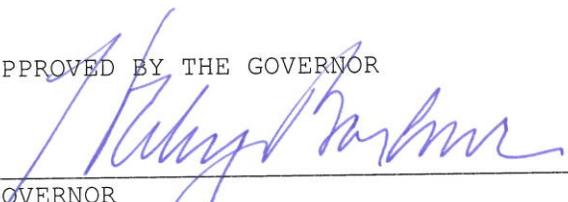
PASSED BY THE HOUSE OF REPRESENTATIVES
February 4, 2010


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 3, 2010


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR



