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Chapter No. 508
14/HR40/R457SG
SW JLP

HOUSE BILL NO. 641

Originated in House  Clerk

HOUSE BILL NO. 641

AN ACT TO AMEND SECTION 63-1-211, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO PROVIDE A MEANS FOR ELECTRONIC TRANSMISSION OF A MEDICAL CARD REQUIRED FOR A COMMERCIAL DRIVER'S LICENSE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 63-1-211, Mississippi Code of 1972, is amended as follows:

- 63-1-211. **Commercial driver's license.** (1) **Contents of license.** A commercial driver's license shall be marked "commercial driver's license" or "CDL," and shall be, to the maximum extent practicable, tamper proof, and shall include, but not be limited to, the following information:
- (a) The name and residential address of the person.
 - (b) The person's color photograph or imaged likeness.
 - (c) A physical description of the person including sex, height, and weight.
 - (d) Date of birth.

(e) Any number or identifier deemed appropriate by the commissioner.

(f) The person's signature.

(g) The class or type of commercial motor vehicle or vehicles which the person is authorized to drive together with any endorsements or restrictions.

(h) The name of this state.

(i) The dates between which the license is valid.

(2) **Classifications, endorsements and restrictions.**

Driver's licenses may be issued with the following classifications, endorsements, and restrictions:

(a) **Classifications.** Licensees may drive all vehicles in the class for which the license is issued and all lesser classes of vehicles, except those requiring special endorsements.

(i) Class A - Any combination of vehicles with a gross vehicle weight rating of twenty-six thousand one (26,001) pounds or more, provided the gross vehicle weight rating of the vehicle being towed is in excess of ten thousand (10,000) pounds.

(ii) Class B - Any single vehicle with a gross vehicle weight rating of twenty-six thousand one (26,001) pounds or more, and any such vehicle towing a vehicle not in excess of ten thousand (10,000) pounds.

(iii) Class C - Any single vehicle with a gross vehicle weight rating of less than twenty-six thousand one (26,001) pounds:

1. Vehicles designed to transport sixteen (16) or more passengers, including the driver; and

2. Vehicles used in the transportation of hazardous materials as defined in Section 63-1-203.

(iv) Class D - Any single vehicle with a gross vehicle weight rating of less than twenty-six thousand one (26,001) pounds or any such vehicle towing a vehicle with a gross vehicle weight rating not in excess of ten thousand (10,000) pounds except vehicles included in Class C or vehicles which require a special endorsement unless the proper endorsement appears on the license. Class D licenses shall not be commercial driver's licenses.

(b) Licenses may be issued with appropriate endorsements and restrictions noted thereon. The commissioner shall determine the manner of notation. Endorsements and restrictions may include, but are not limited * * * to those which:

(i) Authorize a driver to drive a vehicle transporting hazardous materials;

(ii) Restrict the driver to vehicles not equipped with air brakes when the person either fails the air brake component of the knowledge test or performs the skills test in a vehicle not equipped with air brakes;

(iii) Authorize driving motorcycles;

(iv) Authorize driving tank vehicles;

(v) Authorize driving vehicles carrying passengers;

(vi) Authorize driving school buses;

(vii) Authorize driving double trailers;

(viii) Restrict the driver to operation solely within this state. A commercial driver's license or commercial learner's permit with this restriction may be issued to any person who has attained the age of eighteen (18) years.

(3) Before issuing a commercial driver's license, the commissioner shall request the applicant's complete operating record from any state in which the applicant was previously licensed to operate any type of motor vehicle in the past ten (10) years, conduct a check of the applicant's operating record by querying the national driver register, established under 49 USCS Section 30302, and the commercial driver's license information system, established under 49 USCS Section 31309, to determine if:

(a) The applicant has already been issued a commercial driver's license; and the applicant's commercial driver's license has been suspended, revoked, or canceled;

(b) The applicant had been convicted of any offenses contained in Section 205(a)(3) of the National Driver Register Act of 1982 (23 USCS Section 401 note).

(4) Within ten (10) days after issuing a commercial driver's license, the commissioner shall notify the commercial driver

license information system of that fact, providing all information required to ensure identification of the person.

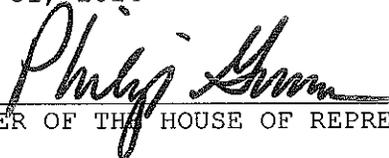
(5) The commercial driver's license shall expire in the manner set forth in Section 63-1-47.

(6) When applying for renewal of a commercial driver's license, the applicant shall complete the application form required by Section 63-1-210, providing updated information and required certifications. If the applicant wishes to retain a hazardous materials endorsement, the written test for a hazardous materials endorsement must be taken and passed. In addition, the applicant must successfully complete the security threat assessment required by 49 CFR, Part 1572. If notice is received from the United States Transportation Security Administration that the applicant poses a security risk, the commissioner shall refuse to issue, or revoke within fifteen (15) days of receipt of the notice, a hazardous materials endorsement.

(7) The department shall provide a means for electronic transmission of a medical card and may charge a vendor convenience fee in an amount not to exceed Two Dollars and Fifty Cents (\$2.50) per transmission.

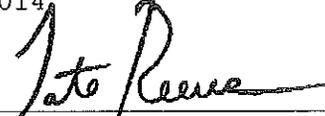
SECTION 2. This act shall take effect and be in force from
and after its passage.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 31, 2014



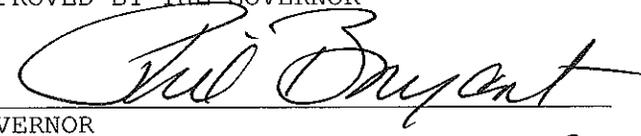
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April 1, 2014



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

4/23/14

2:19pm