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Chapter No. 517
13/HR40/R1894SG
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HOUSE BILL NO. 1015

Originated in House



Clerk

HOUSE BILL NO. 1015

AN ACT TO AMEND SECTION 63-1-46, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE FEES FOR THE REINSTATEMENT OF SUSPENDED OR REVOKED DRIVER'S LICENSES AND PROVIDE FOR THE DISTRIBUTION OF THE REINSTATEMENT FEES FOR VARIOUS PURPOSES; TO AMEND SECTION 63-1-45, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO FURNISH EITHER A PERMANENT DRIVER'S LICENSE KIOSK OR A DRIVER'S LICENSE EXAMINER IN EVERY COUNTY SEAT AT LEAST ONE DAY PER MONTH IF REQUESTED BY THE BOARD OF SUPERVISORS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 63-1-46, Mississippi Code of 1972, is amended as follows:

63-1-46. (1) (a) Except as otherwise provided in this section, a fee of * * * One Hundred Dollars (\$100.00) shall be charged for the reinstatement of a license issued * * * under this article to every person whose license has been validly suspended, revoked or cancelled. * * *

(b) The funds received under the provisions of this subsection shall be distributed as follows:

(i) Twenty-five Dollars (\$25.00) shall be deposited into the State General Fund in accordance with Section 45-1-23;

(ii) Twenty-five Dollars (\$25.00) shall be paid to the Board of Trustees of the Public Employees' Retirement System for funding the Mississippi Highway Safety Patrol Retirement System as provided under Section 25-13-7;

(iii) Twenty-five Dollars (\$25.00) shall be deposited into the special fund created in Section 63-1-45(3) for purchases of equipment by the Mississippi Highway Safety Patrol; and

(iv) Twenty-five Dollars (\$25.00) shall be deposited into the Ignition Interlock Device Fund created in Section 63-1-43 by House Bill No. 481, 2013 Regular Session.

* * *

(* * *2) * * * (a) A fee of One Hundred Seventy-five Dollars (\$175.00) shall be charged for the reinstatement of a license issued * * * under this article to every person whose license has been validly suspended or revoked under the provisions of the Mississippi Implied Consent Law or as a result of a conviction of a violation of the Uniform Controlled Substances Law under the provisions of Section 63-1-71.

(b) The funds received under the provisions of this subsection shall be distributed as follows:

(i) One Hundred Dollars (\$100.00) shall be deposited into the State General Fund in accordance with Section 45-1-23;

(ii) Twenty-five Dollars (\$25.00) shall be paid to the Board of Trustees of the Public Employees' Retirement System for funding the Mississippi Highway Safety Patrol Retirement System as provided under Section 25-13-7;

(iii) Twenty-five Dollars (\$25.00) shall be deposited into the special fund created in Section 63-1-45(3) for purchases of equipment by the Mississippi Highway Safety Patrol; and

(iv) Twenty-five Dollars (\$25.00) shall be deposited into the Ignition Interlock Device Fund created in Section 63-1-43 by House Bill No. 481, 2013 Regular Session.

(3) A fee of Twenty-five Dollars (\$25.00) shall be charged for the reinstatement of a license issued under this article to every person whose license has been validly suspended for nonpayment of child support under the provisions of Sections 93-11-151 through 93-11-163. The funds received under the provisions of this subsection shall be deposited into the State General Fund in accordance with Section 45-1-23.

(* * *4) The procedure for the reinstatement of a license issued * * * under this article that has been suspended for being out of compliance with an order for support, as defined in Section 93-11-153, and the payment of any fees for the 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.

(5) All reinstatement fees charged under this section shall be in addition to the fee provided for application for a driver's license in Section 63-1-43.

SECTION 2. Section 63-1-45, Mississippi Code of 1972, is amended as follows:

63-1-45. (1) License examiners shall keep a complete record of all funds received from applicants upon forms to be prescribed and furnished by the department out of the operating funds of the department. Application forms shall be printed in book form and serially numbered and in such form that the original thereof may be transmitted by the license examiner to the commissioner, together with the renewal fee. A copy signed by the examiner shall be given to the applicant, and a copy shall be retained by the examiner. The license examiner shall, not later than ten (10) days from the date of an application, transmit the application, together with the fee, to the commissioner. The application blanks and funds shall be subject to audit at any time. The commissioner shall maintain records of all application forms on hand and issued to the examiners, who shall be charged therewith. The receipt provided for in this section shall be the only valid and recognized form of receipt for fees paid by applicants, and the receipt shall be sufficient in lieu of the renewed license for

a period of sixty (60) days or until the renewed license has been issued to the applicant by the commissioner.

(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 3. The Department of Public Safety shall, upon request of the board of supervisors, furnish either a permanent

driver's license kiosk or a license examiner at a location in each county seat for at least one (1) day every month to conduct licensing examinations, road tests and renewals. It is the option of the board of supervisors so requesting to choose either the permanent driver's license kiosk or a license examiner. The county shall furnish the office, heating and cooling, phone service and Internet connectivity at the location for the kiosk or license examiner.

SECTION 4. This act shall take effect and be in force from and after July 1, 2013.

PASSED BY THE HOUSE OF REPRESENTATIVES
April 2, 2013



SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April 2, 2013



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

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