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MISSISSIPPI LEGISLATURE

2020 Regular Session

To: Highways and Transportation

By: Senator(s) Fillingane

Senate Bill 3052

(As Sent to Governor)

AN ACT TO AMEND SECTION 63-1-9, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE SHORTENING OF THE REQUISITE PERIOD FOR POSSESSION OF A LEARNER'S PERMIT OR INTERMEDIATE LICENSE, IN CERTAIN CIRCUMSTANCES INVOLVING COVID-19 CLOSURES, BEFORE AN APPLICANT MAY QUALIFY FOR AN INTERMEDIATE LICENSE OR DRIVER'S LICENSE, RESPECTIVELY; TO AMEND SECTION 7, CHAPTER 467, LAWS OF 2019, TO REVISE THE EFFECTIVE DATE OF THE MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY ACT; TO AMEND SECTION 25-15-409, MISSISSIPPI CODE OF 1972, TO REVISE THE DATE BY WHICH THE STATE, MUNICIPALITY, COUNTY OR FIRE PROTECTION DISTRICT MUST SHOW PROOF OF INSURANCE COVERAGE THAT MEETS THE REQUIREMENTS OF THE MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY ACT; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 63-1-9, Mississippi Code of 1972, is amended as follows:

63-1-9. (1) No driver's license, intermediate license or regular learner's permit shall be issued pursuant to this article:

(a) To any person under the age of eighteen (18) years except as provided in this article.

(b) To any person whose license to operate a motor vehicle on the highways of Mississippi has been previously revoked or suspended by this state or any other state or territory of the United States or the District of Columbia, if the revocation or suspension period has not expired.

(c) To any person who is an habitual drunkard or who is addicted to the use of other narcotic drugs.

(d) To any person who would not be able by reason of physical or mental disability to operate a motor vehicle on the highways with safety. However, persons who have one (1) arm or leg, or have arms or legs deformed, and are driving a car provided with mechanical devices whereby the person is able to drive in a safe manner over the highways, if otherwise qualified, shall receive an operator's license the same as other persons. Moreover, deafness shall not be a bar to obtaining a license.

(e) To any person as an operator who has previously been adjudged to be afflicted with and suffering from any mental disability and who has not at time of application been restored to mental competency.

(f) To any unmarried person under the age of eighteen (18) years who does not at the time of application present a diploma or other certificate of high school graduation or a general educational development certificate issued to the person in this state or any other state; or on whose behalf documentation has not been received by the Department of Public Safety from that person or a school official verifying that the person:

(i) Is enrolled and making satisfactory progress in a course leading to a general educational development certificate;

(ii) Is enrolled in school in this state or any other state;

(iii) Is enrolled in a "nonpublic school," as such term is defined in Section 37-13-91(2)(i); or

(iv) Is unable to attend any school program due to circumstances deemed acceptable as set out in Section 63-1-10.

(g) To any person under the age of eighteen (18) years who has been convicted under Section 63-11-30.

(2) All permits and licenses issued on or before July 31, 2009, shall be valid according to the terms upon which issued. From and after August 1, 2009:

(a) A regular learner's permit may be issued to any person who is at least fifteen (15) years of age who otherwise meets the requirements of this article.

(b) An intermediate license may be issued to any person who is at least sixteen (16) years of age who otherwise meets the requirements of this article and who has held a regular learner's permit for at least one (1) year without any conviction under Section 63-11-30 or of a moving violation. Any conviction under Section 63-11-30 or of a moving violation shall restart the one-year requirement for the holding of a regular learner's permit before an applicant can qualify for an intermediate license. An applicant for an intermediate license who was unable to make timely application in 2020 for a regular learner's permit, due to the closure of driver's license offices owing to the Coronavirus Disease 2019 (COVID-19), shall have the period in which he or she was eligible but unable to apply credited toward the one-year requirement for the holding of a regular learner's permit.

(c) A driver's license may be issued to any person who is at least sixteen and one-half (16-1/2) years of age who otherwise meets the requirements of this article and who has held an intermediate license for at least six (6) months without any conviction under Section 63-11-30 or of a moving violation. Any conviction under Section 63-11-30 or of a moving violation shall restart the six-month requirement for the holding of an intermediate license before an applicant can qualify for a driver's license. However, a person who is at least seventeen (17) years of age who has been issued a regular learner's permit and who has never been convicted under Section 63-11-30 or of a moving violation shall not be required to have held an intermediate license. An applicant for a driver's license who was unable to make timely application in 2020 for an intermediate license, due to the closure of driver's license offices owing to the Coronavirus Disease 2019 (COVID-19), shall have the period in which he or she was eligible but unable to apply credited toward the six-month requirement for the holding of an intermediate license.

(d) An applicant for a Mississippi driver's license who, at the time of application, is at least sixteen and one-half (16-1/2) years of age and who has held a valid motor vehicle driver's license issued by another state for at least six (6) months shall not be required to hold a regular learner's permit or an intermediate license before being issued a driver's license.

(3) The commissioner shall ensure that the regular learner's permit, intermediate license and driver's license issued under this article are clear, distinct and easily distinguishable from one another.

SECTION 2. Section 7, Chapter 467, Laws of 2019, which provides for the effective date of the Mississippi First Responders Health and Safety Act, is amended as follows:

Section 7. This act shall take effect and be in force from and after July 1,* * * 2022.

SECTION 3. Section 25-15-409, Mississippi Code of 1972, is amended as follows:

25-15-409. (1) The state, municipality, county or fire protection district shall, no later than January 1,* * * 2023, show proof of insurance coverage that meets the requirements of this article to the* * * Commissioner of Insurance, or shall show satisfactory proof of the ability to pay such compensation to ensure adequate coverage for all eligible first responders.

(2) The* * * Commissioner of Insurance shall adopt such rules and regulations as are reasonable and necessary to implement the provisions of this article. Such regulations shall include the process by which a first responder files a claim for cancer and the process by which claimants can appeal a denial of benefits.

(3) The* * * Commissioner of Insurance shall adopt rules to establish firefighter cancer prevention best practices as it relates to personal protective equipment, decontamination, fire suppression, apparatus and fire stations.

SECTION 4. This act shall take effect and be in force from and after July 1, 2020.

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