

**MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY**

**TITLE 31: PUBLIC SAFETY**

**PART 1: DRIVER SERVICES ADMINISTRATIVE CODE**

**Part 1 Chapter 1 Driver License Policy**

**Rule 1.1 Keeping Policies in Driver License Policy Book**

Driver License Examiners shall keep and file all policies issued by this Bureau in their department - issued Driver License Policy Book and make it available for inspection to their supervisor upon request.

Source: *Miss. Code Ann.* § 45-1-3

**Rule 1.2 Road Tests**

1. A fifteen (15) or sixteen (16) year old currently enrolled in a Driver Education program may be given the skills test after possessing the learner's permit for a period of six (6) months.
2. An applicant under seventeen (17) years old must possess the learner's permit for six (6) months prior to taking the skills test.
3. Anyone who is seventeen (17) years of age or older may be given the skills test on the day the learner's permit is issued.
4. Anyone under eighteen (18) years of age, unless married, must provide an Education Form. If married, marriage license must be presented.
5. A road test will not be given during inclement weather if the windshield wipers have to be used.
6. Motorcycle road test will be waived if applicant presents a certification from a Motorcycle Safety Foundation. Make a copy of certification and attach to application.
7. If anyone has a valid out of country Driver License along with a valid International License they will be required to take the standard permit test but not the road test.
8. If anyone has a valid out of country Driver License only (not an International License) they will be required to take the standard permit test along with a road test.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 1.3 Seat Belts

All Driver License Examiners shall wear seat belts while administering road tests.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 1.4 Licensed Driver Must Accompany Applicant

See state law.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 1.5 Waiting Period for Retest on Road Test

1. In all cases, a one (1) week or more waiting period is required when an applicant fails a road test.
2. In case of second (2<sup>nd</sup>) failure, applicant must wait a minimum of one (1) week or a maximum of three (3) weeks.
3. In case of a third (3<sup>rd</sup>) failure, applicant must wait thirty (30) days.
4. Road tests will not be given if the following restrictions are violated until the restrictions are corrected:
  - a. Violations of Restrictions:
    - i. Vehicle does not pass inspection.
    - ii. When applicant is restricted to glasses and does not have them.
    - iii. When an applicant is not accompanied by a licensed driver.
    - iv. When applicant does not have the necessary papers (DL-4, learner's permit, etc.)

Source: *Miss. Code Ann.* § 45-1-3

### Rule 1.6 Vehicle Inspection Prior Road Test

1. Examiner will check applicant's vehicle's horn, lights, brakes, tag, and inspection sticker.
2. If vehicle does not pass inspection, allow the person to get it repaired or return in another vehicle the same day for the road test.

3. Give the applicant the reason he/she failed the test. Write the reason he/she failed the test on the application.
4. If the applicant's car is dirty enough to get your uniform dirty or has springs sticking through the upholstery that would snag your uniform, ask the applicant to either get the vehicle cleaned up or get another vehicle to take the test in.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 1.7 Eighteen and Under Driver License Policy

1. Students who have a one year driver license and need a duplicate do not need an education form unless it is within two months of expiration for age eighteen (18) and two (2) weeks before expiration for ages seventeen (17) and under.
2. Anyone with a valid driver license may bring an applicant with a permit to take the driver test. If the licensed driver is under twenty-one (21) years of age, he must be driving the vehicle.
3. Any married person under eighteen (18) years of age does not need an education form, but will only get a one (1) year license unless within two (2) months of Eighteenth (18<sup>th</sup>) birthday.
4. A spouse may sign his/her spouse's application as long as the spouse signing is seventeen (17) years of age or older.
5. Persons under the age of eighteen (18) who move to Mississippi who already possess a driver license must provide an education form from the school last attended. This form must be on the school's letterhead. Also the applicant will only be given a one (1) year license even if his license from the previous state is a four (4) year license.
6. Education forms are good for thirty (30) days when applying for a license. Once the applicant obtains a permit, we will accept the education form up to ninety (90) days.
7. A license may be renewed to a four (4) year license if within two (2) months of the Eighteenth (18<sup>th</sup>) birthday. Otherwise, it must be a duplicate and expire on his/her birthday.
8. Any applicant who is under eighteen (18) years of age who has graduated high school or received a GED Certificate does not need an education form. They must present the original diploma or GED Certificate along with a photostatic copy for you to keep and process the same as an education form.

9. If the student is home schooled, then the parent must sign the certificate of school attendance.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 2 Obtaining Temporary Permits**

### **Rule 2.1 Stamping all Driver Education Applications**

All DL-4 form's (application) for driver license must be stamped LPDE if the applicant attends drivers' education and is fourteen (14) years old.

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 2.2 Securing the Temporary Permit**

There are two types of permits issued by the Mississippi Highway Safety Patrol, the regular Temporary Permit and the Driver Education Temporary Permit. The regular Temporary Permit is mandatory under *Miss. Code Ann.* § 63-1-21 amended. Anyone fifteen (15) years of age or older who does not have a valid driver license from another state must secure a Temporary Permit prior to taking the driving test. This permit is valid for one (1) year from issuance. However, for any pupil participating in a Driver Education course established by the laws of the State and otherwise qualified to obtain a Temporary Driver Permit, the effective period for the permit will be one (1) year. The examiner must stamp LPDE on the application.

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 2.3 Requirements for Obtaining the Regular Temporary Permit (15 to 18 Years Old)**

1. The applicant must be at least fifteen (15) years old.
2. The applicant must first obtain an application for Mississippi Driver License (Form DL-4). This form must be printed in ink (preferably black) or typed.
3. Applicants less than seventeen (17) years of age must have this form signed in the proper place by both parents and their signature must be notarized. In cases where only one (1) parent is available to sign, refer to "Instructions for Completing the Application for Mississippi Driver License or Temporary Permit" in this article.
4. Applicants less than eighteen (18) years of age must present the driver license examiner a legal birth certificate showing the identical name and date of birth appearing on the application.
5. Applicants less than eighteen (18) years of age must present an education attendance

form obtained from their school or County Superintendent of Education's Office verifying that the applicant is enrolled in school or has an acceptable alternative.

6. Applicants under the age of eighteen (18) if married, do not have to show the certificate of school attendance. The husband or wife, if over the age of seventeen (17), can sign the application if the applicant's husband or wife is fifteen (15) or sixteen (16) years old.
7. Visual acuity must be 20/40 or better in both eyes with or without glasses.
  - a. Students who wear glasses occasionally should bring their glasses on the examination date.
  - b. A student with vision not meeting the 20/40 standard will be referred to a vision specialist. A DE-26 will be given to the student and the form must be presented when the student returns after having eyes examined.
  - c. Students wearing contact lenses should advise the examiner at the time of vision check.
  - d. Students not meeting standard requirements after having visited an eye specialist will have the required restriction placed on the Temporary Permit by the examiner.
8. Students who cannot distinguish color or depth will not be refused a Temporary Permit by the examiner.
9. A grade of 80% will be required on any and all tests issued for a Temporary Permit. The questions will be taken from the Mississippi Driver Manual.
10. A fee of \$3.00 must be collected for each permit. (\$1.00 permit fee, \$2.00 photo fee)
11. The fifteen (15) year-old student must retain possession of the application for the driver license at all times.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 2.4 Requirements for Temporary Permit (14 Years Old)

1. *Miss. Code Ann.* § 37-25-7, provides for a temporary permit issued to certain students for the purpose of driver education.
  - a. Requirements for obtaining the driver education temporary permits:
    - i. The student must be at least fourteen (14) years of age.

- ii. The student must meet all the requirements set forth for the regular temporary permit except age.
  - iii. The student must be a regularly enrolled student in the ninth (9<sup>th</sup>), tenth (10<sup>th</sup>), eleventh (11<sup>th</sup>) or twelfth (12<sup>th</sup>) grade.
  - iv. The student must be a full-time student in the respective secondary school.
- b. Conditions:
- i. This permit will be issued only to students actually enrolled in an approved course of driver education which consists of thirty (30) hours of classroom and six (6) hours of dual driving instruction.
  - ii. No test for temporary permits will be given to a fourteen (14) year-old student in a school that does not have behind-the-wheel instruction.
  - iii. In the event a fourteen (14) year-old fails any part of the written test, the application must be requested along with a DE-7 executed by appropriate school officials within thirty (30) days of the date student reports to examiner's station for retesting.
- c. Validity:
- i. The Driver Education Temporary Permit will only be valid for a one (1) year period.
  - ii. The Driver Education Temporary Permit is valid only while accompanied by the Driver Education Instructor. (If under the age of fifteen (15)).
  - iii. A fee of \$3.00 must be collected for each permit. (\$1.00 permit fee, \$2.00 photo fee).
  - iv. The Driver Education Instructor should collect the applications of all 14-year-old students enrolled and return them to the respective students at the end of the course. In case a student is dropped from enrollment in the course for any reason, the school should make every effort to forward the application to him/her.
- d. Appointment with Driver License Examiner:
- i. Appointment for Temporary Permit tests should be made with the local license examiner twenty (20) days prior to test dates. (Appointments will

not be granted to classes with less than twenty (20) students.)

- ii. Classes with more than fifty (50) students should be scheduled an appointment at the beginning of the school day, if possible.
- iii. At time of appointment requests, the instructor should furnish the examiner with the following:
  - a. The name of school.
  - b. Mailing address of school.
  - c. Instructor's name.
  - d. Phone number of school.
  - e. Number of students to be tested (not total number of students enrolled in class)

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 2.5 Preparation of Student Prior to Test Date

1. Each student making application for either type of temporary permit should be taught by the Mississippi Driver Manual and should be thoroughly familiar with its contents prior to permit test date.
2. The instructor should check each student's application for completeness against the instructions set forth in "Instructions for Completing the Application."
3. The instructor should check each student's birth certificate and determine if it meets the requirements listed above.
4. The instructor, if aware of any circumstances which might cause embarrassment to an applicant, should advise the examiner. For example: A student who is unaware that his real name (on birth certificate) is different from what he/she has always known; and, the mentally handicapped or physically disabled student who might be required to furnish a doctor's statement to the examiner before he can be issued a permit. The instructor should discuss cases of this type with the parent, guardian and the examiner prior to test date.
5. Students should be assembled for the permit test at the beginning of a period. If at all possible, they should not be required to attend another class or leave the room until they are dismissed by the examiner.

6. Only students actually taking the permit test should be allowed in the room.
7. The instructor will be responsible for the discipline of the students during the permit test. He should see that absolute quiet is maintained during the test.
8. The instructor should, prior to test date, collect from each student taking the test the required permit fee of \$3.00.

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.6 Instructions for Completing the Application for Mississippi Driver License or Temporary Permit - Form DL-4

1. Full Name - Full name must be typed or printed in (preferably black) ink. Do not use nicknames, etc. The full name appearing on the legal birth certificates (except married women) must be used. If a female student is married, place the maiden name in proper space. She must provide original marriage license.
2. Social Security Number - The Department of Public Safety requires that each applicant insert his/her Social Security Number in the proper space. The Social Security Number is used as the driver license number. Many students do not have Social Security Numbers. Driver education teachers may obtain the number of applications needed from local Social Security districts or branches or:

Social Security Administration  
Post Office Box 2249  
Jackson, MS 39205  
Telephone: 601-960-5001

The test will not be administered unless the Social Security card is presented. When students complete the driver education course and apply to the Mississippi Highway Patrol to take the road test, they must have a DL-4 application and temporary permit. Helping students now to obtain the same will greatly help the Mississippi Highway Patrol administer the driver license program.

3. Mailing address, Number and Street - Complete address must be given. Example: 938 South State Street, Jackson, MS 39201. (Number, street, city, state and zip code). If home address is the same as mailing address, write the word the same in that place.
4. Race - Use the following abbreviations:  
W- White      B- Black      Y- Oriental      I- Indian      O- Other
5. Hair - Natural color of hair must be given.



6. Questions - Applicants must answer all questions. If the answer is yes, be sure the applicant fully explains each yes answer.
7. Signature of Applicant - Original signature (usual signature of applicant) must be used.
8. Signature(s) of Parent, Guardian, or Responsible Person(s) - The person(s) signing the responsible affidavit must appear before a notary public and sign their usual signature. This must be signed in ink. Listed below are the regulations applicable to signatures.
  - a. One parent Deceased- Write word DECEASED on appropriate line; only one (1) signature is required.
  - b. Parents Legally Divorced- Write words DIVORCED on appropriate line; only one (1) signature is required.
  - d. Parents Legally Separated- Write words LEGALLY SEPARATED on appropriate line; only one (1) signature is required.
  - e. Parents NOT Legally Separated- Both parents must sign the responsibility affidavit, this may be handled in different ways:
    - i. Both parents, at different times or together, may appear before a notary public and place their signature on the same application card.
    - ii. If parents are separated by distance, one in Jackson, one in another city or state, mail the application to the parent not at home with a note requesting the form be notarized and mailed back to the home address.
    - iii. Formal power of attorney documents must be presented.
9. Birth Certificate Number - A certified birth certificate must be presented. Hospital certificates and Baptismal certificates cannot be accepted. (Birth certificates that have not been certified will not carry a number). Passports and/or legal immigration papers will be accepted to offset birth certificates written in a foreign language.
10. Operators License Numbers - Be sure the person signing the affidavit enter their license number in the correct space. If they do not have a license, the word NONE should be entered.
11. In the event of seizure disorder, drug addiction, or mental disorder, a DR-11 (medical form) will be provided. It must be taken to a doctor for completion and mailed to the address specified. Mississippi Highway Patrol officials will respond in writing for approval or disapproval. The applicant would not be able to test until the DR-11 is approved by the Department of Public Safety.

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.7 Checking of Applications

1. Each teacher should thoroughly check each application paying particular attention to the following items:
  - a. SIGNATURES - Are they correct? Are they signed in ink?
  - b. BIRTH CERTIFICATE NUMBER - Does this number correspond with the one on the Birth Certificate?
  - c. BLANKS - Are all necessary blanks answered?
  - d. TYPED OR PRINTED IN INK - Has the application been typed or printed in ink?
  - e. NOTARY PUBLIC - Is the date, signature and seal of the notary public on the application form?

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.8 Out-of-State Learner Permit

1. Any person who has in his possession a temporary or learner's permit issued to him by another state shall be required to make application and pass the written, eye and road tests, and meet all other requirements before a Mississippi license can be issued.
2. Out-of State learner permits are not valid in Mississippi for the purpose of waiving any written or road test. Out-of-State learner permits are valid for the purpose of operating a motor vehicle in this state if the holder is complying with all requirements of the state which issued the permit.

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.9 Mississippi Learner's Permit Out-of-State Students, Private Schools, Foreign Exchange, Military Dependents, Children Living in the State With Grandparents, Relatives or Friends

1. When a nonresident student, under the age of eighteen (18), is enrolled in a driver education course in a Mississippi public or private school, the Department of Public Safety will not issue a learner's permit unless the student can show proof of residence.
2. If the student is living with grandparents, relatives or friends, the student must show proof of legal guardianship. The Department of Public Safety will not issue the person a

learner's permit or a driver license unless the person proves domicile in Mississippi.

3. Out-of-state addresses are not to be used for any purpose, unless the postal service uses an out-of-state address for an in-state resident.
4. To establish Mississippi residency, an applicant must have one of the following documents: A notarized statement from the postal service, a current car tag registration, homestead exemption, or property tax statement.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 2.10 Driver Education Students

1. It shall be the responsibility of the District Supervisor to go to the approved schools to administer the learner's permit test to the driver education students.
2. A driver education class should have a minimum of twenty (20) students before tests are given at a school.
3. If a school is not listed on the approved list, check with the Driver Services Bureau Director's office to see if approval had been given after the approved list was issued.
4. If a driver education student lives out-of-state, but attends a Mississippi school, write in RED ink on the application and learner's permit. DO NOT ISSUE MISSISSIPPI DRIVER LICENSE without a Mississippi state address.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 2.11 State Uniform Procedures for Driver Education Teachers and Examiners

1. Please incorporate the enclosed memorandum from the State Department of Education Supervisor for the Driver Education Programs into your Driver Services Policy Manual.
2. Please do not deviate from these procedures.
3. Fact Sheet:
  - a. Any driver license issued to an applicant under the age of seventeen (17) years and ten (10) months will expire on that person's next birthday unless the license is issued within two (2) months of the birth date.
  - b. Education Forms:

- i. Must be presented by an applicant under the age of seventeen (17) years and ten (10) months except for married persons.
  - ii. Obtained from the schools.
  - ii. Valid up to thirty (30) days prior to application.
  - iii. Will not be accepted if faxed or reproduced.
- c. A GED certificate or high school diploma will be accepted in lieu of educational form.
- d. Restriction Two (6:00 a.m. until 10:00 p.m.)
  - i. Will automatically be entered on fifteen (15) year-old applicants.
  - ii. Does not apply to a physical impairment, hardship, or married person.
- e. 15-year-olds effective September 1, 1995
  - i. Will be issued a one (1) year learner's permit.
- f. Learner's Permit
  - i. Valid for a one (1) year period.
  - ii. Must furnish an educational form if the permit is in excess of ninety (90) days old.
- g. Driver's Education
  - i. Test scores valid for two (2) years.
  - iii. Fourteen (14) year-olds may be issued a new learner's permit when reaching the age of fifteen (15).

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.12 Will Accept any Valid Learner's Permit Subject to Restrictions Mandated by the Issuing State:

Alabama, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Mississippi, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York (not valid in New York

City), Ohio, Pennsylvania (provided accompanied by a licensed driver who is at least eighteen (18) years of age and is sitting in the passenger seat), Tennessee, and West Virginia.

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.13 Will Accept any Valid Learner's Permit Subject to Restrictions Mandated by the Issuing State as Long as a Person is At Least 15 Years or More of Age:

1. 15 Years of Age - Idaho and Minnesota
2. 15+ Years of Age - Colorado and Missouri (15 + 6 months)  
- Maryland (15 + 9 Months)  
- Virginia (15 + 8 months and accompanied by a licensed driver 18 years of age)

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.14 Will Accept any Valid Learner's Permit Subject to Restrictions Mandated by the Issuing State as Long as a Person is At Least 16 Years of Age:

Alaska, California (good for 10 days only), Connecticut (must have a licensed driver with him who has had a license for at least four years), Kentucky, Maine, Massachusetts, Michigan, North Carolina, North Dakota, Oklahoma, Oregon, Texas, Utah, Wisconsin, and Wyoming.

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.15 Will Accept any Valid Learner's Permit Subject to Restrictions Mandated by the Issuing State as Long as the Other State Accepts Theirs (Reciprocity):

Rhode Island and South Dakota.

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.16 Will Not Accept Out-of-State Learner's Permits

Arizona, Arkansas, District of Columbia, Hawaii, New Hampshire, South Carolina, Vermont, and Washington.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 2.17 Learner's Permit Fee

There will be a \$2.00 photo fee in addition to the \$1.00 fee currently charged for a regular driver license learner's permit. A hard copy learner's permit will be issued to replace the current learner's permit.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 2.18 Graduated Driver License

Any person at least fourteen (14) years of age may obtain a learner's permit if they are enrolled in a certified driver education program. The permit can only be used as an instructional permit for operating the driver education car only. When the applicant reaches the age of fifteen (15), they need to report to the nearest driver license office to purchase a new learner's permit and be placed in the computer for the six (6) month time requirement to begin. All fifteen (15) or sixteen (16) year olds that receive a learner's permit must hold that permit at least six (6) months. After the six (6) months waiting period, they can go to the nearest driver license office and complete the road test requirement to receive an intermediate driver license. The intermediate driver license requirement is that the applicant can legally drive between the hours of 6:00 a.m. and 10:00 p.m. without a licensed driver in the vehicle with them. After 10:00 p.m. and until 6:00 a.m., they can drive only if a licensed driver at least twenty-one (21) years of age is in the front seat with them. The intermediate driver license shall be held for a period of six (6) months or until the applicant reaches their seventeenth (17<sup>th</sup>) birthday or whichever occurs first. After the applicant has held the intermediate driver license the required amount of time, or reaches the age of seventeen (17), then the applicant will receive an unrestricted license. All applicants under the age eighteen (18) must have a valid school attendance form in order to obtain an original driver license or to renew a driver license.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 3 Fee Collection**

### Rule 3.1 Proper Collection of Fees

1. When an examination is given and the applicant discovers he doesn't have the proper fees, the examiner will hold the receipt until such fees are produced or until the end of the day. If the applicant hasn't paid the fees by the end of the workday, void the receipt.
2. An explanation must be written on the voided receipt and the generated report.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.2 Deposit of Driver License Funds

All deposit slips for driver license funds must be validated no later than the next working day.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.3 Audits

1. District supervisors shall audit each driver license examiner under their supervision not less than once a month. A record of the audit must be maintained at the district level for a period of three (3) years. Audits will be unannounced.
2. The following items shall be checked, but not limited to:
  - a. Cash and checks on hand collected since the last report was filed.
  - b. Receipts written since the last report was filed.
  - c. Validation dates of deposit slips corresponding with daily activity reports.
  - d. Bypassed receipts (receipts that were not listed on the report as written or voided).
  - e. Unused receipt books (an audit should be made of each receipt book that is issued to the examiner, checking for missing or used receipts).
3. A representative of the Comptroller's office and/or supervisor from the Driver Services Bureau may visit with the examiner and/or the district supervisor for an unannounced spot check audit.
4. The supervisor should refer to General Order 15/01 of their policy and procedure manual (Blue Book) when conducting audits.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.4 Handling of Handbook Money

No money will be left in the driver license offices overnight. All cash, coins, and checks, including handbook money, will be removed from the office by the examiner when leaving the office.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.5 Proper Fees for Original Issuance of Driver License

Cash payment is required by law for any original issuance of a driver license or learner's permit. Original duplicate or renewal of identification cards will always be paid for in cash. (NO CHECKS) *Miss. Code Ann.* § 63-1-45.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.6 Cashing Checks

Driver license funds will not be used to cash any checks for any purpose. This includes any requests from anyone for any situation, including any employee of the Mississippi Department of Public Safety.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.7 Handling of Money and Computer Generated Receipts

1. Do not enter or work under any other user ID other than your own (with the exception of training new personnel). Any shortage of funds will be replaced by the individual responsible.
2. Receipts and reports will be kept by the examiner for a period of six (6) months.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.8 Firearm Permit Deposits

1. Firearm Permits is now under Driver Services Bureau, Driver License Examiners will make the firearm permit money deposits.
2. As with the driver license money, all deposits slips must be validated. No night deposit drops will be made. Firearm permits will continue to be done at the district substations only on the designated day and times. Examiners are not responsible for making the applicants' fingerprints. Examiners are responsible for all NCIC transactions.
3. Master Sergeants should perform audits on firearm permit money at the same time that driver license money is audited.
4. Please adhere to the following procedures:
  - a. Send all firearm applications to the attention of the Director of Firearm Permits at Headquarters. It should include the following:



- i. All original and renewal applications - Make sure all applications as well as fingerprint cards are filled out correctly and completely.
  - ii. Copy of Triple I report, copy of NCIC driver license or ID card check, Wanted persons check and state criminal history check.
  - iii. For out of country applicants: Contact the firearm permit unit in Jackson for instructions regarding the necessary NCIC transactions which must be done, send in a copy for proof of US citizenship, proof of lawful permanent US residence (can include, naturalization certificate, birth certificate certifying American citizen born abroad).
  - iv. Any questions regarding criminal history should be directed to the Investigator assisting with fingerprints.
5. All firearm applicants must have a valid Mississippi Driver License or ID Card to receive a firearm permit.
  6. Contact the Director of Firearm Permits on original retired law enforcement officer applications for handling instructions.
  7. Make sure all employees are aware of this policy and have a copy for their records.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 3.9 Late Renewals

1. A \$1.00 late fee shall be charged to anyone with an expired driver license. This fee will be charged if the license is expired due to being suspended, revoked or just late coming in to renew.
2. The \$1.00 late fee shall be waived if the applicant elects to take the driver license examination.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 3.10 Duplicate Licenses for Suspended Drivers

1. Persons having their driving privileges reinstated after a suspension, under the Implied Consent Law only, may obtain a duplicate license at no charge if the license is not expired. Proof of reinstatement must be shown by one of the following:
  - a. A departmental receipt stamped “Reinstated.....” presented within sixty (60) days of receipt date.

- b. A departmental reinstatement letter presented within sixty (60) days of letter date.
2. If the license is expired or if the letter or receipt is not presented, then the regular fee for duplicates or renewals will be collected, including the late fee. Identifying documentation will be required.
3. Duplicates at no charge will be handled as “Free Shots” and all others should follow the normal duplicate process.
4. Please follow Rule 7.7 regarding “Free Shots.”

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 3.11 Driver License Fees

1. Applicants will be charged a \$5.00 fee for any changes to be made after the license or ID card is printed if the applicant had initially indicated that no change is needed.
2. This is not considered a lost driver license where there would be a \$10.00 fee charged for the next duplicate. (Enter NO for driver license lost on Vista screen)

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 3.12 Driver Education, Learner’s and CDL Permit Fees

1. Effective June 1, 2003, paper permits will no longer be issued, A photo permit (same as driver license) will be issued.
2. The fee for each permit will remain the same in addition to an additional \$2.00 photo fee. If using paper receipts, you must mark the appropriate permit fee already on the receipt, and write the number 7 and the word photo fee in the “OTHER” section on the bottom right of the receipt. (The same as we do for non-US citizens and \$10.00 duplicates). If you are using computer generated receipts, there will be a photo fee code for you to enter in the “fee” field.
3. *Miss. Code Ann.* § 63-1-49 Renewal of License:
  - a. An expired license issued pursuant to this article may be renewed at any time within twelve months after the expiration date of said license upon application and payment of the required fee, and the payment of a delinquent fee of One Dollar, in lieu of a driver examination, unless the holder of the expired license is required to be examined, or unless the department has reason to believe the licensee is no longer qualified to receive a license. Without his having obtained a

renewal within the time required by law, then such reissuance of a license shall constitute a renewal of the previous license and not a new license.

- b. Any person in the armed services of the United States, holding a valid license issued pursuant to this article and being out-of-state due to military service at the time of said license expires, may renew said license at any time within ninety (90) days after being discharged from such military service or upon returning to the state, without payment of any delinquent fee or examination, unless the department has reason to believe that the licensee is no longer qualified to receive a license. Said person shall make proof by affidavit of the fact of such military service and of the time of discharge or return. The expiration of the license of a military person under the provisions of this subsection shall not affect the validity of the license, but such license shall continue to be valid and permit such person to operate a motor vehicle for a period of ninety days after he is discharged from military service or returns to the state or until he renews his license, whichever event occurs first.
- c. Any person who has a valid out-of-state license and wishes to obtain a Mississippi driver license may do so by presenting proper documents, filling out an application, passing the eye exam and paying the proper fee. They do not have to take written test exam if the driver license is valid.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 3.13 Returned Checks

Checks presented for license fees that are returned will be held for thirty (30) days. If the check has not been picked up within the thirty (30) days, the license of the person that the check was written for will be suspended. The re-instatement fee for a suspended license due to bad check will be \$10.00, to be paid by cash or money order only. The person will need to contact Driver Services Headquarters at 601-987-1200.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 3.14 Internet Renewal/Re-instatement Payments

- 1. Any payments made for license renewals, re-instatements, or motor vehicle records that are retracted for any reason will be handled in the same policy as a bad check.
- 2. The fees for a retracted payment via the internet will be the same. The person will pay the original fee, the internet fee (\$3.00) plus the \$10.00 fee if the person's license is suspended. The person will need to contact Driver Services Headquarters at 601-987-1200.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 4 Social Security Inspection and Gun Permits**

### **Rule 4.1 Visually Checking Social Security Cards**

1. Before final approval of the DL-4 (and/or DL-41) for a Mississippi learner's permit, you must require the applicant to SHOW his/her Social Security card. The Social Security Number should be verified through the Social Security Search Inquiry. When satisfied that the correct number is on the application, the examiner will write "OK" and his badge number just above the Social Security Number.
2. If the applicant has lost his Social Security card, the examiner may accept the Social Security Numbers displayed on the following documents:
  - a. Military identification card
  - b. Out-of-state license (with Social Security Number as license number)
  - c. A computer printout issued by the Social Security Administration that reflects the stamp of the Social Security Administration along with the issuing person's signature.
3. If the applicant has presented a computer printout from the Social Security Administration, the examiner must use the Social Security Search Inquiry to verify the Social Security Number to match the name and date of birth of the applicant.
4. Never under any circumstances should a Social Security Number be entered in the Social Security field that is not the applicant's Social Security Number. If there is a case where a Social Security Number is already in use by another person, you will need to contact the driver license fraud unit and driver records before any document can be issued.
5. Verification of an applicant's Social Security Number with the Social Security Administration shall be used at any time concerning the validity of any applicant's Social Security Number.
6. All applicants applying for an original ID card or license shall be checked using the Social Security Search Inquiry.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 4.2 Name Changes/Other Changes on DL or ID Cards

1. Females who want to use their first and middle name in lieu of their first and maiden name may do so.
2. Any applicant wanting their name changed from the way shown on their driver license or ID card must show a birth certificate or other legal document.
3. For females changing their married name, the examiner will accept the divorce decree even if it does not state the female is changing back to her maiden name. Then the examiner must see the certified birth certificate to add the maiden name. If the applicant wishes to add another name, such as a previous married name, the examiner must see that certified document.
4. ON ANY DATE OF BIRTH CHANGE, SOCIAL SECURITY NUMBER OR DL NUMBER CHANGE, SEX CHANGE, FEMALE OR MALE NAME CHANGE, DOCUMENTATION SHALL BE NOTED ON FORM DL-14 AND MAILED TO DRIVER RECORDS. SCHOOL FORMS AND INSULIN DEPENDENT FORMS WILL ALSO BE MAILED TO DRIVER RECORDS.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 4.3 Name Difference on Social Security Card and Birth Certificate

If the name on an applicant's Social Security card is not identical to the name on the applicant's birth certificate, use the full name shown on the applicant's birth certificate and record the Social Security Number on the application.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 4.4 Driver License Numbers Assigned at Headquarters in Lieu of a Social Security Number

1. Driver license numbers will be assigned from this office under the following condition:
  - a. Husband and wife drawing Social Security on the same number - The wife's Social Security Number would be the same as her husband's except it would be followed by a letter of the alphabet.
2. DO NOT CHANGE THE OLD DRIVER LICENSE NUMBER (001) TO A SOCIAL SECURITY NUMBER.
3. Attached is a copy of Driver License and ID card documentation concerning new assigned numbers. Also, enclosed is a fact sheet about how these new assigned numbers will be handled and some situations that may be encountered.

4. New Driver License and ID Card Assigned Numbers:
  - a. New Driver License and ID Card numbers will be issued beginning January 1, 1997. You are required to ask the applicant if he/she wants an “assigned” number rather than using his/her Social Security number, for all applicants (new, renewals, duplicates).
  - b. All new assigned numbers will begin with ‘800....1’ and will increment by a count of 1 each time an applicant (statewide) requests an “assigned Number”.
  - c. Assigned Driver License and ID Card numbers will be taken from the same pool of numbers.
  - d. You cannot have a Driver License and ID Card number with the same “assigned” number.
  - e. If the driver currently holds an “assigned” number (001, 000, 900), he/she will not be allowed to receive another “assigned” number.
  - f. If at any time the driver receives an “assigned” number, and then decides to use his/her Social Security number as his driver license number, and then wishes to use an “assigned” number again, he/she must use his/her previously assigned number. He/she will not receive multiple “assigned” numbers. The driver’s previous license number can be viewed in the Social Security Number field or in the OLD LIC NUM field on the NLH Command screen.
  - g. If the applicant is currently a CDL driver and he/she requests an “assigned” driver license number, a “Change Data Record” transaction will automatically be sent to CDLIS and PDPS (if a record exists).

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 4.5 Firearm Permits

1. If an applicant receives an “assigned” number and currently holds a firearm permit, he/she is not required to get a new firearm permit document with his/her new driver license number on it. Enforcement will continue to receive firearm permit information on the driver even though the two (2) documents will not have the same driver license number on them. Upon renewal of the firearm permit, the firearm permit document will have the same driver license number as the actual driver license. There is no option at this point.
2. Possible Driver License Situations:

- a. Situation # 1  
Currently on file  
DLN 427.....  
SSN 000.....

You MUST perform the ADDLIC command or DUPLIC command to receive an assigned number.

- b. Situation # 2  
Currently on file  
DLN 001.....  
SSN 000.....

You MUST perform the ADDLIC command or DUPLIC command to receive an assigned number. We have no way of knowing if an 001 number is an old assigned number or a true SSN. Some SSN's begin with 0.

- c. Situation # 3  
Currently on file  
DLN 001.....  
SSN 426.....

You MUST call Driver Records to perform the CLN command. We're assuming that if an 001, 000, 900 number exists with something in the SSN field, that this is already an assigned number and therefore cannot receive another new assigned number.

- d. Situation # 4  
Currently on file  
DLN 800.....  
SSN 000.....

This is a new assigned number. This driver cannot receive another assigned number. He/she can use their SSN as the driver license number. You MUST call Driver Records to perform the CLN command.

3. If at anytime the driver has received an 'assigned' number, Driver Records must perform the CLN command to reserve the numbers again, from an assigned number to a SSN as DLN. We currently do not have this capability for ID cards. You must notify MIS department to make this change for ID cards.

Source: *Miss. Code Ann.* § 45-1-3 and § 45-9-101

## **Part 1 Chapter 5 Commercial Driver License**

### **Rule 5.1 Commercial Driver License Numbers**

1. When an applicant, holding a Mississippi regular license number, applies for a commercial license, use the number that is on the regular driver license for the commercial license number.
2. Do not change old (001) numbers to Social Security Numbers or 800 numbers. If a person has a Social Security Number on their driver license at the time of receiving a commercial license, they have the option of receiving an assigned driver license number.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### **Rule 5.2 Applicant's Signature on DL-4, DL-41, ID-4, Etc.**

An applicant's signature will be accepted even though it may not be legible or identical to the legal or given name. This policy refers to only signatures. It in no way changes the filling out of the legal name on the DL-4, DL-41 or any other form requiring the applicant's name and signature. A stamped signature is not acceptable.

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 5.3 Out-of-State Addresses**

1. Out-of-state addresses are NOT acceptable on any Mississippi license or ID cards. A valid Mississippi address must be given, even for military personnel and out-of-state college students.
2. If the applicant is a Mississippi resident but has an out-of-state address issued from the postal service, they must have a notarized letter from the postal service verifying the address or they can have a car tag registration, homestead exemption, or property taxes for proof of Mississippi residence.

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 5.4 Completion of all DL-4, DL-41, ID-4**

All blanks on the DL-4, DL-41, and ID-4 must be completed by the examiner. Check to make sure all the following are completed:

1. Social Security Number recorded and checked.
2. Birth Certificate number recorded and checked.



3. Eye exam recorded and checked.
4. Receipts recorded (learner's permit, driver license and any endorsements).
5. Other identifying documents recorded and checked.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 6 Security Precautions**

### **Rule 6.1 Security Precautions for Receipts, Cameras and Related Equipment**

1. When you are not at your computer, you **MUST** manually logout. **NEVER** leave your terminal logged on and unattended.
2. Notify your supervisor immediately if you think a receipt was issued from someone other than yourself under your log on name. You will need to provide the following information to the supervisor:
  - a. DL or ID card number that the receipt was issued for.
  - b. The actual receipt number.
  - c. Submit a written account of the circumstances concerning the incident to the Director, Driver Services Bureau, through the proper chain of command.
  - d. If you suspect that any consumables or any other type of equipment or state property are missing without knowledge, contact your supervisor immediately.

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 6.2 Receiving Expired Driver Licenses**

1. A person will no longer be required to turn in their expired Mississippi license. After verifying the old license, the examiner may return the license to the applicant, if the license is being renewed. You may either punch a hole in the expiration date with a hole puncher or cut the top right corner of the expired license and give them back.
2. If the applicant is obtaining a duplicate license with a name change or an address change, the old license will be turned in to be destroyed. When changing from an operator's license to a commercial license, the old license will be turned in also.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 6.3 Adding/Removing Notes to Driver License

1. If a note is needed to be added to any license you will need to contact the Driver Services Help Desk at 601-987-1236. The date, examiner's name and reason for the note must be entered.
2. If you have an applicant with a note on their license and it no longer applies to that applicant, you must call the Driver Services Help Desk to have the note removed.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 6.4 Use of Departmental Vehicle by Driver License Examiner

1. Anytime the departmental vehicle is needed for operation of an examining station, the driver license examiner is authorized to use the vehicle.
2. Driver License Examiners on traveling teams, working in an area where an eating establishment is not convenient to the driver license office, may use the department vehicle for the purpose of obtaining food, when the schedule does not allow for both the trooper and examiner to leave at the same time.
3. The departmental vehicle is for official departmental use only. Traveling to and from a place to eat should be considered a necessary part of official duty when assigned away from one's home station.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 6.5 Early Renewal

If a person has less than six (6) months remaining on his/her license or ID card, you may renew the license or ID card rather than issuing a duplicate. The expiration date would be four (4) years from the current expiration date.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 6.6 Receipts

1. All receipts should indicate whether payment for a license was made by cash or check. Do this by indicating the field with cash or check in the amount collected field.
2. Receipts must have the full name of the person and driver license number written on the receipt even if all other information is not filled in.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 6.7 Procedures for NCIC “HITS”

1. Anytime a positive response or “hit” is received from an NCIC inquiry on an individual, the following procedures should be observed.
  - a. If a law enforcement official is available and can be contacted without the examiner placing themselves or the general public in any immediate danger, they should attempt to do so. Traveling teams will normally receive the information concerning “hits” by telephone, in which case the person passing along the information to the examiner should also call the substation and request they contact the closest officer or law enforcement agency to respond.
  - b. When it is not possible or is unsafe to attempt to contact a law enforcement officer, the examiner should carry on in a normal manner, obtaining as much information as possible on the individual to be passed on later to the appropriate person. If it is necessary to issue the license, then do so, and it can be pulled later.
2. Under no circumstances, unless the examiner is a sworn officer, should the examiner attempt to apprehend the individual or place themselves or the general public in immediate danger.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 6.8 Drivers Privacy Protection Act

1. Section 2721. Prohibition on release and use of certain personal information from State motor vehicle records
  - a. In General - Except as provided in subsection (b), a State Department of Motor Vehicles, and any officer, employee, or contractor, thereof, shall not knowingly disclose or otherwise make available to any person or entity personal information about any individual by the department in connection with a motor vehicle record.
  - b. Permissible Uses - Personal information referred to in subsection (a) shall be disclosed for use in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories, performance monitoring of motor vehicles and dealers by motor vehicle manufacturers, and removal of non-owner records from the original owner records of motor vehicle manufacturers to carry out the purposes of the *Automobile Information Disclosure Act*, the *Motor Vehicle Information and Cost Saving Act*, the *National Traffic and Motor Vehicle Safety Act of 1966*, the *Anti-Car Theft Act of 1992*, and the *Clean Air Act*, and may be disclosed as follows:

- i. For use by any government agency, including any court of law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.
- ii. For use in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories performance monitoring of motor vehicles, motor vehicle parts and dealers, motor vehicle market research activities, including survey research, and removal of non-owner records from the original owner records of motor vehicle manufacturers.
- iii. For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only:
  - a. to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, contractors; and
  - b. if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt security interest against, the individual.
- iv. For use in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State, or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a Federal, State or local court.
- v. For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, re-disclosed, or used to contact individuals.
- vi. For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, anti-fraud activities, rating or underwriting.
- vii. For use in providing notice to the owners of towed or impounded vehicles.
- viii. For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subsection.
- ix. For use by an employer or its agents or insurer to obtain or verify information to a holder of a commercial driver's license that is required

under the *Commercial Motor Vehicle Safety Act of 1986* (49 U.S.C. App. 2710, *et seq.*).

- x. For use in connection with the operation of private toll transportation facilities.
- xi. For use in response to requests for individual motor vehicle records if the motor vehicle department has provided a clear and conspicuous manner on forms for issuance of renewal of operator's permits, titles, registrations, or identification cards, notice that personal information collected by the department may be disclosed to any business or person, and has provided in a clear and conspicuous manner on such forms an opportunity to prohibit such disclosures.
- xii. For bulk distribution for surveys, marketing or solicitations if the motor vehicle department has implemented methods and procedures to ensure that:
  - c. Individuals are provided an opportunity, in a clear and conspicuous manner, to prohibit such uses; and
  - d. The information will be used, rented, or sold solely for bulk distribution for surveys, marketing, and solicitations, and that surveys, marketing, and solicitations will not be directed at those individuals who have requested in a timely fashion that they not be directed at them.
    - i. For use by any requestor, if the requestor demonstrates it has obtained the written consent of the individual to whom the information pertains.
    - ii. For any other use specifically authorized under the law of the State that holds the record, if such use is related to the operation of a motor vehicle or public safety.
- e. Resale or re-disclosure - An authorized recipient of personal information (except a recipient under subsection (b)(xi) or (xii)) may resell or re-disclose the information only for a use permitted under subsection (b) (but not for uses under subsection (b)(xi) or (xii)). An unauthorized recipient under subsection (b)(xi) may resell or re-disclose personal information for any purpose. An authorized recipient under subsection (b)(xii) may resell or re-disclose personal information pursuant to subsection (b)(xii). Any authorized recipient (except a recipient under subsection (b)(xi)) that resells or re-discloses personal information covered by this title must keep for a period of five (5) years records identifying each person or entity that receives information and the permitted purpose for which the

information will be used and must make such records available to the motor vehicle department upon request.

- f. Waiver Procedures - A State motor vehicle department may establish and carry out procedures under which the department or its agents, upon receiving a request for personal information that does not fall within one of the exceptions in subsection (b), may mail a copy of the request to the individual about whom the information was requested, informing such individual of the request, together with a statement to the effect that the information will not be released unless the individual waives such individual's right to privacy under this section.

2. Section 2722. Additional unlawful acts:

- a. Procurement for Unlawful Purpose - It shall be unlawful for any person knowingly to obtain or disclose personal information, from a motor vehicle record, for any use not permitted under section 2721(b) of this title.
- b. False Representation - It shall be unlawful for any person to make false representation to obtain any personal information from an individual's motor vehicle record.

3. Section 2723. Penalties:

- a. Criminal Fine - A person who knowingly violates this chapter shall be fined under this title.
- b. Violations by State Department of Motor Vehicles - Any State department of motor vehicles that has a policy or practice of substantial noncompliance with this chapter shall be subject to a civil penalty imposed by the Attorney General of not more than \$5,000 a day for each day of substantial noncompliance.

4. Subsection 2724. Civil Action:

Cause of Action - The court may award:

- a. actual damages, but not less than the liquidated damages in the amount of \$2,500;
- b. punitive damages upon proof of willful or reckless disregard of the law;
- c. reasonable attorneys' fees and other litigation costs reasonably incurred; and
- d. such other preliminary and equitable relief as the court determines to be appropriate.

5. Section 2725. Definitions:
  - a. “Motor vehicle record” means any record that pertains to a motor vehicle operator’s permit, motor vehicle title, motor vehicle registration, or identification card issued by a department of motor vehicles;
  - b. “Person” means an individual or entity, but does not include a State or agency thereof; and
  - c. “Personal information” means information that identifies an individual, including an individual’s photograph, Social Security Number, driver identification number, name, address (but not the 5-digit zip code), telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver’s status.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 6.9 Facial Recognition

1. The following procedures are to be adhered to regarding facial recognition:
  - a. If or when a photo is taken and the match meter is ‘green’, continue with the process of applicant.
  - b. If or when a photo is taken and the match meter is ‘yellow’, proceed with caution. If questionable, ask for additional identification.
  - c. If or when a photo is taken and the match meter is ‘red’, use extreme caution. Ask for additional identification. If examiner still cannot determine positive identification, contact immediate supervisor.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 6.10 Touch Signature

1. Every applicant is to be asked if they would like to participate in the ‘touch signature program’. Once an applicant chooses to participate, they will have to give their touch signature each and every time they come into a station. Once it is given, they cannot change their minds and decide not to participate any more. They will have to do this permanently.
2. The right thumb is to be used if they elect to participate.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 7 Identification Documentation**

### **Rule 7.1 Acceptable Identification Documents List**

Any applicant applying for a lost or stolen driver license or identification card is required to submit one primary document and one secondary document from the following lists. A primary document must contain the full name and date of birth and must be verifiable. If applicant does not have any of the listed documentation, you must check to see if we have a photo on file for that person. If so and you can verify that they are the same person, then you may issue the replacement.

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 7.2 Primary Documents**

1. Driver License. (Cannot be expired more than six months).
2. Certificate of birth. (Must be original or certified copy, have a raised seal and be issued by the Bureau of Vital Statistics or State Board of Health).
3. State issued ID card. (Cannot be expired more than six months).
3. INS documents, with the following exceptions: (to be determined).
4. Court order. (Must contain full name and date of birth. Examples include adoption documents, name change documents, etc.).
5. Military ID.
6. Valid passport, U.S. or Canadian. (If foreign, appropriate INS documents are also required).
7. State issued learner's permit. (Cannot be expired more than six months).

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 7.3 Secondary Documents**

1. Bureau of Indian Affairs Card/Indian Treaty Card. Tribal ID card is **NOT** acceptable.
2. Court order that does not contain the date of birth.
3. Employer ID card.



4. Foreign birth certificate. Must be translated by an approved translator.
5. Health insurance card, i.e., Blue Cross/Blue Shield, Kaiser, HMO.
6. IRS/State tax forms. W-2 NOT acceptable.
7. Marriage certificate/license.
8. Medical records from doctor/hospital.
9. Military dependent ID.
10. Military discharge/separation papers.
11. Photo gun permit.
12. Pilot's license.
13. School record/transcript. Must be certified.
14. Social Security card. Metal card is NOT acceptable.
15. Student ID card. Must contain photo.
16. Vehicle title or vehicle registration.
17. Voter registration card.

Additional documentation may be required if documentation provided is questionable.

Source: *Miss. Code Ann.* § 45-1-3

Rule 7.4 Proof of Domicile *Miss. Code Ann.* § 63-1-19

1. Every applicant for an original license or identification card who is over eighteen (18) years of age must show proof of domicile in this state to receive a license or identification card. No post office box number may be used as evidence of domicile. Any proof of documents must obtain a physical address. The examiner shall note on the application the type of documentation used to determine domicile. Applicants under twenty-one (21) years of age may use documentation that applies to their parents' domicile.
2. The following evidence or other reliable evidence may be considered in establishing, but is not necessarily determinative of domicile. Proof of domicile must be in the applicant's

or applicant's spouse's name, or in the event applicant is under twenty-one (21) years of age, their parent's name.

- a. Electric Bill
  - b. Water Bill
  - c. Lease or Rental Agreement
  - d. Car Tag Registration Papers
  - e. Mortgage Papers
  - f. Homestead Exemption Receipt
  - g. Bank Statement with Physical Address (No blank checks accepted)
  - h. Notarized employer verification on employer letterhead stating address of applicant (must be notarized and include phone number)
  - i. Mississippi license issued to parent or legal guardian when applicant is under twenty-one (21) years of age.
3. Letters from hospitals or rehab clinics will not be accepted unless applicant has a Mississippi Birth Certificate.
4. *Miss. Code Ann.* § 63-1-19 (amended 2002):
- a. From and after September 1, 2002, this section shall read as follows:
    - i. Every applicant for a license issued pursuant to this article, or for renewal of such license or permit, shall file an application for such license, permit or renewal, on a form provided by the Department of Public Safety, with the Commissioner or an official license examiner of the department. All persons not holding valid, unexpired licenses issued in this state shall be required to secure an original license, except those specifically exempted from licensing under *Miss. Code Ann.* § 63-1-7. The applicant shall state the name, date of birth, the Social Security Number of the applicant unless the applicant is not a United States citizen and does not possess a Social Security Number issued by the United States government, sex, race, color of eyes, color of hair, weight, height and residence address and whether or not the applicant's privilege to drive has been suspended or revoked at any time and if so, when, by whom and for what cause and whether previous application by him has been denied and whether he has any physical

defects which would interfere with his operating a motor vehicle safely upon the highways.

- ii. Every applicant for an original license shall show proof of domicile in this state. The Commissioner shall promulgate any rules and regulations necessary to enforce this requirement and shall prescribe the means by which an applicant for an original license may show domicile in this state. Proof of domicile shall not be required of applicants under eighteen (18) years of age.
  - iii. Unless the applicant is not a United States citizen and does not possess a Social Security Number issued by the United States government, each application or filing made under this section shall include the Social Security Number(s) of the applicant in accordance with *Miss. Code Ann.* § 93-11-64.
- b. No person who is illegally in the United States or Mississippi shall be issued a license. The applicant of a person who is not a United States citizen and who does not possess a Social Security Number issued by the United States government shall state the name, date of birth, sex, race, color of eyes, color of hair, weight, height and residence address, and whether or not the applicant's privilege to drive has been suspended or revoked at any time, and if so, when, by whom, and for what cause, and whether any previous application by him has been denied, and whether he has any physical defects which would interfere with his operating a motor vehicle safely upon the highways. The Commissioner shall adopt and promulgate such rules and regulations as he deems appropriate requiring additional documents, materials, information or physical evidence to be provided by the applicant as may be necessary to establish the identity of the applicant and that the applicant is not present in the United States or the State of Mississippi illegally.
- c. i. Any male who is at least eighteen (18) years of age but less than twenty-six (26) years of age and who applies for a permit or license or renewal of a permit or license under this chapter shall be registered in compliance with the requirements of Section 3 of the Military Selective Service Act, 50 USCS Appx, *et seq.*, as amended.
- ii. The department shall forward in an electronic format the necessary personal information of the applicant to the Selective Service System. The applicant's submission of the application shall serve as an indication that the applicant either has already registered with the Selective Service System or that he is authorizing the department to forward to the Selective Service System the necessary information for registration. The Commissioner shall notify the applicant on, or as a part of, the application

that his submission of the application will serve as his consent to registration with the Selective Service System, if so required. The Commissioner also shall notify any male applicant under the age of eighteen (18) that he will be registered upon turning age eighteen (18) as required by federal law.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 7.5 Issuance of Diabetic Driver License or Identification Card

1. Any person who has been diagnosed as being a diabetic shall be entitled a special driver license or identification card. The applicant will be required to have a DE16-A form completed.
2. The special diabetic driver license or identification card shall be identifiable by a blue medical emblem on the front and diabetic written on the back of card.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 7.6 Head Garment: When it can be worn in DL or ID Photos

An applicant will be able to wear head cover:

1. When worn for religious purposes.
2. Illness (Example: When someone has cancer and has lost all or most of their hair).

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 7.7 Free-Shot Issuances

Free shots should NOT be issued as duplicates on the computer! If a person needs to have a picture taken, free of charge, due to an error on his previous license that was our mistake, due to camera problems or use the following procedures:

- a. On command line type ADDLIC.
- b. In the field for application class code enter "R".
- c. In the field for License Code enter "F" (free).
- d. Complete the transaction using the procedures that are already in place.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 7.8 Processing of Identification Cards

1. Effective March 1, 1995, all renewals and/or duplicates of identification cards will be processed by the same policy that regulates driver license renewals or driver license duplicates.
2. Proof of Domicile - Identification Cards
3. Effective October 5, 2001, all applicants applying for an identification card must show proof of domicile before they are issued an identification card.
4. Proof of domicile shall be the same as for a driver license.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 7.9 Surrendering DL for ID Card

When an individual voluntarily surrenders an unexpired driver license or has a suspended driver license due to medical reasons, an identification card may be issued free of charge for the remaining time that is left on the license. The individual will need to fill out an application and a surrender driver license form and attach it to the application. The examiner will then put it in the computer as an identification card and then call Driver Records office at 601-987-1203 to change the expiration date to reflect the remaining time that was left on the license.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 8 Non-Typical Driver License Scenarios**

### Rule 8.1 Military and Military Dependent's Driver License

1. Any person who is applying for a Mississippi driver license who has in his/her possession a current military driver license only will be processed the same as someone applying for a first time license. They will be required to take the standard permit test; the road test will be waived providing the military license is current.
2. Military dependents that are under the age of eighteen (18) will be processed using the same procedures in place.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 8.2 Out-of-State Driver License

1. An applicant who possesses a driver license by another jurisdiction cannot be issued a Mississippi driver license unless the applicant surrenders such license.

2. If the applicant does not have said driver license in his/her immediate possession, he must complete an Affidavit of Inability to Surrender Driver License. The affidavit will serve as notice to the department that the applicant has surrendered his license. The license must be valid and clear of any suspensions, partial suspensions or revocations and verified through the Problem Driver Pointer System (PDPS) and the NCIC. The affidavit must accompany the driver license application when the examiner submits the reports.
3. Clearance letters will no longer be required if they do not have possession of a license unless it is a commercial driver license.
4. Applicant will NOT have to take the standard test if they possess a valid out-of-state driver license. If the license has been expired for over 30 days, they will be required to take the test.

Source: *Miss. Code Ann.* § 45-1-3

Rule 8.3 Registration Requirements for Convicted Sex Offenders

1. At the time a person surrenders a driver license from another jurisdiction and/or makes application for a Mississippi driver license, the driver license examiner shall provide the applicant with written information on the registration requirements for convicted sex offenders, in accordance with the Mississippi Sex Offenders Registration Laws *Miss. Code Ann.* § 45-33-21.
2. The information shall read as follows:

**\*Important Legal Notice\***

State Law requires the Department of Public Safety to provide you with the following information:

The state of Mississippi requires any person residing in this state who has been convicted of any sex offense to register with the sheriff of the county of residence within 45 days of establishing residence, or if a current resident, within 30 days of release of confinement.

Failure to register shall result in a fine of not less than \$1,500.00 nor more than \$5,000.00 or imprisonment in the state penitentiary for not less than 1 year nor more than 5 years, or both if the original conviction was a felony.

If the original conviction was a misdemeanor, failure to register shall result in a fine of not less than \$100.00 nor more than \$1,000.00, or imprisonment in the county jail for not less than 30 days or more than 1 year.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 8.4 Out-of-Country Applicants

1. For any person from out-of-country applying for a driver license or identification card, you must verify the following documents:
  - a. Proper INS Papers (Passport, I-94 card)
  - b. Birth Certificate (Must be translated by a University)
  - c. Social Security Card (If they have obtained one)
  - d. Proof of Residency
2. If an applicant has a visa which is not expired or a visa accompanied by an extension letter, you should issue a license, unless the applicant is within 180 days of his visa expiring and does not possess an extension letter. In this case, you should not issue a driver license or identification card.
3. An applicant that has a B1 or B2 class visa is not eligible for a driver license or identification card; this is only a temporary visitor's visa.
4. Any applicant applying for a driver license or identification card **MUST** show a certified birth certificate.
5. If you should have any questions regarding the authenticity of any document, you should contact the proper agency for verification. This does **NOT** include the employer.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 8.5 Non U.S. Citizen License or Identification Cards

1. Effective July 1, 2002, state law no longer requires a non U.S. citizen to present a Social Security card to obtain a driver license or identification card.
2. We will begin issuing one (1) year license and identification cards for the people who do not have a Social Security card. They will only be valid for one (1) year from the date of issuance. They must present the proper INS documentation papers when applying for the one (1) year license or identification card. The license or identification card will be assigned an 800 number. All persons receiving a non U.S. citizen license or identification card must give the touch signature on the license or identification card.
3. The cost for the one (1) year license or identification card will be \$10.00. The fee for renewal will also be \$10.00. Payment must be cash for all original license or identification cards. Checks may be presented for driver license renewals.

4. If a non U.S. citizen already has a Social Security Number, they may receive a four (4) year license.
5. In order to renew a one (1) year license or identification card, they must again present all required documentation in order to renew. They must show all INS documentation that they had shown originally.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 9 Health Issues and Driver License Administration**

### **Rule 9.1 Vision**

1. Responsibilities of the License Examiner:
  - a. In conducting the screening of vision, the driver license examiner has the responsibility to:
    - i. Know what phases of vision are to be considered in administrative actions in granting driver license.
    - ii. Know what action is expected of applicant as a result of their vision screening.
    - iii. Know what applicant is testing in each phase of the screening test.
    - iv. Know how to administer the screening test.
    - v. Realize the vision screening procedures are for the purpose of preventing automobile accidents.
    - vi. Use the testing situation as a public relations opportunity to sell the program of safe driving.

2. Referrals:

NEVER refer an applicant to any particular physician, if he/she fails vision screening, simply give applicant the DE-26 form and suggest he/she see any vision specialist of his/her choice. Upon his/her return, should the vision specialist's reading not correspond with that of the examiner, the vision specialist's, as a rule, will be the deciding score and his findings must accompany the records of the examination and the application. Extreme discrepancies will be referred to a superior. Very often by calling the vision specialist, you will obtain a great deal more information concerning the applicant's eyes.



Source: *Miss. Code Ann.* § 45-1-3

### Rule 9.2 Physical and Mental Disabilities

1. By law, the department is specifically prohibited from issuing a license to any person who is afflicted with such a physical or mental disability that prevents him/her from exercising with reasonable and ordinary control over a motor vehicle upon the streets and highways.
2. Observe during the interview and while you are checking the application and giving the eye test. Note whether the applicant has any apparent physical disability. In the majority of cases, you do not have to let the applicant know that you are watching the way he/she walks and the way he/she uses his/her arms and hands. If anyone has a noticeable limp, an arm or leg missing, walks with crutches, is particularly small and apt to having trouble in reaching the pedals, has on a brace, or states on the application that he/she suffers from dizzy spells or fainting spells, question him/her closely but tactfully. A person may have some disability which would prevent him from participating in athletic events and still be perfectly qualified to operate a motor vehicle safely. Give the applicant the DR-11 form and explain it to him/her.
3. Deafness is not a cause for failure to an applicant. Let applicant take the written test and mark application "Restriction 3" (outside mirrors).
4. Physical disabilities - Unable to pass road test given - give applicant the DR-11 form (medical form) and explain. Make sure the block labeled "To be completed by Driver License Examiner", is completely filled out by the examiner.
5. Driver license examiners may make an on-the-spot determination about the necessity of re-examination. Upon the examiner's observation that an individual may be unsafe or incompetent to drive, he/she may request that he/she retake all of the tests, the examiner will mail the license to the Director of Driver Improvement Branch, along with complete and detailed documentation as to the action taken and why it was believed necessary. The Director of the Driver Improvement Branch will temporarily suspend the driving privilege of said driver until he/she has successfully completed and passed the retesting requirements. The Driver Improvement Hearing Board Officer will follow the procedure outlined in Section II, A.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 9.3 Deaf Interpreter Services

1. If an individual should require an interpreter, you will need to follow the procedures below:

- a. Get the name and phone number of the individual requiring the service.
  - b. Schedule a time and date to allow at least three to five days and notify Driver Services at headquarters (601-987-1200) so that they can contact an interpreter.
  - c. They will then call back and verify information and give you the interpreter's name who will assist the applicant.
2. If there are any questions regarding this matter please call Driver Services at headquarters.

Source: *Miss. Code Ann.* § 45-1-3

Rule 9.4 Department of Public Safety Policies and Procedures for Determining Incompetent and Medically Unsafe Drivers

1. Method of Notification:
  - a. Any citizen who has knowledge of improper or inadequate driving skills may notify the Driver Improvement Branch in writing. This notification must be signed, or
  - b. Notification may be by a physician attesting to the physical or mental incompetence of an individual to safely operate a motor vehicle, or
  - c. Any accident report filed with the department that includes a notation by the investigating officer that a driver needs to be re-examined will be provided to the Driver Improvement Hearing Officer. Notifications from the public or physician are confidential and are not subject to inspection under the Public Records Law.
2. Scheduling of Hearings:
  - a. The Driver Improvement Hearing Officer will schedule retesting within thirty (30) days with the district's Master Sergeant and notify the driver of the time and location. If the individual fails to appear after the second notice, this will result in an indefinite suspension of driving privileges. The individual will then be required to request in writing to the Driver Services Hearing Board for a retest. The Hearing Board will schedule a retest at the earliest possible date.
  - b. The Driver Services Hearing Board will, upon written notification stating specific medical reasons from a medical doctor or an ophthalmologist attesting to the fact that a patient of his/her has a medical condition that in his/her opinion renders him/her incapable of operating a motor vehicle in a safe manner, immediately suspend the driving privileges temporarily pending a medical evaluation and/or

departmental hearing. The Driver Services Hearing Board will review the case and schedule a hearing within ten (10) working days of the date that the medical form is received from the individual or from the Medical Review Board if a medical review is required. The Driver Services Hearing Board will notify the individual of the suspension and enclose a medical form that is to be completed by a medical doctor or ophthalmologist.

- c. The Driver Services Hearing Board is appointed by the Director of the Driver Services Bureau. The following will serve on the Hearing Board: Assistant Director, Driver Services Bureau, Director of the Driver Improvement Branch, and a Driver Improvement Hearing Officer. The Director of the Driver Services Bureau may appoint other members as he deems necessary.
- d. The findings of the Medical Review Board will be reviewed by the Driver Services Hearing Board to determine if a further re-examination is required and if so, a retest will be scheduled. If no further examination is necessary, the driving privileges will remain suspended indefinitely until a medical clearance is obtained.
- e. It is department policy that an individual be seizure free for six (6) months before obtaining a license. If an individual's driving privilege has been suspended because of a seizure, then the individual must also be seizure free for six (6) months before his/her driving privilege can be reinstated.
- f. When the Driver Services Board upholds the suspension of a license for medical reasons, the applicant must wait sixty (60) days from the date of the decision before applying for another review. Request for subsequent review must be in writing.

3. Retesting Requirements :

- a. All applicants requiring retesting will be done by the district Master Sergeant.
- b. Retesting will include the eye test, written test (as defined in Miss. Code Ann. § 63-1-33), and the road test.
- c. If the department requires that an individual be re-examined, he/she may present the letter advising of the re-examination at any driver license station and obtain a driver's handbook at no charge.
- d. Individuals determined to be incompetent to operate a motor vehicle are not entitled to any refund of driver license fees.
- e. A reinstatement fee is not required for anyone suspended for incompetence.

f. The use of telescopic lens for driving is only in accordance with state law.

4. Case Review and Appeal Process:

- a. Any person found to be medically unsafe to operate a motor vehicle may request in writing to the Driver Services Hearing Board to have their case for reinstatement reviewed. The Driver Services Hearing Board will determine whether a hearing is warranted or additional information is needed. The applicant must furnish proof that a change in their medical abilities warrants a review of their case. If a hearing is granted, the board can reinstate, refer to the Medical Review Board, or disapprove the request for reinstatement.
- b. Any person whose driver license has been suspended for medical or incompetent reasons may appeal the suspension to the Commissioner of Public Safety, or authorized designee, whose decision shall be final.

Driver License Restrictions Physically Disabled Drivers	
Restriction 1	Corrective Lenses. See Vision Chart.
Restriction 3	Outside rear view mirror. (Hard of Hearing or blind in one (1) eye).
Restriction 5	Automatic Transmission. (Insufficient strength to depress clutch. Body or limbs shaky or wobbly).
Restriction A	Daylight driving. See vision chart.
Restriction B	Custom equipment, i.e., full hand equipment; special brake and clutch equipment. (Either foot missing or not functioning; stiff joint and strength to make required stops; statue too small to see over steering wheel, cushion or other equipment may be required).
Restriction C	45 M.P.H. See vision chart.
Restriction D	Reexamine before renewal. See vision chart.

5. Standards for Vision:

- a. In examining drivers for licenses, every test which we give should aim at two very simple things:
  - i. Require every applicant to do all he reasonably can to qualify as a safe driver.
  - ii. After that, keep off the road any applicant who is not a reasonably safe driver.
- b. This means that we must consider two different scores when we check eyes. The first score, so high that all who make it may be considered quite safe (insofar as eyes are concerned) and second, so low that the drivers who cannot make it may be considered quite dangerous and should, for their own protection, be kept from driving. This leaves a middle group who can make the lower score, but not the higher one, and who should be permitted to drive only after they have seen a vision specialist to have their sight improved as much as possible.
- c. Thus, if a driver can see sharply enough without lenses to score 20/40 on the eye test with each eye separately, probably a better score would not mean any better driver, so he/she should be passed without restriction even if he/she has lenses. (They may be comfort in reading but no special help in driving.) Of course, if a driver has to wear lenses to score 20/40 with both eyes he/she should be restricted to wearing corrective lenses while driving.
- d. Now, if a driver cannot score 20/40 with both eyes, and has no lenses, we simply reject him/her until he/she has tried to have his/her sight improved by a vision specialist. If he/she will not cooperate by doing this, he/she should not be granted the privilege of using the highways.
- e. When a driver has lenses (or has a written statement from a reputable specialist that lenses will not help him) he/she has done about all he/she can do to improve his/her sight, he/she should not then, be denied a license unless he/she is badly off that he/she scores worse than 20/70.
- f. People who cannot read better than 20/200 or who cannot see at all out of one (1) eye, should be required to score a little better than the others because they must judge distance by size and sharpness rather than by the use of both eyes together (binocular or stereoscopic vision). Therefore, to pass without restriction, the one (1) good eye should be able to score 20/30 or better. Worse vision in one (1) eye should be referred to a vision specialist. 20/200 or worse in an eye will be considered blind insofar as driving is concerned.
- g. In such cases where the applicant is unable to meet standard requirements, the examiner, supervisor, or the Director of Driver Services will evaluate the

circumstances of each individual case such as their driving ability and the necessity for driving and act according to the merits of each case. He/she should be certain to place the restrictions necessary to keep the applicant within a reasonable degree of safety at all times.

- h. Some applicants may have lenses which make them see more accurately in one or both eyes. They should be passed (restricted to wearing corrective lenses and 45 mph.) If they score 20/70 or better with both eyes, or the best eye alone.
  - i. A driver may be passed without restriction on a score of 20/50, and yet another driver may be restricted to corrective lenses if he/she scores 20/50 with both eyes when he/she does not have them on. This is the situation when the first applicant has lenses, whereas the second applicant has eye defects which cannot be corrected. In both cases, the person has done all he/she can do to improve his/her safety insofar as sight is concerned. Of course, the applicant with lenses would be required to wear them while driving, but there is no restriction which will improve the safety of the other.
  - j. Referrals should be to a vision specialist who is licensed to practice in this state, or a military vision specialist.
  - k. Nobody needs to be failed because of color blindness. Color blindness apparently does not prevent people from driving safely, and if one is color blind, there is no practical way he/she can improve. Yet, it is probably helpful for the driver to know he/she is color blind so that he/she may take precautions at times when signal lights are involved in his/her driving.
6. Defects and Explanations:
- a. Defects of focusing: (Either eye may be affected by itself). Affects acuity of vision and ability to read signs at a distance.
    - i. Myopia (Nearsightedness): Objects can be seen sharply close up. Image is focused in front of retina.
    - ii. Hyperopia (Farsightedness): Objects at a distance seen sharply. Image focused on back of the retina.
    - iii. Astigmatism: Objects or lines in one meridian focus sharply, but lines at right angles focus before or behind the retina. (For example: horizontal lines seem sharp and vertical lines seem fuzzy).
    - iv. Presbyopia (Lack of accommodation): Inability to adjust to seeing up close or far away. Inability to change focus. Usually in older people.

- b. Defects in lenses: (Either eye affected alone). Affects acuity of vision.
  - i. Cataract: Lens become opaque due to growth over a milkiness in lens. Usually grows progressively worse. Driver should be re-examined periodically.
  - ii. Traumatic condition: (Injury by accident). May be accident to lens or eyeball. Usually results in blindness, but may only give general blur. Scar or scar tissue apparent sometimes.
  - iii. Glaucoma: Disease of eye characterized by increase in intra ocular pressure; may result in blindness. (Driver should be re-examined periodically).

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 10 CDL Administration**

### **Rule 10.1 CDL Application Procedures for Testing**

1. Any individual that comes into a driver license station applying for a CDL permit or commercial license MUST have a valid Mississippi license. If they do not have a valid Mississippi license, they are NOT eligible to apply.
2. Before any tests are administered, first check the applicant on the computer to verify the person's status in-state and out-of-state (SI).
3. After determining that the person is clear, then you may begin the application procedure. The applicant must pay the \$25.00 application fee before tests are given. Once they have taken all the required tests, then you are to collect the \$12.00 permit fee and \$5.00 for each endorsement that they choose (See section 10-1C for HAZ/MAT endorsement).
4. After the applicant has passed all required tests and they are issued a CDL Permit, they are to be placed on the national CDLIS.
5. All scores and all receipt numbers are to be written on the application in the appropriate places. All applicants that test are to be entered into the computer.
6. The applicant is responsible for the application. If for some reason, they lose or misplace it, then they will have to pay the \$25.00 application fee again before another application is completed for that applicant (even if they have the original receipt showing it had already been paid).

7. Upon presenting the application for completion to the CDL station of his/her choice, you should first check the computer with the application. If the applicant has completed all requirements, you should update the computer and enter all other information required to issue the license and collect the \$40.00 commercial license fee and any other applicable fees. After the license has been issued, attach all documents relating to the applicant to the application (surrendered license, DE-26, DE-16A, CDL certification, etc).

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### Rule 10.2 Security and Privacy Requirements

1. The purpose of the Security and Privacy Requirements is to make all employees who use the National Driving Record aware of the controls that are necessary to ensure that NDR information is obtained and used as prescribed by Federal law. The request and receipt of NDR information are subject to the provisions of the NDR Act of 1982 (Public Law 97-364) and to section 552a of Title 5, United States Code (the Privacy Act of 1974). Each of these laws contains provisions enacted to promote governmental respect for citizens' privacy.
2. Since state personnel request and receive NDR information, they must share the responsibility for preventing unauthorized access and use of this information. The chief driver licensing official is ultimately responsible for ensuring that proper controls in relation to NDR information are established and adhered to by all members of the state staff. It is recommended that all employees who handle NDR information be required to become familiar with the contents of this document and to sign the statement of understanding that follows (or a similar statement).
3. NDR Access Restrictions:  

Chief driver licensing officials are authorized to access and use NDR information for purposes of fulfilling their duties with respect to driver licensing, driver improvement, and transportation safety. Transportation safety purposes means information requests submitted on behalf of other parties authorized by the NDR Act of 1982 to receive information, such as employers of motor vehicle and railroad locomotive operators and certain federal agencies. Any other use or access by anyone not prescribed by law is unauthorized.
4. Privacy Requirements:
  - a. The NDR-PDPS is a federal system of records, as defined by the Privacy Act of 1974, and complies with the requirements of that Act. Under that Act, the NDR-PDPS is required, among other things:



- i. To permit individuals to review any records pertaining to them and have a copy made of all or any portion thereof in a form comprehensible to them.
  - ii. To permit individuals to request amendment of records pertaining to them, to request review of refusals to amend records pertaining to them, and to inform them of the provisions for judicial review of the reviewing official's determination.
  - iii. Other than driver licensing or driver improvement inquiries, not to disclose any NDR-PDP records by any means of communication to anyone except pursuant to a written request or with the prior written consent of the individual to whom the record pertains.
- b. States are not directly subject to these Privacy Act Requirements. However, because the NDR contains state records, and because the NDR Act permits individuals, and requires other authorized NDR users, to submit their NDR file check requests through the chief driver licensing official of a state, it is necessary for the states to take certain actions to ensure that these requirements are met, namely:
- i. Permit and assist individuals who wish to access information pertaining to themselves that may be on the NDR file.
  - ii. Ensure that all requests for NDR file checks from individuals and other users are authorized by verifying the identity of the individuals and by ensuring that properly completed and signed request forms and consent forms are submitted for all requests other than driver licensing or driver improvement inquiries.
  - iii. Train existing and new employees on NDR restrictions and penalties for misuse of NDR data.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.3 Problem Driver Pointer System (PDPS) Reminders

1. An OI or SI (for commercial license) inquiry must be done for all first time original drivers (this includes out-of-state drivers).
2. If the status from OI or SI inquiry shows anything but 'VAL', do not issue the license, both CDL and non CDL. Write down each state and corresponding phone numbers that you received a pointer record on that does not have a 'VALID' status.
3. A driver may have a pointer(s) on the NDR and yet their status will be 'VAL'. Pointer

records for specific violations are required to remain on the NDR even though the driver may have already served his suspension time.

4. Status of PDPS messages:

- a. OUTB
- b. SENT
- c. RECV
- d. EROR

- i. If the error message says “Files unavailable send SRS TXN later”, this means that the state’s driver license files are unavailable. Sending an inquiry through the NCIC machine at this point will not get you any driver license information because both PDPS and the NCIC transaction are trying to access the same files.
- ii. If the error message says “Driver not found call help desk”, this indicates that the NDR has a pointer record on their files and no record could be found at the State of Record. Call the DPS/PDPS Help Desk. He must notify the NDR/PDPS Help Desk in Washington, D.C. to get the problem resolved.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

Rule 10.4 Roving Teams

1. You are required to call the Driver Records Dept. (or wherever you are designated to call) in order to inquire on your applicants. Those assisting you will need the following information from you in order to complete the inquiry: Full name, date of birth and Social Security Number. If the inquiry response returns “possible matches”, you and the person helping you must determine if the applicant and the inquiry response information are the same individual. If they are, they will in return tell you whether or not to license the individual based on the statuses received. If their response to you is “Do not license”, they will be relaying pointer information to you. This information will consist of each state and corresponding phone number that may have an outstanding action against that driver. It is the driver’s responsibility to resolve the issue.
2. PDPS is required by law, NCIC checks are not. The NCIC checks are part of your licensing policies and procedures and should continue to be so.
3. PDPS will only give you status information and the state of action (no violation information). The NCIC transactions will give you a complete driver history plus wanted information.

4. PDPS will tell you about problem drivers only. PDPS will not show any type of valid license that the driver may hold. NCIC checks will show any valid license that the driver may be holding along with any outstanding actions against the driver.

Department of Public Safety  
Driver Services Bureau

**Commercial Driver License Application Requirements**  
(This Form MUST Be Given With Each Application)

Applicant is Responsible for Application:

1. The applicant is responsible for maintaining his/her own original application.
2. If the applicant loses or misplaces the application, the applicant will then be responsible for paying another application fee. Once the application fee has been paid, the individual will receive another application.
3. Payment for the application fee is CASH ONLY.
4. Any Third Party Score Sheets must stay with the application and MUST be sealed at ALL times.
5. Once the testing process has been completed, the applicant will then turn in their application before obtaining their Commercial Driver License.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

Rule 10.5 Diabetic and Eye Waivers for CDL Drivers

1. Anyone coming in to renew or obtain a first time commercial license are to be asked if they have missing/false limbs or joints and if they are a diabetic. Every applicant must sign a CDL Certification form. The following procedures are to be adhered to:
2. If renewing and they are a diabetic, they must be given the Certification of Diabetic Form (DE-16A). They will not be able to renew until this form is filled out by their physician.
  - a. If they are Injection (shot) dependent:
    - i. They must have held a valid commercial license for a period of three (3) years to apply for an over the road waiver through the Diabetes Exemption Program at 400 7<sup>th</sup> Street, SW Washington,

DC 20590, 202-366-2987. They will have to drop down to a regular license until this waiver is approved; or

- ii. The applicant can apply for an Intra State Insulin Dependent Commercial License through the Mississippi Department of Public Safety. They can do so by contacting the CDL Help Desk to have an application mailed to them. The applicant cannot be self-employed or un-employed to qualify.
  - b. If they are Oral (pill) dependent:
    - i. You must put a “D” in the medical field on their license and send the Certification of Diabetic Form in with your paperwork to the CDL Department to have it microfilmed.
3. If they are obtaining a first time commercial license, they will have to have the Certification of Diabetic Form (DE-16A) filled out before testing begins:
- a. If they are Injection (shot) dependent:
    - i. They can apply for an Intra State Insulin Dependent Commercial License. They will not be eligible for a waiver through the Diabetes Exemption Program.
  - b. If they are Oral (pill) dependent:
    - i. You will follow the same procedures outlined in section 1 B.
4. If a person is renewing and missing limbs/joints or has false limbs, they will not be able to renew the license. They will need to contact the Atlanta, GA office at 404-562-3620 to apply for a medical waiver. They will have to drop down to a regular or class D license.
5. If a person renewing or applying for first time commercial license cannot meet the eye requirements, they must contact the Eye Waiver Exemption Program in Washington, DC at 202-366-2987 to apply for an eye waiver. They will also have to keep a regular or class D license until the waiver is approved.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.6 Commercial Driver License “CDLIS”

1. If an individual from another state is obtaining a Mississippi Commercial Driver License:

- a. You will need to issue them a Mississippi Commercial Driver License, you will need to bring all information from the CDLIS using the exact information that is on CDLIS. DO NOT issue an assigned number before you bring them over on CDLIS.
  - b. Once you have done this, you may then go in and give them an assigned number by using a free shot. After giving the free shot, you can then call Headquarters CDL Help Desk and have someone to remove the free shot.
  - c. Make sure that you go in and add the new assigned number to CDLIS. You may have to do a Change Data Record.
2. The changing of a name or date of birth for a commercial license:
- a. Make sure that the proper documentation is paper clipped to the application (a copy of the original document MUST be attached). DO NOT SEND IN NAME CHANGE FORMS WITHOUT THE PROPER DOCUMENTATION!
  - b. Any change done to a commercial license must be changed on CDLIS also. A Change Data Record has to be done.
3. Out-of-State CDL Applicants:
- a. The applicant must provide the out-of-state license (not over thirty (30) days old), Social Security card, and proof of Mississippi residence. They are required to pay the \$25.00 application fee, \$40.00 license fee and \$5.00 for each endorsement. If they have HAZ/MAT, they are required to retest.
  - b. Verify that the driver does not hold a Mississippi driver's license (DIS LIC).
  - c. Verify that the driver is or is not on the Commercial Driver License Information System:
    - i. At the main menu, enter 'CDL' and press enter. The CDLIS command menu is displayed.
    - ii. Perform the Search Inquiry (SI) function.
    - iii. If no matches are received from the Search Inquiry and the driver holds a valid CDL license, you must contact Headquarters CDL Help Desk. Both CDLIS and NDR will be searched to find the driver's master pointer record. If a match is received from CDLIS or NDR as a result of the search, review the data to determine if the driver is licensed in another state. If it appears that the driver is licensed in another state and more

information is needed, then send a SRS (state request for status) transaction or a DHR (driver history request) transaction to the driver's licensing state.

- iv. When the driver has been determined to have a clear driving record, then enter 'NEWLIC' and continue with normal procedures to add a new driver on the Mississippi Driver's License System (refer to driver license system reference guide).
- v. After the driver has been added to MHP files exactly as it lists on the out-of-state license, enter the command 'CDL' to return to the CDLIS command menu. Enter 'MNT' to display the CDLIS Maintenance Menu. The maintenance menu contains all update functions to the CDLIS database. Enter 'CSR' (change state of record) in the option field and follow the 'CSR' procedures listed under the CDLIS Maintenance Menu to issue a Change State of Record on the driver through CDLIS.
- vi. After the Change State of Record has been issued, all messages sent and received must be reviewed to ensure that all processing is complete. To review these messages, enter the 'RSP' option from the CDLIS Command Menu. Select the 'CSR' message on the driver that you are processing. Press PF9 to add the driver's history to the Mississippi Driver License System. A CBU (confirmation by Mississippi) message is automatically generated and sent to CDLIS to confirm that you have received and processed the driver's history. The driver's history will automatically be printed on all Change State of Record transactions. You must enter 'DIS' in the operation field to review any messages that have been previously reviewed.
- vii. After the driver has been added to the Mississippi Driver License System and CDLIS, enter the command 'CDL' to return to the CDLIS Command Menu.
- d. The Change State of Record procedures consist of several different processes at the new State of Record, the old State of Record, and the Central Site. The primary procedural responsibilities belong to the new State of Record. The discussion which follows assumes that the State will comply with the CMVSA requirement to check NDR and fully consider the NDR response prior to licensing a commercial driver.
- e. A Change State of Record procedure begins when a driver holding a CDL presents an application to another state for a CDL or commercial permit.
- f. In the Change State of Record procedure, the new state will require the driver to

surrender their commercial license from the old state. When the new state has determined that the person who presented the license is the licensee, has adequately proven new residency, and has based all normal State reviews establishing the driver's identification, the procedure may begin.

- g. It is possible that the driver may want to relinquish their CDL and receive a non-commercial license from the new state. In this case, the preferred procedure is for the new state to perform a Change State of Record (UD). Changing the pointer to the new state is the best means to support the concept of one license, one driver, one record. If the new state wishes, it may account for the cost of these pointers and claim a credit on its AAMVA net bill.
- h. If for some reason, the new state that accepts the surrendered CDL cannot take the pointer record, no Change State of Record (UD) is performed. The new state should return the surrendered CDL to the old State of Record and notify them that this driver has relinquished their privilege to drive a commercial motor vehicle. In such cases, the State of Record for the CDL has not changed and as far as CDLIS is concerned, the State that originally issued the CDL will remain the State of Record until another State issues a CDL to that driver. Please note that under the Driver License Reciprocity (DLR) application, the new SOR will be required to perform a CDLIS Change State of Record and move the pointer when notified by the old SOR that a CDLIS pointer exists for the driver.
- i. Any state that transmits a Driver History Conviction (H3) to another state via a CSOR (UD) transaction should edit and validate conviction offense codes before they are sent out. The new SOR should also edit and validate conviction offense codes received from other States. This process should be performed by both the sending (old SOR) and receiving (new SOR) states to help insure data integrity. The overall purpose of editing is to identify errors that, if not corrected, would interfere with the new SOR's ability to interpret the data and to determine whether to take any driver control actions.
- j. Please note that there are many other errors that a new SOR may identify and return to the sending (old SOR) State.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.7 Downgrading to an Operator or Class D License

1. If a person who holds a CDL license wishes to downgrade to an operator license or Class D license, you must first check the person's current record on the computer to determine if the person's current status is valid. If the current status is valid, follow departmental procedures for issuing the operator or Class D license as a renewal, charging full renewal fee and having the person sign the form wishing to down grade his/her license. The

applicant will remain on the national CDLIS. Any applicant requesting to downgrade must have a “VALID” commercial status. If a person’s commercial status is suspended, they are not eligible for a downgrade until they are cleared.

2. If a person comes into your office and wishes to reapply for his/her previously held CDL and is currently holding a valid operator or Class D license, you must contact the CDL Help Desk to determine what class and/or endorsement the person had. Once the CDL Help Desk determines that it has not been over two (2) years since the applicant held the previous CDL, retesting will not be required. You must collect all required fees, \$40.00 CDL fee plus \$5.00 for each endorsement before the CDL Help Desk will make any changes to the person’s record. After all applicable fees have been collected, the CDL Help Desk will update the record and advise you to print the data card and issue the license.
3. If a person holds a Mississippi CDL and moves to another state and becomes licensed in that state with any class other than CDL, then moves back to this state surrendering the out-of-state license and applying for his/her previously held CDL, they are only eligible to obtain the class of license in which they surrendered their CDL for. If they wish to obtain a CDL license, they MUST re-take all required tests. Advise the subject to complete a CDL application, check their current license status in-state and out-of-state and collect the \$25.00 application fee before re-testing may begin. They must be issued a Mississippi license before the CDL testing process begins (refer to policy & procedure 10-1 section 1).
4. If a person is returning to Mississippi to apply for his/her CDL with an out-of-state CDL, but also desiring to upgrade, they must first obtain a Mississippi license reflecting exactly as the state they are coming from before a CDL permit can be issued. If the person wants to add endorsements, then they may fill out an application. Then, you may administer the written test before their license is switched over to Mississippi unless they are adding the passenger endorsement. You must collect the \$40.00 CDL fee along with the \$25.00 application fee and the \$5.00 fee for each endorsement. If the applicant needs a CDL permit to upgrade or add the passenger endorsement, they will also need to pay the \$12.00 permit fee. After you have issued the receipt, update the person’s record on the computer as an upgrade.
5. If a person’s previously held CDL has expired, and it has not been more than two (2) years since the person held the CDL, they will be eligible to reapply for CDL license without re-testing (except for HAZ/MAT endorsement). Have the applicant to fill out CDL application, update all information on the computer and call the CDL Help Desk to update the information that you are not able to.
6. If an applicant possesses a CDL with a HAZ/MAT endorsement and the issue date on the CDL is over two (2) years old, the person must retake and pass the HAZ/MAT test in order to retain the HAZ/MAT endorsement. This applies when an individual is coming to



us from another jurisdiction or is renewing his/her CDL. Re-testing for HAZ/MAT can be done only at a CDL station.

I hereby certify that on this date, \_\_\_\_\_,  
that I, \_\_\_\_\_, do not wish  
to keep my class \_\_\_\_\_, CDL license. I wish to down  
grade my driver's license to a class \_\_\_\_\_ license.

Signature: \_\_\_\_\_

Driver License Number: \_\_\_\_\_

Witness: \_\_\_\_\_

(Driver License Examiner)

Source: *Miss. Code Ann.* §§ 45-1-3, 63-1-201, and 63-1-216

#### Rule 10.8 When to use Registered Gross Weight

1. *Miss. Code Ann.* § 63-1-75, Subsection (o), defines gross vehicle weight rating as meaning the value specified by the manufacturer as the maximum loaded weight of a single or a combination (articulated) vehicle, or registered gross weight, whichever is greater. The gross vehicle weight rating of a combination (articulated) vehicle (commonly referred to as the "gross combination weight rating") is the gross vehicle weight rating of the power unit plus the gross vehicle weight rating of the towed unit or units.
2. The registered gross weight rating referred to in this section will be used only when the value specified by the manufacturer as a maximum loaded weight of a single or combination (articulated) vehicle cannot be determined.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.9 CDL Learner's Permit Fee

There will be a \$2.00 photo fee in addition to the regular \$10.00 fee currently charged for a commercial driver license learner's permit. A hard copy learner's permit will be issued to replace the current paper learner's permit.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### Rule 10.10 Farm Waiver CDL - Class “B” Restricted

The attached booklet outlines the policies and procedures to be used for the issuance of a farm waiver CDL - Class B Restricted.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### Rule 10.11 Skills Test Exemption

Applicants who operate vehicles described in *Miss. Code Ann.* § 63-1-78 shall be exempt from the skills test upon providing proof of a safe driving record and sworn statement from an employer stating that the applicant has two (2) years' experience operating a vehicle which is equivalent to or exceeds the class vehicle for which they are seeking a license to operate.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### Rule 10.12 Restriction “F”

1. Effective January 19, 1995, a Commercial Driver License (CDL) may be issued or renewed for individuals who meet the present vision requirements for a non-commercial driver. The CDL must be restricted to Intrastate Driving, Restriction F.
2. From and after July 29, 1996, no new (first-time) CDL shall be issued to anyone who does not meet the vision requirements established by the United States Department of Transportation, Federal Motor Carrier Safety Division.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### Rule 10.13 Problem Driver Pointer System

1. The State of Mississippi, Department of Public Safety, is mandated by federal law to develop and implement a subsystem of the driver license system called the “Problem Driver Pointer System” (PDPS). This system will allow us to send “interactive” inquiries to the National Driver Register (NDR) for all drivers. The NDR houses information about all problem drivers (suspensions, revocations, etc.) in every state. Currently we can only send and receive interactive inquiries to the NDR on CDL drivers through the CDLIS System (a vital part of the driver license system). Other states are currently active PDPS States and have been for some time now. The Problem Driver Pointer System will go into production on January 2, 1995 for the State of Mississippi.
2. As part of the licensing process, we are required to make an inquiry to the NDR/PDPS on first time non-minimum age drivers (all originals). If the inquiry response returns “possible matches”, you must determine if the applicant and the inquiry response

information are the same individual. If they are, “DO NOT LICENSE”. The information you receive will contain each state, the state address, and phone number that may have an outstanding action against that driver. It is the driver’s responsibility to resolve the issue with each state.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

Rule 10.14 Policy for DPS (Driver License) Employees Teaching CDL

Driver License Employees are not permitted to teach CDL outside of the department.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

Rule 10.15 Suspension of Commercial Driver Licenses

The Commissioner of Public Safety shall suspend the commercial driver’s license of a person for such period under the Federal Motor Carriers Motor Vehicle Safety Act of 1986 (CMVSA) and regulations adopted pursuant thereto, if the person is determined to have committed a violation of the CMVSA or its accompanying regulations.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

Rule 10.16 Applicants Under 21

1. Any applicant between the ages of seventeen (17) and twenty-one (21) can only be issued a commercial license with a restriction “F” (in-state only).
2. Any applicant between the ages of seventeen (17) and twenty-one (21) cannot be issued a HAZ/MAT endorsement.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

Rule 10.17 Monthly Report Sheets

Monthly report sheets are no longer required with the implementation of the On Line Scheduler.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

Rule 10.18 Waiting Periods for CDL Test

1. When applicants come in to take CDL written test, they are allowed to test for three (3) consecutive days. If after the third day they fail again, they are required to wait for seven (7) days before they may re-test.

2. There are no waiting periods for applicants scheduling CDL road test appointments after failing. They are able to schedule a re-test at the next available time. If an applicant has an appointment and does not show up for that appointment or is over 15 minutes late for that appointment, there will be a two (2) week waiting period before he/she is able to re-schedule.
3. Insulin Dependent Employer Guidelines:
  - a. The following guidelines have been set forth by the Mississippi Department of Public Safety for employing an insulin dependant commercial driver. These guidelines are set forth in conjunction with *Miss. Code Ann. § 63-1-79*, as amended in Senate Bill 2560.
  - b. In order to remain in compliance with the state regulations, an applicant must have a portable monitor with a downloadable memory. The employer will be responsible for obtaining the required software provided by the manufacturer of the monitor. Only these monitors will be accepted in obtaining an insulin dependant commercial license. On site inspections of employers will be performed by the Department of Public Safety every six (6) months without notification to the employer.
  - c. The following information is what will be looked at when performing an inspection and must be made available to the representative of the Department of Public Safety.
    - i. Log sheets listing dates and times of a driver's route.
    - ii. Log printout of monitor readings that are required of a driver to perform before and during driving assignment from the glucose monitoring device.
    - iii. Copy of current annual medical certification and a copy of the endocrinologist's report that is required for the medical certification.
  - d. All guidelines will be strictly adhered to. If for any reason during an inspection the guidelines listed are not being followed, the employee's license will be suspended without notice by the Department of Public Safety.

Source: *Miss. Code Ann. §§ 45-1-3 and 63-1-201*

#### Rule 10.19 Insulin Dependent Commercial Driver License

1. All applicants renewing or applying for a insulin dependent commercial driver license must first obtain an application package from the Department of Public Safety.

2. Once the package is completely filled out and received at Headquarters, it will be reviewed. Once eligibility is determined, the applicant will receive an approval letter with their instructions on how to proceed.
3. First time applicants may not begin any testing until they receive an approval letter. This letter must be presented before testing can begin. All first time CDL applicants applying for the insulin dependent commercial license will be road tested with a Department of Public Safety CDL Examiner. Third party examiners will not be accepted.
4. Applicants that are renewing an existing commercial license may not renew their commercial license until they receive an approval letter or they may drop the commercial license and go to a lower class regular license if they wish to do so.

Amended *Miss. Code Ann.* § 63-1-79 and § 63-1-82.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.20 Hazardous Materials Endorsement

1. Renewal Procedures:
  - a. Any applicant renewing an existing Mississippi Commercial License bearing the HAZ/MAT endorsement must submit to a security threat assessment. After applicant has passed the appropriate written test:
    - i. Go through “UPDLIC” and remove the HAZ/MAT score and date, PF5 to save
    - ii. Go through “ADDLIC” on CDL score screen and enter “I” in the HAZ/MAT status code, current day’s date and examiner’s badge number.
  - b. Complete renewal process; collect all appropriate fees including fees for the security threat assessment. You will stamp the receipt that indicates the HAZ/MAT endorsement is valid ninety (90) days from date of receipt. The examiner will then collect the applicant’s fingerprints for submission.
  - c. The applicant will receive notice by mail from TSA (Transportation Security Administration) of approval or denial. Upon receiving approval notice, the applicant will return to have the “H” endorsement placed on the license within one hundred and eighty (180) days from the date of letter. If the applicant does not return within one hundred and eighty (180) days, they will have to submit for a new security threat assessment. At this time, the applicant will pay the appropriate endorsement fee only. The examiner will issue a “free shot”. Once the

process is completed, the examiner will call the CDL Help Desk to have the “free shot” removed from the license.

2. Adding HAZ/MAT:

- a. Any applicant adding the Hazardous Materials endorsement to an existing Mississippi Commercial Driver License must submit to a security threat assessment. After the applicant has passed the appropriate test:
  - i. Go through “UPDLIC” on the CDL score screen and enter “I” in the HAZ/MAT status code, current day’s date and examiner’s badge number. No scores will be entered at this time.
- b. At this time, the examiner will collect only the security threat assessment fees, but not the endorsement fee. The applicant will receive notice by mail from TSA of approval or denial. Upon receipt of approval, the applicant will return to have the “H” endorsement placed on the license within one hundred and eighty (180) days from the date of the letter. If the applicant does not return within the one hundred and eighty (180) days, they will have to submit for a new security threat assessment. At this time, the applicant will pay the endorsement fee and duplicate license fee.

3. Transfers:

- a. Any applicant transferring from another state with a commercial driver license bearing the HAZ/MAT endorsement will be required to submit to a security threat assessment. The HAZ/MAT endorsement cannot be transferred from another state. The applicant will be required to drop the HAZ/MAT endorsement. The applicant will transfer the commercial license without the “H” endorsement and then they can apply for it. The examiner will follow the same procedures for adding the endorsement.

4. HAZ/MAT E-mails:

E-mails must be checked each and every working day. There is no exception to this rule. When an applicant prints are submitted for a security threat assessment electronically, a response is sent back via e-mail to the transmitting station. This response will be from one of two (2) agencies, state agencies or FBI. This lets the examiner know if the fingerprints submitted for each applicant were accepted or rejected. If the prints are rejected, it is the examiner’s responsibility to contact that applicant to return for submitting a new set of prints. The department is charged each time a print is submitted. If an applicant’s prints are rejected, there is a transaction control reference number on the rejection notice that can be entered on the new submission to prevent from being billed a second time. This number must be entered anytime a print is being re-submitted. The

transaction control reference number can only be submitted once. If an applicant is rejected three (3) or more times, you do not need to enter this number.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.21 Third Party Certification Fees

1. The Mississippi Department of Public Safety will require a \$250.00 fee per student that attends any certification class given by the Department of Public Safety. As of January 1, 2005, all Third Party Testers will be required to pay a \$100.00 fee for the renewal of their Instructors Certificate Card. This card is required to be renewed every year.
2. Employees for the Mississippi Department of Transportation and Department of Education are exempted from these fees, provided they are testing within their agency. For any employee to do testing outside their agency, they will be required to pay all proper fees.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.22 Period Without Necessity To Re-Test In View of Child Support Arrearage Suspension

If a CDL Holder has his or her license suspended for failure to pay child support payments, that CDL Holder shall have a period of twenty-four (24) months from the date of the license suspension, as noticed by the Department of Public Safety, in order to obtain reinstatement of the CDL without the necessity to re-take their commercial driving test. If more than 24 months have elapsed since the date of the suspension of the license, it will be necessary that the individual successfully complete their commercial driving test in order to re-obtain their CDL.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### **Part 1 Chapter 11 Supervisor Duties and Voter Registration**

#### Rule 11.1 Driver Services Master Sergeant (M/Sgt) Responsibilities

1. See that driver license offices are properly equipped and supplied.
2. See that regional supervisors are informed of manpower needs.
3. See that all deposits for receipts collected are made according to State Statute (on the first working day following the collection of said fees).

4. See that all daily reports for driver licenses are mailed to Jackson on the first working day following the issuance of the driver licenses and all monthly reports are mailed to Jackson no later than the fifth of the following month.
5. See that no bank account is opened or closed without prior approval of the Comptroller's office.
6. Get approval from the Director of Driver Services, through the proper chain of command, before opening, closing, changing locations, office hours and/or any changes made to any driver license station.
7. Inform the regional supervisor of the location and office hours of each driver license location. The office hours will be established and regulated by the Director of Driver Services with the approval of the Chief of Patrol.
8. Audit each examiner and clerk, under his/her supervision, a minimum of once a month. The audit shall be conducted on established audit forms. The results of which will be placed in each individual's district level 201 file with a copy to the Driver Services Bureau Director's office. Also, the monthly bank validation form report should be sent to the Field Operations Supervisor.
9. Inform the Driver Services Bureau office immediately of any change of driver license station's telephone numbers.
10. These outlined responsibilities apply to all CDL stations as well as regular DL stations.
11. Act as Driver Improvement Hearing Officer for district.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 11.2 Voter Registration

Voter Registration Forms will be handled as follows:

1. The examiner will ask each applicant, eighteen (18) years or older, if they would like to register to vote.
2. The examiner will make sure that the appropriate box is marked and that the application is properly completed.
3. There is a place on the computer screen that must be marked either YES or NO showing that an applicant is asking to register to vote.



4. The Master Sergeant will place the application in an envelope with the appropriate address to the circuit clerk in the applicant’s county of residence. If the applicant’s home county is inside the Master Sergeant’s district, they are to be hand delivered to the circuit clerk. If the applicant’s home county is outside the district, the Master Sergeant will write “postage due” in the upper right-hand corner of the envelope and send to Headquarters to Driver Services, Attention “Motor Voter.”
5. There will be a control sheet provided that must be completed by the Master Sergeant and included in each envelope.

Source: *Miss. Code Ann.* § 45-1-3

**Part 1 Chapter 12 Formatting**

**Rule 12.1 Driver License and Identification Card Format**

All driver licenses and identification cards issued by the Department of Public Safety shall be of the same format. The name and address and all other personal information appearing on the license or identification card shall be in black print. No license shall denote place of employment, including elected or appointed officials. No license shall denote anyone’s rank or title.

Source: *Miss. Code Ann.* § 45-1-3

**Part 1 Chapter 13 Suspension of License**

**Rule 13.1 Suspension Period Based on Traffic Violations**

The Department of Public Safety shall suspend the driving privileges of an operator based on the following points accumulated within a three (3) year period:

15-29 points	:	Warning
30-39 points	:	Probation
40-44 points	:	30-day suspension
45-49 points	:	60-day suspension
50+ points	:	90-day suspension
Points assigned to each traffic violation are listed in Appendix E attached.		

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 14 Automated Driver License Testing System**

### **Rule 14.1 Automated Driver License Testing System (ADLTS)**

1. When an applicant comes in to take a test, you **MUST** first check to see if they have already been entered into the ADLTS system. This procedure is done by using the “search edit applicant”.
2. When entering an applicant into the ADLTS system, you must enter both a driver license number and Social Security Number. If they do not have a driver license number, enter the Social Security Number in both fields.
3. If the applicant does not have a Social Security Number (Out-of-Country applicants), enter all 0's for the license number and Social Security Number. Once they have passed the test and have been assigned a driver permit or driver license number, you will then need to go back and enter the correct license number in the license field on the testing system.
4. If an applicant has ever tested on the ADLTS system, they cannot go to a station that does not use the ADLTS system to re-take or complete testing. They must continue testing on the ADLTS.
5. Printing of tests is only to be done for the purpose of visiting a school for Driver Education Classes or printing from a travel team. Tests are not to be printed for any other purpose. If for some reason you feel that you need to print a test for a valid reason, you will first need to call your District Supervisor for prior approval. Commercial Driver License tests are **NOT** to be printed.
6. When a test has been printed, you will need to grade all tests in the system. You do so by going under review/score paper test and choosing the date that the test was printed. You are only allowed ten (10) days to grade the test from the date that the test is printed. This will be strictly adhered to.
7. ADLTS Help Desk is to be notified of all technical problems. Do not attempt to ‘fix’ the system on your own. Examiners are not to use the keys to the machines unless they are instructed to do so by the ADLTS Help Desk.

*Source: Miss. Code Ann. § 45-1-3*

## **Part 1 Chapter 15 Enhanced Conceal and Carry Administration**

### **Rule 15.1 Enhanced Conceal and Carry Endorsement**

1. Pursuant to House Bill 506, which amended Mississippi Code Section 97-37-7, the Gun

Permits Division of Driver Services shall recognize individuals that have received advanced training in weapons handling and Mississippi laws relative to concealed carry with an enhanced endorsement. This enhanced endorsement shall only be given to an individual if they have taken and satisfactorily completed a course of the safe handling of firearms as given by a licensed and certified firearms instructor which has met the requirements of the Department of Public Safety (“Department”). The Department shall maintain a list of instructors which the Department has determined are certified within the meaning of current Mississippi laws relative to enhanced endorsements.

2. Instructors which desire to be recognized by the Department for the purpose of qualifying individuals for an enhanced endorsement must contact the Gun Permit Division of Driver Services and provide copies of their credentials as being certified to provide instruction by a nationally recognized entity that customarily offers firearm instruction or training. The instructors shall also provide contact information. They may be required to provide additional information in order to conduct a background check if they are not already a conceal and carry license holder registered in the State of Mississippi. There may be a background check fee associated with this requirement.
3. The instructor, after having provided the requisite information to the Department, will then be required to sign a Memorandum of Understanding (MOU). The MOU will contain, among other things, a requirement of at least one (1) hour of legal training relative to concealed carry and justifiable homicide as well as any other pertinent laws for the individuals that will be instructed for the purpose of the enhanced endorsement. When all information is submitted and the MOU is signed, the Gun Permit Division shall issue a sample certificate to the instructor that is to be given to the individuals that complete their respective classes. This certificate will be turned over to the Gun Permit Division by the applicant for enhanced endorsement, and shall serve as an indicator that the individual completed the required training to receive said endorsement on their conceal and carry permit. The Department reserves the right to contact the instructor named on the certificate to verify its authenticity.
4. The Gun Permits Division shall maintain records on the information submitted by certified instructors.
5. The Gun Permits Division shall maintain records on the information submitted by those individuals seeking and obtaining enhanced endorsements.
6. The Gun Permits Division shall affix a sticker to the individual’s conceal and carry permit that indicates that they have taken the requisite class and maintain an enhanced endorsement.
7. The recognition of the enhanced endorsement shall be valid indefinitely, unless reason is present to revoke the gun permit associated with the endorsement. In that scenario, the

permit holder may be required to take the enhanced endorsement class again.

8. The Department maintains the right to revoke the enhanced endorsement of an individual for cause. If the Department determines that it should revoke the endorsement for cause, it shall notify the individual in writing and provide for a hearing on the merits with the aggrieved individual.
9. Instructors shall be allowed to conduct on-line training courses upon seeking and receiving written approval from the Gun Permits Division. Instructors will be required to pre-submit their on-line curriculum and plan of action relative to conducting the on-line course. The requirements within the existing MOU between the Instructors and the Gun Permit Division shall still be in place. Moreover, applicants will be required to pass an in person shooting course before being eligible for their certificate of completion.

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY AND**

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WHEREAS, Mississippi Code Section 97-37-7(2), Mississippi Code of 1972, states (inpart) that, “a person licensed under Section 45-9-101 to carry a concealed pistol, who has voluntarily completed an instructional course in the safe handling and use of firearms offered by an instructor certified by a nationally recognized organization that customarily offers firearms training, or by any organization approved by the Department of Public Safety, shall be authorized to carry weapons in courthouses, except in courtrooms during a judicial proceeding, and any location listed in subsection (13) of Section 45-9-101, except any place of nuisance as defined in Section 95-3-1, any police, sheriff or highway patrol station or any detention facility, prison or jail.”

WHEREAS, the Mississippi Department of Public Safety shall promulgate rules and regulations allowing concealed pistol permit holders to obtain an endorsement on their permit indicating that they have completed the course and have authority to carry a concealed pistol in these locations.

WHEREAS, the Mississippi Department of Public Safety will approve certified firearms instructors certified by nationally recognized organizations that customarily offer firearms training, as well as certified instructors from other organizations deemed appropriate by the Department, that are willing and able to provide the required training for individual trainees to receive the endorsement noted in MS Code Section 97-37-7.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

**I. PURPOSE**

This is an agreement between the Mississippi Department of Public Safety and \_\_\_\_\_ as a part of the Department’s recognition of this individual/entity as an approved firearm instructor, possessing the necessary knowledge, skill and training to instruct Mississippi Conceal and Carry permit holders to the extent that they are eligible for endorsement in view of Section 97-37-7(2) of the Mississippi Code of 1972 as well as all reasonable and necessary rules as promulgated pursuant to the rule making authority of the Commissioner of Public Safety pursuant to Section 45-1-3 of the Mississippi Code of 1972.

**II. IMPLEMENTATION AND REQUIREMENTS**

The qualified instructor herein swears and agrees that they are indeed qualified through Mississippi Minimum Standards and Training as Certified Firearms Instructors or have been certified by a nationally recognized organization that customarily offers firearms training, and as such, are capable of effectively and intelligently training individuals about proper firearm

technique, usage and safe handling. A certificate shall be deposited with the Department of Public Safety illustrating recognition or certification of the instructor. Moreover, said instructor herein swears and agrees that they possess the requisite legal knowledge of State and Federal Firearms laws to effectively and intelligently convey said knowledge of said laws to individuals receiving training for their conceal and carry endorsement. Specifically, the instructors are required to make available and review pertinent Mississippi guns laws with their trainees as a part of this agreement. This legal instruction shall, at a minimum, represent an one hour component of the overall course and include instruction relative to MS Code Section 45-9-101 (License to carry stun gun, concealed pistol or revolver) and MS Code Section 97-3-15 (Homicide; justifiable homicide; use of defensive force; duty to retreat).

The instructor herein swears and agrees that they will implement and instruct based on generally accepted course requirements of nationally recognized organizations that customarily offer firearms training. Moreover, the Department shall issue to instructors a protocol of minimum competency for granting of the endorsement. The instructors are encouraged to teach beyond the minimum requirements provided by the Department. The Department will require, at a minimum, an eight (8) hour course completion by the trainees in order to issue an endorsement to an individual.

The Instructor herein swears and agrees that they have the requisite and appropriate classroom space to effectively administer the classroom aspect of the instruction. Moreover, the Instructor also possesses access to a gun range that will provide a safe and effective environment for proper education as to actual firearm usage.

The Instructor herein swears and agrees that if they conduct on on-line enhanced carry course, it will meet or exceed the baseline requirements as set forth to establish a minimum competency for granting an endorsement. Moreover, the Instructor agrees that prior to implementing and utilizing an on-line course structure, said course will be pre-approved through the Mississippi Department of Public Safety, Gun Permits Division. Furthermore, the on-line course will still require that trainees take an in-person, written test and satisfactorily complete a live-fire, in-person gun range component.

The Instructor will maintain individual files on every trainee that receives a certificate of passage of the instructive course for a period of not less than five (5) years.

On demand of the Mississippi Department of Public Safety, instructors shall make available the individual files of trainees who have received certificates. Moreover, the Mississippi Department of Public Safety reserves the right to sit in on any instructional class of the instructor relative to the endorsement that is the subject of this agreement without notice.

The Mississippi Department of Public Safety reserves the right to remove the instructor from its list of instructors at its sole discretion if it possesses a reasonable suspicion that the instructor is not properly instructing trainees or fails to maintain and require a high degree of competence by the trainees taking the instruction course and receiving a passing mark. If the Department

removes an instructor from the approved list of instructors, it will notify said instructor by certified mail and said instructor shall have the right to appeal the decision of the Department to the then acting Director of Gun Permits within thirty (30) calendar days of the notification of removal.

The instructor herein swears and agrees to hold harmless the Mississippi Department of Public Safety from any liability that should arise as a result of the firearm instruction classes that are the subject of this agreement. Furthermore, the instructor herein agrees to indemnify the Mississippi Department of Public Safety for any actual liability that should arise therein as a result of the actions of the Instructor.

**III. ILLEGAL ACTIVITY**

If the Mississippi Department of Public Safety has a reasonable suspicion that trainees being instructed are being certified without either actually taking and participating fully in the course, or are being certified without possessing the required minimum level of competence to the extent that said trainee is paying and being certified with little to no instruction or proof of knowledge, the instructor shall be subject to criminal investigation and potential prosecution.

WE, THE UNDERSIGNED, HEREIN AGREE TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY AND \_\_\_\_\_.

\_\_\_\_\_  
MS DEPT. OF PUBLIC SAFETY

\_\_\_\_\_  
DATE

\_\_\_\_\_  
INSTRUCTOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
COUNTY IN THE STATE OF MISSISSIPPI

Source: *Miss. Code Ann.* §§ 45-1-3 and 97-37-7

## **Part 1 Chapter 16 Implied Consent**

### **Rule 16.1 Proof of Financial Responsibility For License Reinstatement Under Implied Consent**

In order for an individual that has received a license suspension under the State of Mississippi's Implied Consent Laws to be eligible for reinstatement, they must provide to the Department, in addition to other requirements at law, proof of financial responsibility in the form of high risk insurance, SR22 Insurance or the like, that shall be in effect for not less than a period of three (3) years after issuance in accordance with the requirements as set for in *Miss. Code Ann.* § 63-15-61.

Source: *Miss. Code Ann.* §§ 45-1-3, 63-11-30, and 63-15-61



**MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY**

**TITLE 31: PUBLIC SAFETY**

**PART 1: DRIVER SERVICES ADMINISTRATIVE CODE**

**Part 1 Chapter 1 Driver License Policy**

**Rule 1.1 Keeping Policies in Driver License Policy Book**

Driver License Examiners shall keep and file all policies issued by this Bureau in their department - issued Driver License Policy Book and make it available for inspection to their supervisor upon request.

Source: *Miss. Code Ann.* § 45-1-3

**Rule 1.2 Road Tests**

1. A fifteen (15) or sixteen (16) year old currently enrolled in a Driver Education program may be given the skills test after possessing the learner's permit for a period of six (6) months.
2. An applicant under seventeen (17) years old must possess the learner's permit for six (6) months prior to taking the skills test.
3. Anyone who is seventeen (17) years of age or older may be given the skills test on the day the learner's permit is issued.
4. Anyone under eighteen (18) years of age, unless married, must provide an Education Form. If married, marriage license must be presented.
5. A road test will not be given during inclement weather if the windshield wipers have to be used.
6. Motorcycle road test will be waived if applicant presents a certification from a Motorcycle Safety Foundation. Make a copy of certification and attach to application.
7. If anyone has a valid out of country Driver License along with a valid International License they will be required to take the standard permit test but not the road test.
8. If anyone has a valid out of country Driver License only (not an International License) they will be required to take the standard permit test along with a road test.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 1.3 Seat Belts

All Driver License Examiners shall wear seat belts while administering road tests.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 1.4 Licensed Driver Must Accompany Applicant

See state law.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 1.5 Waiting Period for Retest on Road Test

1. In all cases, a one (1) week or more waiting period is required when an applicant fails a road test.
2. In case of second (2<sup>nd</sup>) failure, applicant must wait a minimum of one (1) week or a maximum of three (3) weeks.
3. In case of a third (3<sup>rd</sup>) failure, applicant must wait thirty (30) days.
4. Road tests will not be given if the following restrictions are violated until the restrictions are corrected:
  - a. Violations of Restrictions:
    - i. Vehicle does not pass inspection.
    - ii. When applicant is restricted to glasses and does not have them.
    - iii. When an applicant is not accompanied by a licensed driver.
    - iv. When applicant does not have the necessary papers (DL-4, learner's permit, etc.)

Source: *Miss. Code Ann.* § 45-1-3

### Rule 1.6 Vehicle Inspection Prior Road Test

1. Examiner will check applicant's vehicle's horn, lights, brakes, tag, and inspection sticker.
2. If vehicle does not pass inspection, allow the person to get it repaired or return in another vehicle the same day for the road test.

3. Give the applicant the reason he/she failed the test. Write the reason he/she failed the test on the application.
4. If the applicant's car is dirty enough to get your uniform dirty or has springs sticking through the upholstery that would snag your uniform, ask the applicant to either get the vehicle cleaned up or get another vehicle to take the test in.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 1.7 Eighteen and Under Driver License Policy

1. Students who have a one year driver license and need a duplicate do not need an education form unless it is within two months of expiration for age eighteen (18) and two (2) weeks before expiration for ages seventeen (17) and under.
2. Anyone with a valid driver license may bring an applicant with a permit to take the driver test. If the licensed driver is under twenty-one (21) years of age, he must be driving the vehicle.
3. Any married person under eighteen (18) years of age does not need an education form, but will only get a one (1) year license unless within two (2) months of Eighteenth (18<sup>th</sup>) birthday.
4. A spouse may sign his/her spouse's application as long as the spouse signing is seventeen (17) years of age or older.
5. Persons under the age of eighteen (18) who move to Mississippi who already possess a driver license must provide an education form from the school last attended. This form must be on the school's letterhead. Also the applicant will only be given a one (1) year license even if his license from the previous state is a four (4) year license.
6. Education forms are good for thirty (30) days when applying for a license. Once the applicant obtains a permit, we will accept the education form up to ninety (90) days.
7. A license may be renewed to a four (4) year license if within two (2) months of the Eighteenth (18<sup>th</sup>) birthday. Otherwise, it must be a duplicate and expire on his/her birthday.
8. Any applicant who is under eighteen (18) years of age who has graduated high school or received a GED Certificate does not need an education form. They must present the original diploma or GED Certificate along with a photostatic copy for you to keep and process the same as an education form.

9. If the student is home schooled, then the parent must sign the certificate of school attendance.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 2 Obtaining Temporary Permits**

### **Rule 2.1 Stamping all Driver Education Applications**

All DL-4 form's (application) for driver license must be stamped LPDE if the applicant attends drivers' education and is fourteen (14) years old.

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 2.2 Securing the Temporary Permit**

There are two types of permits issued by the Mississippi Highway Safety Patrol, the regular Temporary Permit and the Driver Education Temporary Permit. The regular Temporary Permit is mandatory under *Miss. Code Ann.* § 63-1-21 amended. Anyone fifteen (15) years of age or older who does not have a valid driver license from another state must secure a Temporary Permit prior to taking the driving test. This permit is valid for one (1) year from issuance. However, for any pupil participating in a Driver Education course established by the laws of the State and otherwise qualified to obtain a Temporary Driver Permit, the effective period for the permit will be one (1) year. The examiner must stamp LPDE on the application.

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 2.3 Requirements for Obtaining the Regular Temporary Permit (15 to 18 Years Old)**

1. The applicant must be at least fifteen (15) years old.
2. The applicant must first obtain an application for Mississippi Driver License (Form DL-4). This form must be printed in ink (preferably black) or typed.
3. Applicants less than seventeen (17) years of age must have this form signed in the proper place by both parents and their signature must be notarized. In cases where only one (1) parent is available to sign, refer to "Instructions for Completing the Application for Mississippi Driver License or Temporary Permit" in this article.
4. Applicants less than eighteen (18) years of age must present the driver license examiner a legal birth certificate showing the identical name and date of birth appearing on the application.
5. Applicants less than eighteen (18) years of age must present an education attendance

form obtained from their school or County Superintendent of Education's Office verifying that the applicant is enrolled in school or has an acceptable alternative.

6. Applicants under the age of eighteen (18) if married, do not have to show the certificate of school attendance. The husband or wife, if over the age of seventeen (17), can sign the application if the applicant's husband or wife is fifteen (15) or sixteen (16) years old.
7. Visual acuity must be 20/40 or better in both eyes with or without glasses.
  - a. Students who wear glasses occasionally should bring their glasses on the examination date.
  - b. A student with vision not meeting the 20/40 standard will be referred to a vision specialist. A DE-26 will be given to the student and the form must be presented when the student returns after having eyes examined.
  - c. Students wearing contact lenses should advise the examiner at the time of vision check.
  - d. Students not meeting standard requirements after having visited an eye specialist will have the required restriction placed on the Temporary Permit by the examiner.
8. Students who cannot distinguish color or depth will not be refused a Temporary Permit by the examiner.
9. A grade of 80% will be required on any and all tests issued for a Temporary Permit. The questions will be taken from the Mississippi Driver Manual.
10. A fee of \$3.00 must be collected for each permit. (\$1.00 permit fee, \$2.00 photo fee)
11. The fifteen (15) year-old student must retain possession of the application for the driver license at all times.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 2.4 Requirements for Temporary Permit (14 Years Old)

1. *Miss. Code Ann.* § 37-25-7, provides for a temporary permit issued to certain students for the purpose of driver education.
  - a. Requirements for obtaining the driver education temporary permits:
    - i. The student must be at least fourteen (14) years of age.

- ii. The student must meet all the requirements set forth for the regular temporary permit except age.
  - iii. The student must be a regularly enrolled student in the ninth (9<sup>th</sup>), tenth (10<sup>th</sup>), eleventh (11<sup>th</sup>) or twelfth (12<sup>th</sup>) grade.
  - iv. The student must be a full-time student in the respective secondary school.
- b. Conditions:
- i. This permit will be issued only to students actually enrolled in an approved course of driver education which consists of thirty (30) hours of classroom and six (6) hours of dual driving instruction.
  - ii. No test for temporary permits will be given to a fourteen (14) year-old student in a school that does not have behind-the-wheel instruction.
  - iii. In the event a fourteen (14) year-old fails any part of the written test, the application must be requested along with a DE-7 executed by appropriate school officials within thirty (30) days of the date student reports to examiner's station for retesting.
- c. Validity:
- i. The Driver Education Temporary Permit will only be valid for a one (1) year period.
  - ii. The Driver Education Temporary Permit is valid only while accompanied by the Driver Education Instructor. (If under the age of fifteen (15)).
  - iii. A fee of \$3.00 must be collected for each permit. (\$1.00 permit fee, \$2.00 photo fee).
  - iv. The Driver Education Instructor should collect the applications of all 14-year-old students enrolled and return them to the respective students at the end of the course. In case a student is dropped from enrollment in the course for any reason, the school should make every effort to forward the application to him/her.
- d. Appointment with Driver License Examiner:
- i. Appointment for Temporary Permit tests should be made with the local license examiner twenty (20) days prior to test dates. (Appointments will

not be granted to classes with less than twenty (20) students.)

- ii. Classes with more than fifty (50) students should be scheduled an appointment at the beginning of the school day, if possible.
- iii. At time of appointment requests, the instructor should furnish the examiner with the following:
  - a. The name of school.
  - b. Mailing address of school.
  - c. Instructor's name.
  - d. Phone number of school.
  - e. Number of students to be tested (not total number of students enrolled in class)

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 2.5 Preparation of Student Prior to Test Date

1. Each student making application for either type of temporary permit should be taught by the Mississippi Driver Manual and should be thoroughly familiar with its contents prior to permit test date.
2. The instructor should check each student's application for completeness against the instructions set forth in "Instructions for Completing the Application."
3. The instructor should check each student's birth certificate and determine if it meets the requirements listed above.
4. The instructor, if aware of any circumstances which might cause embarrassment to an applicant, should advise the examiner. For example: A student who is unaware that his real name (on birth certificate) is different from what he/she has always known; and, the mentally handicapped or physically disabled student who might be required to furnish a doctor's statement to the examiner before he can be issued a permit. The instructor should discuss cases of this type with the parent, guardian and the examiner prior to test date.
5. Students should be assembled for the permit test at the beginning of a period. If at all possible, they should not be required to attend another class or leave the room until they are dismissed by the examiner.

6. Only students actually taking the permit test should be allowed in the room.
7. The instructor will be responsible for the discipline of the students during the permit test. He should see that absolute quiet is maintained during the test.
8. The instructor should, prior to test date, collect from each student taking the test the required permit fee of \$3.00.

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.6 Instructions for Completing the Application for Mississippi Driver License or Temporary Permit - Form DL-4

1. Full Name - Full name must be typed or printed in (preferably black) ink. Do not use nicknames, etc. The full name appearing on the legal birth certificates (except married women) must be used. If a female student is married, place the maiden name in proper space. She must provide original marriage license.
2. Social Security Number - The Department of Public Safety requires that each applicant insert his/her Social Security Number in the proper space. The Social Security Number is used as the driver license number. Many students do not have Social Security Numbers. Driver education teachers may obtain the number of applications needed from local Social Security districts or branches or:

Social Security Administration  
Post Office Box 2249  
Jackson, MS 39205  
Telephone: 601-960-5001

The test will not be administered unless the Social Security card is presented. When students complete the driver education course and apply to the Mississippi Highway Patrol to take the road test, they must have a DL-4 application and temporary permit. Helping students now to obtain the same will greatly help the Mississippi Highway Patrol administer the driver license program.

3. Mailing address, Number and Street - Complete address must be given. Example: 938 South State Street, Jackson, MS 39201. (Number, street, city, state and zip code). If home address is the same as mailing address, write the word the same in that place.
4. Race - Use the following abbreviations:  
W- White    B- Black    Y- Oriental    I- Indian    O- Other
5. Hair - Natural color of hair must be given.



6. Questions - Applicants must answer all questions. If the answer is yes, be sure the applicant fully explains each yes answer.
7. Signature of Applicant - Original signature (usual signature of applicant) must be used.
8. Signature(s) of Parent, Guardian, or Responsible Person(s) - The person(s) signing the responsible affidavit must appear before a notary public and sign their usual signature. This must be signed in ink. Listed below are the regulations applicable to signatures.
  - a. One parent Deceased- Write word DECEASED on appropriate line; only one (1) signature is required.
  - b. Parents Legally Divorced- Write words DIVORCED on appropriate line; only one (1) signature is required.
  - d. Parents Legally Separated- Write words LEGALLY SEPARATED on appropriate line; only one (1) signature is required.
  - e. Parents NOT Legally Separated- Both parents must sign the responsibility affidavit, this may be handled in different ways:
    - i. Both parents, at different times or together, may appear before a notary public and place their signature on the same application card.
    - ii. If parents are separated by distance, one in Jackson, one in another city or state, mail the application to the parent not at home with a note requesting the form be notarized and mailed back to the home address.
    - iii. Formal power of attorney documents must be presented.
9. Birth Certificate Number - A certified birth certificate must be presented. Hospital certificates and Baptismal certificates cannot be accepted. (Birth certificates that have not been certified will not carry a number). Passports and/or legal immigration papers will be accepted to offset birth certificates written in a foreign language.
10. Operators License Numbers - Be sure the person signing the affidavit enter their license number in the correct space. If they do not have a license, the word NONE should be entered.
11. In the event of seizure disorder, drug addiction, or mental disorder, a DR-11 (medical form) will be provided. It must be taken to a doctor for completion and mailed to the address specified. Mississippi Highway Patrol officials will respond in writing for approval or disapproval. The applicant would not be able to test until the DR-11 is approved by the Department of Public Safety.

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.7 Checking of Applications

1. Each teacher should thoroughly check each application paying particular attention to the following items:
  - a. SIGNATURES - Are they correct? Are they signed in ink?
  - b. BIRTH CERTIFICATE NUMBER - Does this number correspond with the one on the Birth Certificate?
  - c. BLANKS - Are all necessary blanks answered?
  - d. TYPED OR PRINTED IN INK - Has the application been typed or printed in ink?
  - e. NOTARY PUBLIC - Is the date, signature and seal of the notary public on the application form?

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.8 Out-of-State Learner Permit

1. Any person who has in his possession a temporary or learner's permit issued to him by another state shall be required to make application and pass the written, eye and road tests, and meet all other requirements before a Mississippi license can be issued.
2. Out-of State learner permits are not valid in Mississippi for the purpose of waiving any written or road test. Out-of-State learner permits are valid for the purpose of operating a motor vehicle in this state if the holder is complying with all requirements of the state which issued the permit.

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.9 Mississippi Learner's Permit Out-of-State Students, Private Schools, Foreign Exchange, Military Dependents, Children Living in the State With Grandparents, Relatives or Friends

1. When a nonresident student, under the age of eighteen (18), is enrolled in a driver education course in a Mississippi public or private school, the Department of Public Safety will not issue a learner's permit unless the student can show proof of residence.
2. If the student is living with grandparents, relatives or friends, the student must show proof of legal guardianship. The Department of Public Safety will not issue the person a

learner's permit or a driver license unless the person proves domicile in Mississippi.

3. Out-of-state addresses are not to be used for any purpose, unless the postal service uses an out-of-state address for an in-state resident.
4. To establish Mississippi residency, an applicant must have one of the following documents: A notarized statement from the postal service, a current car tag registration, homestead exemption, or property tax statement.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 2.10 Driver Education Students

1. It shall be the responsibility of the District Supervisor to go to the approved schools to administer the learner's permit test to the driver education students.
2. A driver education class should have a minimum of twenty (20) students before tests are given at a school.
3. If a school is not listed on the approved list, check with the Driver Services Bureau Director's office to see if approval had been given after the approved list was issued.
4. If a driver education student lives out-of-state, but attends a Mississippi school, write in RED ink on the application and learner's permit. DO NOT ISSUE MISSISSIPPI DRIVER LICENSE without a Mississippi state address.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 2.11 State Uniform Procedures for Driver Education Teachers and Examiners

1. Please incorporate the enclosed memorandum from the State Department of Education Supervisor for the Driver Education Programs into your Driver Services Policy Manual.
2. Please do not deviate from these procedures.
3. Fact Sheet:
  - a. Any driver license issued to an applicant under the age of seventeen (17) years and ten (10) months will expire on that person's next birthday unless the license is issued within two (2) months of the birth date.
  - b. Education Forms:

- i. Must be presented by an applicant under the age of seventeen (17) years and ten (10) months except for married persons.
  - ii. Obtained from the schools.
  - iii. Valid up to thirty (30) days prior to application.
  - iv. Will not be accepted if faxed or reproduced.
- c. A GED certificate or high school diploma will be accepted in lieu of educational form.
- d. Restriction Two (6:00 a.m. until 10:00 p.m.)
- i. Will automatically be entered on fifteen (15) year-old applicants.
  - ii. Does not apply to a physical impairment, hardship, or married person.
- e. 15-year-olds effective September 1, 1995
- i. Will be issued a one (1) year learner's permit.
- f. Learner's Permit
- i. Valid for a one (1) year period.
  - ii. Must furnish an educational form if the permit is in excess of ninety (90) days old.
- g. Driver's Education
- i. Test scores valid for two (2) years.
  - iii. Fourteen (14) year-olds may be issued a new learner's permit when reaching the age of fifteen (15).

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.12 Will Accept any Valid Learner's Permit Subject to Restrictions Mandated by the Issuing State:

Alabama, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Mississippi, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York (not valid in New York

City), Ohio, Pennsylvania (provided accompanied by a licensed driver who is at least eighteen (18) years of age and is sitting in the passenger seat), Tennessee, and West Virginia.

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.13 Will Accept any Valid Learner's Permit Subject to Restrictions Mandated by the Issuing State as Long as a Person is At Least 15 Years or More of Age:

1. 15 Years of Age - Idaho and Minnesota
2. 15+ Years of Age - Colorado and Missouri (15 + 6 months)  
- Maryland (15 + 9 Months)  
- Virginia (15 + 8 months and accompanied by a licensed driver 18 years of age)

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.14 Will Accept any Valid Learner's Permit Subject to Restrictions Mandated by the Issuing State as Long as a Person is At Least 16 Years of Age:

Alaska, California (good for 10 days only), Connecticut (must have a licensed driver with him who has had a license for at least four years), Kentucky, Maine, Massachusetts, Michigan, North Carolina, North Dakota, Oklahoma, Oregon, Texas, Utah, Wisconsin, and Wyoming.

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.15 Will Accept any Valid Learner's Permit Subject to Restrictions Mandated by the Issuing State as Long as the Other State Accepts Theirs (Reciprocity):

Rhode Island and South Dakota.

Source: *Miss. Code Ann.* § 45-1-3

Rule 2.16 Will Not Accept Out-of-State Learner's Permits

Arizona, Arkansas, District of Columbia, Hawaii, New Hampshire, South Carolina, Vermont, and Washington.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 2.17 Learner's Permit Fee

There will be a \$2.00 photo fee in addition to the \$1.00 fee currently charged for a regular driver license learner's permit. A hard copy learner's permit will be issued to replace the current learner's permit.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 2.18 Graduated Driver License

Any person at least fourteen (14) years of age may obtain a learner's permit if they are enrolled in a certified driver education program. The permit can only be used as an instructional permit for operating the driver education car only. When the applicant reaches the age of fifteen (15), they need to report to the nearest driver license office to purchase a new learner's permit and be placed in the computer for the six (6) month time requirement to begin. All fifteen (15) or sixteen (16) year olds that receive a learner's permit must hold that permit at least six (6) months. After the six (6) months waiting period, they can go to the nearest driver license office and complete the road test requirement to receive an intermediate driver license. The intermediate driver license requirement is that the applicant can legally drive between the hours of 6:00 a.m. and 10:00 p.m. without a licensed driver in the vehicle with them. After 10:00 p.m. and until 6:00 a.m., they can drive only if a licensed driver at least twenty-one (21) years of age is in the front seat with them. The intermediate driver license shall be held for a period of six (6) months or until the applicant reaches their seventeenth (17<sup>th</sup>) birthday or whichever occurs first. After the applicant has held the intermediate driver license the required amount of time, or reaches the age of seventeen (17), then the applicant will receive an unrestricted license. All applicants under the age eighteen (18) must have a valid school attendance form in order to obtain an original driver license or to renew a driver license.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 3 Fee Collection**

### Rule 3.1 Proper Collection of Fees

1. When an examination is given and the applicant discovers he doesn't have the proper fees, the examiner will hold the receipt until such fees are produced or until the end of the day. If the applicant hasn't paid the fees by the end of the workday, void the receipt.
2. An explanation must be written on the voided receipt and the generated report.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.2 Deposit of Driver License Funds

All deposit slips for driver license funds must be validated no later than the next working day.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.3 Audits

1. District supervisors shall audit each driver license examiner under their supervision not less than once a month. A record of the audit must be maintained at the district level for a period of three (3) years. Audits will be unannounced.
2. The following items shall be checked, but not limited to:
  - a. Cash and checks on hand collected since the last report was filed.
  - b. Receipts written since the last report was filed.
  - c. Validation dates of deposit slips corresponding with daily activity reports.
  - d. Bypassed receipts (receipts that were not listed on the report as written or voided).
  - e. Unused receipt books (an audit should be made of each receipt book that is issued to the examiner, checking for missing or used receipts).
3. A representative of the Comptroller's office and/or supervisor from the Driver Services Bureau may visit with the examiner and/or the district supervisor for an unannounced spot check audit.
4. The supervisor should refer to General Order 15/01 of their policy and procedure manual (Blue Book) when conducting audits.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.4 Handling of Handbook Money

No money will be left in the driver license offices overnight. All cash, coins, and checks, including handbook money, will be removed from the office by the examiner when leaving the office.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.5 Proper Fees for Original Issuance of Driver License

Cash payment is required by law for any original issuance of a driver license or learner's permit. Original duplicate or renewal of identification cards will always be paid for in cash. (NO CHECKS) *Miss. Code Ann.* § 63-1-45.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.6 Cashing Checks

Driver license funds will not be used to cash any checks for any purpose. This includes any requests from anyone for any situation, including any employee of the Mississippi Department of Public Safety.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.7 Handling of Money and Computer Generated Receipts

1. Do not enter or work under any other user ID other than your own (with the exception of training new personnel). Any shortage of funds will be replaced by the individual responsible.
2. Receipts and reports will be kept by the examiner for a period of six (6) months.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 3.8 Firearm Permit Deposits

1. Firearm Permits is now under Driver Services Bureau, Driver License Examiners will make the firearm permit money deposits.
2. As with the driver license money, all deposits slips must be validated. No night deposit drops will be made. Firearm permits will continue to be done at the district substations only on the designated day and times. Examiners are not responsible for making the applicants' fingerprints. Examiners are responsible for all NCIC transactions.
3. Master Sergeants should perform audits on firearm permit money at the same time that driver license money is audited.
4. Please adhere to the following procedures:
  - a. Send all firearm applications to the attention of the Director of Firearm Permits at Headquarters. It should include the following:



- i. All original and renewal applications - Make sure all applications as well as fingerprint cards are filled out correctly and completely.
  - ii. Copy of Triple I report, copy of NCIC driver license or ID card check, Wanted persons check and state criminal history check.
  - iii. For out of country applicants: Contact the firearm permit unit in Jackson for instructions regarding the necessary NCIC transactions which must be done, send in a copy for proof of US citizenship, proof of lawful permanent US residence (can include, naturalization certificate, birth certificate certifying American citizen born abroad).
  - iv. Any questions regarding criminal history should be directed to the Investigator assisting with fingerprints.
5. All firearm applicants must have a valid Mississippi Driver License or ID Card to receive a firearm permit.
6. Contact the Director of Firearm Permits on original retired law enforcement officer applications for handling instructions.
7. Make sure all employees are aware of this policy and have a copy for their records.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 3.9 Late Renewals

1. A \$1.00 late fee shall be charged to anyone with an expired driver license. This fee will be charged if the license is expired due to being suspended, revoked or just late coming in to renew.
2. The \$1.00 late fee shall be waived if the applicant elects to take the driver license examination.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 3.10 Duplicate Licenses for Suspended Drivers

1. Persons having their driving privileges reinstated after a suspension, under the Implied Consent Law only, may obtain a duplicate license at no charge if the license is not expired. Proof of reinstatement must be shown by one of the following:
  - a. A departmental receipt stamped “Reinstated.....” presented within sixty (60) days of receipt date.

- b. A departmental reinstatement letter presented within sixty (60) days of letter date.
2. If the license is expired or if the letter or receipt is not presented, then the regular fee for duplicates or renewals will be collected, including the late fee. Identifying documentation will be required.
3. Duplicates at no charge will be handled as “Free Shots” and all others should follow the normal duplicate process.
4. Please follow Rule 7.7 regarding “Free Shots.”

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 3.11 Driver License Fees

1. Applicants will be charged a \$5.00 fee for any changes to be made after the license or ID card is printed if the applicant had initially indicated that no change is needed.
2. This is not considered a lost driver license where there would be a \$10.00 fee charged for the next duplicate. (Enter NO for driver license lost on Vista screen)

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 3.12 Driver Education, Learner’s and CDL Permit Fees

1. Effective June 1, 2003, paper permits will no longer be issued, A photo permit (same as driver license) will be issued.
2. The fee for each permit will remain the same in addition to an additional \$2.00 photo fee. If using paper receipts, you must mark the appropriate permit fee already on the receipt, and write the number 7 and the word photo fee in the “OTHER” section on the bottom right of the receipt. (The same as we do for non-US citizens and \$10.00 duplicates). If you are using computer generated receipts, there will be a photo fee code for you to enter in the “fee” field.
3. *Miss. Code Ann.* § 63-1-49 Renewal of License:
  - a. An expired license issued pursuant to this article may be renewed at any time within twelve months after the expiration date of said license upon application and payment of the required fee, and the payment of a delinquent fee of One Dollar, in lieu of a driver examination, unless the holder of the expired license is required to be examined, or unless the department has reason to believe the licensee is no longer qualified to receive a license. Without his having obtained a

renewal within the time required by law, then such reissuance of a license shall constitute a renewal of the previous license and not a new license.

- b. Any person in the armed services of the United States, holding a valid license issued pursuant to this article and being out-of-state due to military service at the time of said license expires, may renew said license at any time within ninety (90) days after being discharged from such military service or upon returning to the state, without payment of any delinquent fee or examination, unless the department has reason to believe that the licensee is no longer qualified to receive a license. Said person shall make proof by affidavit of the fact of such military service and of the time of discharge or return. The expiration of the license of a military person under the provisions of this subsection shall not affect the validity of the license, but such license shall continue to be valid and permit such person to operate a motor vehicle for a period of ninety days after he is discharged from military service or returns to the state or until he renews his license, whichever event occurs first.
- c. Any person who has a valid out-of-state license and wishes to obtain a Mississippi driver license may do so by presenting proper documents, filling out an application, passing the eye exam and paying the proper fee. They do not have to take written test exam if the driver license is valid.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 3.13 Returned Checks

Checks presented for license fees that are returned will be held for thirty (30) days. If the check has not been picked up within the thirty (30) days, the license of the person that the check was written for will be suspended. The re-instatement fee for a suspended license due to bad check will be \$10.00, to be paid by cash or money order only. The person will need to contact Driver Services Headquarters at 601-987-1200.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 3.14 Internet Renewal/Re-instatement Payments

1. Any payments made for license renewals, re-instatements, or motor vehicle records that are retracted for any reason will be handled in the same policy as a bad check.
2. The fees for a retracted payment via the internet will be the same. The person will pay the original fee, the internet fee (\$3.00) plus the \$10.00 fee if the person's license is suspended. The person will need to contact Driver Services Headquarters at 601-987-1200.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 4 Social Security Inspection and Gun Permits**

### **Rule 4.1 Visually Checking Social Security Cards**

1. Before final approval of the DL-4 (and/or DL-41) for a Mississippi learner's permit, you must require the applicant to SHOW his/her Social Security card. The Social Security Number should be verified through the Social Security Search Inquiry. When satisfied that the correct number is on the application, the examiner will write "OK" and his badge number just above the Social Security Number.
2. If the applicant has lost his Social Security card, the examiner may accept the Social Security Numbers displayed on the following documents:
  - a. Military identification card
  - b. Out-of-state license (with Social Security Number as license number)
  - c. A computer printout issued by the Social Security Administration that reflects the stamp of the Social Security Administration along with the issuing person's signature.
3. If the applicant has presented a computer printout from the Social Security Administration, the examiner must use the Social Security Search Inquiry to verify the Social Security Number to match the name and date of birth of the applicant.
4. Never under any circumstances should a Social Security Number be entered in the Social Security field that is not the applicant's Social Security Number. If there is a case where a Social Security Number is already in use by another person, you will need to contact the driver license fraud unit and driver records before any document can be issued.
5. Verification of an applicant's Social Security Number with the Social Security Administration shall be used at any time concerning the validity of any applicant's Social Security Number.
6. All applicants applying for an original ID card or license shall be checked using the Social Security Search Inquiry.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 4.2 Name Changes/Other Changes on DL or ID Cards

1. Females who want to use their first and middle name in lieu of their first and maiden name may do so.
2. Any applicant wanting their name changed from the way shown on their driver license or ID card must show a birth certificate or other legal document.
3. For females changing their married name, the examiner will accept the divorce decree even if it does not state the female is changing back to her maiden name. Then the examiner must see the certified birth certificate to add the maiden name. If the applicant wishes to add another name, such as a previous married name, the examiner must see that certified document.
4. ON ANY DATE OF BIRTH CHANGE, SOCIAL SECURITY NUMBER OR DL NUMBER CHANGE, SEX CHANGE, FEMALE OR MALE NAME CHANGE, DOCUMENTATION SHALL BE NOTED ON FORM DL-14 AND MAILED TO DRIVER RECORDS. SCHOOL FORMS AND INSULIN DEPENDENT FORMS WILL ALSO BE MAILED TO DRIVER RECORDS.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 4.3 Name Difference on Social Security Card and Birth Certificate

If the name on an applicant's Social Security card is not identical to the name on the applicant's birth certificate, use the full name shown on the applicant's birth certificate and record the Social Security Number on the application.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 4.4 Driver License Numbers Assigned at Headquarters in Lieu of a Social Security Number

1. Driver license numbers will be assigned from this office under the following condition:
  - a. Husband and wife drawing Social Security on the same number - The wife's Social Security Number would be the same as her husband's except it would be followed by a letter of the alphabet.
2. DO NOT CHANGE THE OLD DRIVER LICENSE NUMBER (001) TO A SOCIAL SECURITY NUMBER.
3. Attached is a copy of Driver License and ID card documentation concerning new assigned numbers. Also, enclosed is a fact sheet about how these new assigned numbers will be handled and some situations that may be encountered.

4. New Driver License and ID Card Assigned Numbers:
  - a. New Driver License and ID Card numbers will be issued beginning January 1, 1997. You are required to ask the applicant if he/she wants an “assigned” number rather than using his/her Social Security number, for all applicants (new, renewals, duplicates).
  - b. All new assigned numbers will begin with ‘800....1’ and will increment by a count of 1 each time an applicant (statewide) requests an “assigned Number”.
  - c. Assigned Driver License and ID Card numbers will be taken from the same pool of numbers.
  - d. You cannot have a Driver License and ID Card number with the same “assigned” number.
  - e. If the driver currently holds an “assigned” number (001, 000, 900), he/she will not be allowed to receive another “assigned” number.
  - f. If at any time the driver receives an “assigned” number, and then decides to use his/her Social Security number as his driver license number, and then wishes to use an “assigned” number again, he/she must use his/her previously assigned number. He/she will not receive multiple “assigned” numbers. The driver’s previous license number can be viewed in the Social Security Number field or in the OLD LIC NUM field on the NLH Command screen.
  - g. If the applicant is currently a CDL driver and he/she requests an “assigned” driver license number, a “Change Data Record” transaction will automatically be sent to CDLIS and PDPS (if a record exists).

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 4.5 Firearm Permits

1. If an applicant receives an “assigned” number and currently holds a firearm permit, he/she is not required to get a new firearm permit document with his/her new driver license number on it. Enforcement will continue to receive firearm permit information on the driver even though the two (2) documents will not have the same driver license number on them. Upon renewal of the firearm permit, the firearm permit document will have the same driver license number as the actual driver license. There is no option at this point.
2. Possible Driver License Situations:

- a. Situation # 1  
Currently on file  
DLN 427.....  
SSN 000.....

You MUST perform the ADDLIC command or DUPLIC command to receive an assigned number.

- b. Situation # 2  
Currently on file  
DLN 001.....  
SSN 000.....

You MUST perform the ADDLIC command or DUPLIC command to receive an assigned number. We have no way of knowing if an 001 number is an old assigned number or a true SSN. Some SSN's begin with 0.

- c. Situation # 3  
Currently on file  
DLN 001.....  
SSN 426.....

You MUST call Driver Records to perform the CLN command. We're assuming that if an 001, 000, 900 number exists with something in the SSN field, that this is already an assigned number and therefore cannot receive another new assigned number.

- d. Situation # 4  
Currently on file  
DLN 800.....  
SSN 000.....

This is a new assigned number. This driver cannot receive another assigned number. He/she can use their SSN as the driver license number. You MUST call Driver Records to perform the CLN command.

3. If at any time the driver has received an 'assigned' number, Driver Records must perform the CLN command to reserve the numbers again, from an assigned number to a SSN as DLN. We currently do not have this capability for ID cards. You must notify MIS department to make this change for ID cards.

Source: *Miss. Code Ann.* § 45-1-3 and § 45-9-101

## **Part 1 Chapter 5 Commercial Driver License**

### **Rule 5.1 Commercial Driver License Numbers**

1. When an applicant, holding a Mississippi regular license number, applies for a commercial license, use the number that is on the regular driver license for the commercial license number.
2. Do not change old (001) numbers to Social Security Numbers or 800 numbers. If a person has a Social Security Number on their driver license at the time of receiving a commercial license, they have the option of receiving an assigned driver license number.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### **Rule 5.2 Applicant's Signature on DL-4, DL-41, ID-4, Etc.**

An applicant's signature will be accepted even though it may not be legible or identical to the legal or given name. This policy refers to only signatures. It in no way changes the filling out of the legal name on the DL-4, DL-41 or any other form requiring the applicant's name and signature. A stamped signature is not acceptable.

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 5.3 Out-of-State Addresses**

1. Out-of-state addresses are NOT acceptable on any Mississippi license or ID cards. A valid Mississippi address must be given, even for military personnel and out-of-state college students.
2. If the applicant is a Mississippi resident but has an out-of-state address issued from the postal service, they must have a notarized letter from the postal service verifying the address or they can have a car tag registration, homestead exemption, or property taxes for proof of Mississippi residence.

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 5.4 Completion of all DL-4, DL-41, ID-4**

All blanks on the DL-4, DL-41, and ID-4 must be completed by the examiner. Check to make sure all the following are completed:

1. Social Security Number recorded and checked.
2. Birth Certificate number recorded and checked.



3. Eye exam recorded and checked.
4. Receipts recorded (learner's permit, driver license and any endorsements).
5. Other identifying documents recorded and checked.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 6 Security Precautions**

### **Rule 6.1 Security Precautions for Receipts, Cameras and Related Equipment**

1. When you are not at your computer, you **MUST** manually logout. **NEVER** leave your terminal logged on and unattended.
2. Notify your supervisor immediately if you think a receipt was issued from someone other than yourself under your log on name. You will need to provide the following information to the supervisor:
  - a. DL or ID card number that the receipt was issued for.
  - b. The actual receipt number.
  - c. Submit a written account of the circumstances concerning the incident to the Director, Driver Services Bureau, through the proper chain of command.
  - d. If you suspect that any consumables or any other type of equipment or state property are missing without knowledge, contact your supervisor immediately.

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 6.2 Receiving Expired Driver Licenses**

1. A person will no longer be required to turn in their expired Mississippi license. After verifying the old license, the examiner may return the license to the applicant, if the license is being renewed. You may either punch a hole in the expiration date with a hole puncher or cut the top right corner of the expired license and give them back.
2. If the applicant is obtaining a duplicate license with a name change or an address change, the old license will be turned in to be destroyed. When changing from an operator's license to a commercial license, the old license will be turned in also.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 6.3 Adding/Removing Notes to Driver License

1. If a note is needed to be added to any license you will need to contact the Driver Services Help Desk at 601-987-1236. The date, examiner's name and reason for the note must be entered.
2. If you have an applicant with a note on their license and it no longer applies to that applicant, you must call the Driver Services Help Desk to have the note removed.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 6.4 Use of Departmental Vehicle by Driver License Examiner

1. Anytime the departmental vehicle is needed for operation of an examining station, the driver license examiner is authorized to use the vehicle.
2. Driver License Examiners on traveling teams, working in an area where an eating establishment is not convenient to the driver license office, may use the department vehicle for the purpose of obtaining food, when the schedule does not allow for both the trooper and examiner to leave at the same time.
3. The departmental vehicle is for official departmental use only. Traveling to and from a place to eat should be considered a necessary part of official duty when assigned away from one's home station.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 6.5 Early Renewal

If a person has less than six (6) months remaining on his/her license or ID card, you may renew the license or ID card rather than issuing a duplicate. The expiration date would be four (4) years from the current expiration date.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 6.6 Receipts

1. All receipts should indicate whether payment for a license was made by cash or check. Do this by indicating the field with cash or check in the amount collected field.
2. Receipts must have the full name of the person and driver license number written on the receipt even if all other information is not filled in.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 6.7 Procedures for NCIC “HITS”

1. Anytime a positive response or “hit” is received from an NCIC inquiry on an individual, the following procedures should be observed.
  - a. If a law enforcement official is available and can be contacted without the examiner placing themselves or the general public in any immediate danger, they should attempt to do so. Traveling teams will normally receive the information concerning “hits” by telephone, in which case the person passing along the information to the examiner should also call the substation and request they contact the closest officer or law enforcement agency to respond.
  - b. When it is not possible or is unsafe to attempt to contact a law enforcement officer, the examiner should carry on in a normal manner, obtaining as much information as possible on the individual to be passed on later to the appropriate person. If it is necessary to issue the license, then do so, and it can be pulled later.
2. Under no circumstances, unless the examiner is a sworn officer, should the examiner attempt to apprehend the individual or place themselves or the general public in immediate danger.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 6.8 Drivers Privacy Protection Act

1. Section 2721. Prohibition on release and use of certain personal information from State motor vehicle records
  - a. In General - Except as provided in subsection (b), a State Department of Motor Vehicles, and any officer, employee, or contractor, thereof, shall not knowingly disclose or otherwise make available to any person or entity personal information about any individual by the department in connection with a motor vehicle record.
  - b. Permissible Uses - Personal information referred to in subsection (a) shall be disclosed for use in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories, performance monitoring of motor vehicles and dealers by motor vehicle manufacturers, and removal of non-owner records from the original owner records of motor vehicle manufacturers to carry out the purposes of the *Automobile Information Disclosure Act*, the *Motor Vehicle Information and Cost Saving Act*, the *National Traffic and Motor Vehicle Safety Act of 1966*, the *Anti-Car Theft Act of 1992*, and the *Clean Air Act*, and may be disclosed as follows:

- i. For use by any government agency, including any court of law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.
  - ii. For use in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories performance monitoring of motor vehicles, motor vehicle parts and dealers, motor vehicle market research activities, including survey research, and removal of non-owner records from the original owner records of motor vehicle manufacturers.
  - iii. For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only:
    - a. to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, contractors; and
    - b. if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt security interest against, the individual.
  - iv. For use in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State, or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a Federal, State or local court.
  - vi. For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, re-disclosed, or used to contact individuals.
  - vii. For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, anti-fraud activities, rating or underwriting.
  - viii. For use in providing notice to the owners of towed or impounded vehicles.
  - ix. For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subsection.
2. For use by an employer or its agents or insurer to obtain or verify information to a holder

of a commercial driver's license that is required under the *Commercial Motor Vehicle Safety Act of 1986* (49 U.S.C. App. 2710, *et seq.*).

3. For use in connection with the operation of private toll transportation facilities.
4. For use in response to requests for individual motor vehicle records if the motor vehicle department has provided a clear and conspicuous manner on forms for issuance of renewal of operator's permits, titles, registrations, or identification cards, notice that personal information collected by the department may be disclosed to any business or person, and has provided in a clear and conspicuous manner on such forms an opportunity to prohibit such disclosures.
5. For bulk distribution for surveys, marketing or solicitations if the motor vehicle department has implemented methods and procedures to ensure that:
  - a. Individuals are provided an opportunity, in a clear and conspicuous manner, to prohibit such uses; and
  - b. The information will be used, rented, or sold solely for bulk distribution for surveys, marketing, and solicitations, and that surveys, marketing, and solicitations will not be directed at those individuals who have requested in a timely fashion that they not be directed at them.
    - i. For use by any requestor, if the requestor demonstrates it has obtained the written consent of the individual to whom the information pertains.
    - ii. For any other use specifically authorized under the law of the State that holds the record, if such use is related to the operation of a motor vehicle or public safety.
  - c. Resale or re-disclosure - An authorized recipient of personal information (except a recipient under subsection (b)(xi) or (xii)) may resell or re-disclose the information only for a use permitted under subsection (b) (but not for uses under subsection (b)(xi) or (xii)). An unauthorized recipient under subsection (b)(xi) may resell or re-disclose personal information for any purpose. An authorized recipient under subsection (b)(xii) may resell or re-disclose personal information pursuant to subsection (b)(xii). Any authorized recipient (except a recipient under subsection (b)(xi)) that resells or re-discloses personal information covered by this title must keep for a period of five (5) years records identifying each person or entity that receives information and the permitted purpose for which the information will be used and must make such records available to the motor vehicle department upon request.

- d. Waiver Procedures - A State motor vehicle department may establish and carry out procedures under which the department or its agents, upon receiving a request for personal information that does not fall within one of the exceptions in subsection (b), may mail a copy of the request to the individual about whom the information was requested, informing such individual of the request, together with a statement to the effect that the information will not be released unless the individual waives such individual's right to privacy under this section.
6. Section 2722. Additional unlawful acts:
  - a. Procurement for Unlawful Purpose - It shall be unlawful for any person knowingly to obtain or disclose personal information, from a motor vehicle record, for any use not permitted under section 2721(b) of this title.
  - b. False Representation - It shall be unlawful for any person to make false representation to obtain any personal information from an individual's motor vehicle record.
7. Section 2723. Penalties:
  - a. Criminal Fine - A person who knowingly violates this chapter shall be fined under this title.
  - b. Violations by State Department of Motor Vehicles - Any State department of motor vehicles that has a policy or practice of substantial noncompliance with this chapter shall be subject to a civil penalty imposed by the Attorney General of not more than \$5,000 a day for each day of substantial noncompliance.
8. Subsection 2724. Civil Action:

Cause of Action - The court may award:

  - a. actual damages, but not less than the liquidated damages in the amount of \$2,500;
  - b. punitive damages upon proof of willful or reckless disregard of the law;
  - c. reasonable attorneys' fees and other litigation costs reasonably incurred; and
  - d. such other preliminary and equitable relief as the court determines to be appropriate.
9. Section 2725. Definitions:

- a. “Motor vehicle record” means any record that pertains to a motor vehicle operator’s permit, motor vehicle title, motor vehicle registration, or identification card issued by a department of motor vehicles;
- b. “Person” means an individual or entity, but does not include a State or agency thereof; and
- c. “Personal information” means information that identifies an individual, including an individual’s photograph, Social Security Number, driver identification number, name, address (but not the 5-digit zip code), telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver’s status.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 6.9 Facial Recognition

1. The following procedures are to be adhered to regarding facial recognition:
  - a. If or when a photo is taken and the match meter is ‘green’, continue with the process of applicant.
  - b. If or when a photo is taken and the match meter is ‘yellow’, proceed with caution. If questionable, ask for additional identification.
  - c. If or when a photo is taken and the match meter is ‘red’, use extreme caution. Ask for additional identification. If examiner still cannot determine positive identification, contact immediate supervisor.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 6.10 Touch Signature

1. Every applicant is to be asked if they would like to participate in the ‘touch signature program’. Once an applicant chooses to participate, they will have to give their touch signature each and every time they come into a station. Once it is given, they cannot change their minds and decide not to participate any more. They will have to do this permanently.
2. The right thumb is to be used if they elect to participate.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 7 Identification Documentation**

### **Rule 7.1 Acceptable Identification Documents List**

Any applicant applying for a lost or stolen driver license or identification card is required to submit one primary document and one secondary document from the following lists. A primary document must contain the full name and date of birth and must be verifiable. If applicant does not have any of the listed documentation, you must check to see if we have a photo on file for that person. If so and you can verify that they are the same person, then you may issue the replacement.

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 7.2 Primary Documents**

1. Driver License. (Cannot be expired more than six months).
2. Certificate of birth. (Must be original or certified copy, have a raised seal and be issued by the Bureau of Vital Statistics or State Board of Health).
3. State issued ID card. (Cannot be expired more than six months).
4. INS documents, with the following exceptions: (to be determined).
5. Court order. (Must contain full name and date of birth. Examples include adoption documents, name change documents, etc.).
6. Military ID.
7. Valid passport, U.S. or Canadian. (If foreign, appropriate INS documents are also required).
8. State issued learner's permit. (Cannot be expired more than six months).

Source: *Miss. Code Ann.* § 45-1-3

### **Rule 7.3 Secondary Documents**

1. Bureau of Indian Affairs Card/Indian Treaty Card. Tribal ID card is **NOT** acceptable.
2. Court order that does not contain the date of birth.
3. Employer ID card.



4. Foreign birth certificate. Must be translated by an approved translator.
5. Health insurance card, i.e., Blue Cross/Blue Shield, Kaiser, HMO.
6. IRS/State tax forms. W-2 NOT acceptable.
7. Marriage certificate/license.
8. Medical records from doctor/hospital.
9. Military dependent ID.
10. Military discharge/separation papers.
11. Photo gun permit.
12. Pilot's license.
13. School record/transcript. Must be certified.
14. Social Security card. Metal card is NOT acceptable.
15. Student ID card. Must contain photo.
16. Vehicle title or vehicle registration.
17. Voter registration card.

Additional documentation may be required if documentation provided is questionable.

Source: *Miss. Code Ann.* § 45-1-3

Rule 7.4 Proof of Domicile *Miss. Code Ann.* § 63-1-19

1. Every applicant for an original license or identification card who is over eighteen (18) years of age must show proof of domicile in this state to receive a license or identification card. No post office box number may be used as evidence of domicile. Any proof of documents must obtain a physical address. The examiner shall note on the application the type of documentation used to determine domicile. Applicants under twenty-one (21) years of age may use documentation that applies to their parents' domicile.
2. The following evidence or other reliable evidence may be considered in establishing, but is not necessarily determinative of domicile. Proof of domicile must be in the applicant's

or applicant's spouse's name, or in the event applicant is under twenty-one (21) years of age, their parent's name.

- a. Electric Bill
  - b. Water Bill
  - c. Lease or Rental Agreement
  - d. Car Tag Registration Papers
  - e. Mortgage Papers
  - f. Homestead Exemption Receipt
  - g. Bank Statement with Physical Address (No blank checks accepted)
  - h. Notarized employer verification on employer letterhead stating address of applicant (must be notarized and include phone number)
  - i. Mississippi license issued to parent or legal guardian when applicant is under twenty-one (21) years of age.
3. Letters from hospitals or rehab clinics will not be accepted unless applicant has a Mississippi Birth Certificate.
4. *Miss. Code Ann.* § 63-1-19 (amended 2002):
- a. From and after September 1, 2002, this section shall read as follows:
    - i. Every applicant for a license issued pursuant to this article, or for renewal of such license or permit, shall file an application for such license, permit or renewal, on a form provided by the Department of Public Safety, with the Commissioner or an official license examiner of the department. All persons not holding valid, unexpired licenses issued in this state shall be required to secure an original license, except those specifically exempted from licensing under *Miss. Code Ann.* § 63-1-7. The applicant shall state the name, date of birth, the Social Security Number of the applicant unless the applicant is not a United States citizen and does not possess a Social Security Number issued by the United States government, sex, race, color of eyes, color of hair, weight, height and residence address and whether or not the applicant's privilege to drive has been suspended or revoked at any time and if so, when, by whom and for what cause and whether previous application by him has been denied and whether he has any physical

defects which would interfere with his operating a motor vehicle safely upon the highways.

- ii. Every applicant for an original license shall show proof of domicile in this state. The Commissioner shall promulgate any rules and regulations necessary to enforce this requirement and shall prescribe the means by which an applicant for an original license may show domicile in this state. Proof of domicile shall not be required of applicants under eighteen (18) years of age.
  - iii. Unless the applicant is not a United States citizen and does not possess a Social Security Number issued by the United States government, each application or filing made under this section shall include the Social Security Number(s) of the applicant in accordance with *Miss. Code Ann.* § 93-11-64.
- b. No person who is illegally in the United States or Mississippi shall be issued a license. The applicant of a person who is not a United States citizen and who does not possess a Social Security Number issued by the United States government shall state the name, date of birth, sex, race, color of eyes, color of hair, weight, height and residence address, and whether or not the applicant's privilege to drive has been suspended or revoked at any time, and if so, when, by whom, and for what cause, and whether any previous application by him has been denied, and whether he has any physical defects which would interfere with his operating a motor vehicle safely upon the highways. The Commissioner shall adopt and promulgate such rules and regulations as he deems appropriate requiring additional documents, materials, information or physical evidence to be provided by the applicant as may be necessary to establish the identity of the applicant and that the applicant is not present in the United States or the State of Mississippi illegally.
- c. i. Any male who is at least eighteen (18) years of age but less than twenty-six (26) years of age and who applies for a permit or license or renewal of a permit or license under this chapter shall be registered in compliance with the requirements of Section 3 of the Military Selective Service Act, 50 USCS Appx, *et seq.*, as amended.
- ii. The department shall forward in an electronic format the necessary personal information of the applicant to the Selective Service System. The applicant's submission of the application shall serve as an indication that the applicant either has already registered with the Selective Service System or that he is authorizing the department to forward to the Selective Service System the necessary information for registration. The Commissioner shall notify the applicant on, or as a part of, the application

that his submission of the application will serve as his consent to registration with the Selective Service System, if so required. The Commissioner also shall notify any male applicant under the age of eighteen (18) that he will be registered upon turning age eighteen (18) as required by federal law.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 7.5 Issuance of Diabetic Driver License or Identification Card

1. Any person who has been diagnosed as being a diabetic shall be entitled a special driver license or identification card. The applicant will be required to have a DE16-A form completed.
2. The special diabetic driver license or identification card shall be identifiable by a blue medical emblem on the front and diabetic written on the back of card.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 7.6 Head Garment: When it can be worn in DL or ID Photos

An applicant will be able to wear head cover:

1. When worn for religious purposes.
2. Illness (Example: When someone has cancer and has lost all or most of their hair).

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 7.7 Free-Shot Issuances

Free shots should NOT be issued as duplicates on the computer! If a person needs to have a picture taken, free of charge, due to an error on his previous license that was our mistake, due to camera problems or use the following procedures:

- a. On command line type ADDLIC.
- b. In the field for application class code enter "R".
- c. In the field for License Code enter "F" (free).
- d. Complete the transaction using the procedures that are already in place.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 7.8 Processing of Identification Cards

1. Effective March 1, 1995, all renewals and/or duplicates of identification cards will be processed by the same policy that regulates driver license renewals or driver license duplicates.
2. Proof of Domicile - Identification Cards
3. Effective October 5, 2001, all applicants applying for an identification card must show proof of domicile before they are issued an identification card.
4. Proof of domicile shall be the same as for a driver license.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 7.9 Surrendering DL for ID Card

When an individual voluntarily surrenders an unexpired driver license or has a suspended driver license due to medical reasons, an identification card may be issued free of charge for the remaining time that is left on the license. The individual will need to fill out an application and a surrender driver license form and attach it to the application. The examiner will then put it in the computer as an identification card and then call Driver Records office at 601-987-1203 to change the expiration date to reflect the remaining time that was left on the license.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 8 Non-Typical Driver License Scenarios**

### Rule 8.1 Military and Military Dependent's Driver License

1. Any person who is applying for a Mississippi driver license who has in his/her possession a current military driver license only will be processed the same as someone applying for a first time license. They will be required to take the standard permit test; the road test will be waived providing the military license is current.
2. Military dependents that are under the age of eighteen (18) will be processed using the same procedures in place.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 8.2 Out-of-State Driver License

1. An applicant who possesses a driver license by another jurisdiction cannot be issued a Mississippi driver license unless the applicant surrenders such license.

2. If the applicant does not have said driver license in his/her immediate possession, he must complete an Affidavit of Inability to Surrender Driver License. The affidavit will serve as notice to the department that the applicant has surrendered his license. The license must be valid and clear of any suspensions, partial suspensions or revocations and verified through the Problem Driver Pointer System (PDPS) and the NCIC. The affidavit must accompany the driver license application when the examiner submits the reports.
3. Clearance letters will no longer be required if they do not have possession of a license unless it is a commercial driver license.
4. Applicant will NOT have to take the standard test if they possess a valid out-of-state driver license. If the license has been expired for over 30 days, they will be required to take the test.

Source: *Miss. Code Ann.* § 45-1-3

Rule 8.3 Registration Requirements for Convicted Sex Offenders

1. At the time a person surrenders a driver license from another jurisdiction and/or makes application for a Mississippi driver license, the driver license examiner shall provide the applicant with written information on the registration requirements for convicted sex offenders, in accordance with the Mississippi Sex Offenders Registration Laws *Miss. Code Ann.* § 45-33-21.
2. The information shall read as follows:

**\*Important Legal Notice\***

State Law requires the Department of Public Safety to provide you with the following information:

The state of Mississippi requires any person residing in this state who has been convicted of any sex offense to register with the sheriff of the county of residence within 45 days of establishing residence, or if a current resident, within 30 days of release of confinement.

Failure to register shall result in a fine of not less than \$1,500.00 nor more than \$5,000.00 or imprisonment in the state penitentiary for not less than 1 year nor more than 5 years, or both if the original conviction was a felony.

If the original conviction was a misdemeanor, failure to register shall result in a fine of not less than \$100.00 nor more than \$1,000.00, or imprisonment in the county jail for not less than 30 days or more than 1 year.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 8.4 Out-of-Country Applicants

1. For any person from out-of-country applying for a driver license or identification card, you must verify the following documents:
  - a. Proper INS Papers (Passport, I-94 card)
  - b. Birth Certificate (Must be translated by a University)
  - c. Social Security Card (If they have obtained one)
  - d. Proof of Residency
2. If an applicant has a visa which is not expired or a visa accompanied by an extension letter, you should issue a license, unless the applicant is within 180 days of his visa expiring and does not possess an extension letter. In this case, you should not issue a driver license or identification card.
3. An applicant that has a B1 or B2 class visa is not eligible for a driver license or identification card; this is only a temporary visitor's visa.
4. Any applicant applying for a driver license or identification card **MUST** show a certified birth certificate.
5. If you should have any questions regarding the authenticity of any document, you should contact the proper agency for verification. This does **NOT** include the employer.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 8.5 Non U.S. Citizen License or Identification Cards

1. Effective July 1, 2002, state law no longer requires a non U.S. citizen to present a Social Security card to obtain a driver license or identification card.
2. We will begin issuing one (1) year license and identification cards for the people who do not have a Social Security card. They will only be valid for one (1) year from the date of issuance. They must present the proper INS documentation papers when applying for the one (1) year license or identification card. The license or identification card will be assigned an 800 number. All persons receiving a non U.S. citizen license or identification card must give the touch signature on the license or identification card.
3. The cost for the one (1) year license or identification card will be \$10.00. The fee for renewal will also be \$10.00. Payment must be cash for all original license or identification cards. Checks may be presented for driver license renewals.

4. If a non U.S. citizen already has a Social Security Number, they may receive a four (4) year license.
5. In order to renew a one (1) year license or identification card, they must again present all required documentation in order to renew. They must show all INS documentation that they had shown originally.

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 9 Health Issues and Driver License Administration**

### **Rule 9.1 Vision**

1. Responsibilities of the License Examiner:
  - a. In conducting the screening of vision, the driver license examiner has the responsibility to:
    - i. Know what phases of vision are to be considered in administrative actions in granting driver license.
    - ii. Know what action is expected of applicant as a result of their vision screening.
    - iii. Know what applicant is testing in each phase of the screening test.
    - iv. Know how to administer the screening test.
    - v. Realize the vision screening procedures are for the purpose of preventing automobile accidents.
    - vi. Use the testing situation as a public relations opportunity to sell the program of safe driving.

3. Referrals:

NEVER refer an applicant to any particular physician, if he/she fails vision screening, simply give applicant the DE-26 form and suggest he/she see any vision specialist of his/her choice. Upon his/her return, should the vision specialist's reading not correspond with that of the examiner, the vision specialist's, as a rule, will be the deciding score and his findings must accompany the records of the examination and the application. Extreme discrepancies will be referred to a superior. Very often by calling the vision specialist, you will obtain a great deal more information concerning the applicant's eyes.



Source: *Miss. Code Ann.* § 45-1-3

### Rule 9.2 Physical and Mental Disabilities

1. By law, the department is specifically prohibited from issuing a license to any person who is afflicted with such a physical or mental disability that prevents him/her from exercising with reasonable and ordinary control over a motor vehicle upon the streets and highways.
2. Observe during the interview and while you are checking the application and giving the eye test. Note whether the applicant has any apparent physical disability. In the majority of cases, you do not have to let the applicant know that you are watching the way he/she walks and the way he/she uses his/her arms and hands. If anyone has a noticeable limp, an arm or leg missing, walks with crutches, is particularly small and apt to having trouble in reaching the pedals, has on a brace, or states on the application that he/she suffers from dizzy spells or fainting spells, question him/her closely but tactfully. A person may have some disability which would prevent him from participating in athletic events and still be perfectly qualified to operate a motor vehicle safely. Give the applicant the DR-11 form and explain it to him/her.
3. Deafness is not a cause for failure to an applicant. Let applicant take the written test and mark application "Restriction 3" (outside mirrors).
4. Physical disabilities - Unable to pass road test given - give applicant the DR-11 form (medical form) and explain. Make sure the block labeled "To be completed by Driver License Examiner", is completely filled out by the examiner.
5. Driver license examiners may make an on-the-spot determination about the necessity of re-examination. Upon the examiner's observation that an individual may be unsafe or incompetent to drive, he/she may request that he/she retake all of the tests, the examiner will mail the license to the Director of Driver Improvement Branch, along with complete and detailed documentation as to the action taken and why it was believed necessary. The Director of the Driver Improvement Branch will temporarily suspend the driving privilege of said driver until he/she has successfully completed and passed the retesting requirements. The Driver Improvement Hearing Board Officer will follow the procedure outlined in Section II, A.

Source: *Miss. Code Ann.* § 45-1-3

### Rule 9.3 Deaf Interpreter Services

1. If an individual should require an interpreter, you will need to follow the procedures below:

- a. Get the name and phone number of the individual requiring the service.
  - b. Schedule a time and date to allow at least three to five days and notify Driver Services at headquarters (601-987-1200) so that they can contact an interpreter.
  - c. They will then call back and verify information and give you the interpreter's name who will assist the applicant.
2. If there are any questions regarding this matter please call Driver Services at headquarters.

Source: *Miss. Code Ann.* § 45-1-3

Rule 9.4 Department of Public Safety Policies and Procedures for Determining Incompetent and Medically Unsafe Drivers

1. Method of Notification:
  - a. Any citizen who has knowledge of improper or inadequate driving skills may notify the Driver Improvement Branch in writing. This notification must be signed, or
  - b. Notification may be by a physician attesting to the physical or mental incompetence of an individual to safely operate a motor vehicle, or
  - c. Any accident report filed with the department that includes a notation by the investigating officer that a driver needs to be re-examined will be provided to the Driver Improvement Hearing Officer. Notifications from the public or physician are confidential and are not subject to inspection under the Public Records Law.
2. Scheduling of Hearings:
  - a. The Driver Improvement Hearing Officer will schedule retesting within thirty (30) days with the district's Master Sergeant and notify the driver of the time and location. If the individual fails to appear after the second notice, this will result in an indefinite suspension of driving privileges. The individual will then be required to request in writing to the Driver Services Hearing Board for a retest. The Hearing Board will schedule a retest at the earliest possible date.
  - b. The Driver Services Hearing Board will, upon written notification stating specific medical reasons from a medical doctor or an ophthalmologist attesting to the fact that a patient of his/her has a medical condition that in his/her opinion renders him/her incapable of operating a motor vehicle in a safe manner, immediately suspend the driving privileges temporarily pending a medical evaluation and/or

departmental hearing. The Driver Services Hearing Board will review the case and schedule a hearing within ten (10) working days of the date that the medical form is received from the individual or from the Medical Review Board if a medical review is required. The Driver Services Hearing Board will notify the individual of the suspension and enclose a medical form that is to be completed by a medical doctor or ophthalmologist.

- c. The Driver Services Hearing Board is appointed by the Director of the Driver Services Bureau. The following will serve on the Hearing Board: Assistant Director, Driver Services Bureau, Director of the Driver Improvement Branch, and a Driver Improvement Hearing Officer. The Director of the Driver Services Bureau may appoint other members as he deems necessary.
- d. The findings of the Medical Review Board will be reviewed by the Driver Services Hearing Board to determine if a further re-examination is required and if so, a retest will be scheduled. If no further examination is necessary, the driving privileges will remain suspended indefinitely until a medical clearance is obtained.
- e. It is department policy that an individual be seizure free for six (6) months before obtaining a license. If an individual's driving privilege has been suspended because of a seizure, then the individual must also be seizure free for six (6) months before his/her driving privilege can be reinstated.
- f. When the Driver Services Board upholds the suspension of a license for medical reasons, the applicant must wait sixty (60) days from the date of the decision before applying for another review. Request for subsequent review must be in writing.

3. Retesting Requirements :

- a. All applicants requiring retesting will be done by the district Master Sergeant.
- b. Retesting will include the eye test, written test (as defined in Miss. Code Ann. § 63-1-33), and the road test.
- c. If the department requires that an individual be re-examined, he/she may present the letter advising of the re-examination at any driver license station and obtain a driver's handbook at no charge.
- d. Individuals determined to be incompetent to operate a motor vehicle are not entitled to any refund of driver license fees.
- e. A reinstatement fee is not required for anyone suspended for incompetence.

f. The use of telescopic lens for driving is only in accordance with state law.

4. Case Review and Appeal Process:

a. Any person found to be medically unsafe to operate a motor vehicle may request in writing to the Driver Services Hearing Board to have their case for reinstatement reviewed. The Driver Services Hearing Board will determine whether a hearing is warranted or additional information is needed. The applicant must furnish proof that a change in their medical abilities warrants a review of their case. If a hearing is granted, the board can reinstate, refer to the Medical Review Board, or disapprove the request for reinstatement.

b. Any person whose driver license has been suspended for medical or incompetent reasons may appeal the suspension to the Commissioner of Public Safety, or authorized designee, whose decision shall be final.

Driver License Restrictions Physically Disabled Drivers	
Restriction 1	Corrective Lenses. See Vision Chart.
Restriction 3	Outside rear view mirror. (Hard of Hearing or blind in one (1) eye).
Restriction 5	Automatic Transmission. (Insufficient strength to depress clutch. Body or limbs shaky or wobbly).
Restriction A	Daylight driving. See vision chart.
Restriction B	Custom equipment, i.e., full hand equipment; special brake and clutch equipment. (Either foot missing or not functioning; stiff joint and strength to make required stops; statue too small to see over steering wheel, cushion or other equipment may be required).
Restriction C	45 M.P.H. See vision chart.
Restriction D	Reexamine before renewal. See vision chart.

5. Standards for Vision:

- a. In examining drivers for licenses, every test which we give should aim at two very simple things:
  - i. Require every applicant to do all he reasonably can to qualify as a safe driver.
  - ii. After that, keep off the road any applicant who is not a reasonably safe driver.
- b. This means that we must consider two different scores when we check eyes. The first score, so high that all who make it may be considered quite safe (insofar as eyes are concerned) and second, so low that the drivers who cannot make it may be considered quite dangerous and should, for their own protection, be kept from driving. This leaves a middle group who can make the lower score, but not the higher one, and who should be permitted to drive only after they have seen a vision specialist to have their sight improved as much as possible.
- c. Thus, if a driver can see sharply enough without lenses to score 20/40 on the eye test with each eye separately, probably a better score would not mean any better driver, so he/she should be passed without restriction even if he/she has lenses. (They may be comfort in reading but no special help in driving.) Of course, if a driver has to wear lenses to score 20/40 with both eyes he/she should be restricted to wearing corrective lenses while driving.
- d. Now, if a driver cannot score 20/40 with both eyes, and has no lenses, we simply reject him/her until he/she has tried to have his/her sight improved by a vision specialist. If he/she will not cooperate by doing this, he/she should not be granted the privilege of using the highways.
- e. When a driver has lenses (or has a written statement from a reputable specialist that lenses will not help him) he/she has done about all he/she can do to improve his/her sight, he/she should not then, be denied a license unless he/she is badly off that he/she scores worse than 20/70.
- f. People who cannot read better than 20/200 or who cannot see at all out of one (1) eye, should be required to score a little better than the others because they must judge distance by size and sharpness rather than by the use of both eyes together (binocular or stereoscopic vision). Therefore, to pass without restriction, the one (1) good eye should be able to score 20/30 or better. Worse vision in one (1) eye should be referred to a vision specialist. 20/200 or worse in an eye will be considered blind insofar as driving is concerned.
- g. In such cases where the applicant is unable to meet standard requirements, the examiner, supervisor, or the Director of Driver Services will evaluate the

circumstances of each individual case such as their driving ability and the necessity for driving and act according to the merits of each case. He/she should be certain to place the restrictions necessary to keep the applicant within a reasonable degree of safety at all times.

- h. Some applicants may have lenses which make them see more accurately in one or both eyes. They should be passed (restricted to wearing corrective lenses and 45 mph.) If they score 20/70 or better with both eyes, or the best eye alone.
  - i. A driver may be passed without restriction on a score of 20/50, and yet another driver may be restricted to corrective lenses if he/she scores 20/50 with both eyes when he/she does not have them on. This is the situation when the first applicant has lenses, whereas the second applicant has eye defects which cannot be corrected. In both cases, the person has done all he/she can do to improve his/her safety insofar as sight is concerned. Of course, the applicant with lenses would be required to wear them while driving, but there is no restriction which will improve the safety of the other.
  - j. Referrals should be to a vision specialist who is licensed to practice in this state, or a military vision specialist.
  - k. Nobody needs to be failed because of color blindness. Color blindness apparently does not prevent people from driving safely, and if one is color blind, there is no practical way he/she can improve. Yet, it is probably helpful for the driver to know he/she is color blind so that he/she may take precautions at times when signal lights are involved in his/her driving.
6. Defects and Explanations:
- a. Defects of focusing: (Either eye may be affected by itself). Affects acuity of vision and ability to read signs at a distance.
    - i. Myopia (Nearsightedness): Objects can be seen sharply close up. Image is focused in front of retina.
    - ii. Hyperopia (Farsightedness): Objects at a distance seen sharply. Image focused on back of the retina.
    - iii. Astigmatism: Objects or lines in one meridian focus sharply, but lines at right angles focus before or behind the retina. (For example: horizontal lines seem sharp and vertical lines seem fuzzy).
    - iv. Presbyopia (Lack of accommodation): Inability to adjust to seeing up close or far away. Inability to change focus. Usually in older people.

- b. Defects in lenses: (Either eye affected alone). Affects acuity of vision.
  - i. Cataract: Lens become opaque due to growth over a milkiness in lens. Usually grows progressively worse. Driver should be re-examined periodically.
  - ii. Traumatic condition: (Injury by accident). May be accident to lens or eyeball. Usually results in blindness, but may only give general blur. Scar or scar tissue apparent sometimes.
  - iii. Glaucoma: Disease of eye characterized by increase in intra ocular pressure; may result in blindness. (Driver should be re-examined periodically).

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 10 CDL Administration**

### **Rule 10.1 CDL Application Procedures for Testing**

1. Any individual that comes into a driver license station applying for a CDL permit or commercial license MUST have a valid Mississippi license. If they do not have a valid Mississippi license, they are NOT eligible to apply.
2. Before any tests are administered, first check the applicant on the computer to verify the person's status in-state and out-of-state (SI).
3. After determining that the person is clear, then you may begin the application procedure. The applicant must pay the \$25.00 application fee before tests are given. Once they have taken all the required tests, then you are to collect the \$12.00 permit fee and \$5.00 for each endorsement that they choose (See section 10-1C for HAZ/MAT endorsement).
4. After the applicant has passed all required tests and they are issued a CDL Permit, they are to be placed on the national CDLIS.
5. All scores and all receipt numbers are to be written on the application in the appropriate places. All applicants that test are to be entered into the computer.
6. The applicant is responsible for the application. If for some reason, they lose or misplace it, then they will have to pay the \$25.00 application fee again before another application is completed for that applicant (even if they have the original receipt showing it had already been paid).

7. Upon presenting the application for completion to the CDL station of his/her choice, you should first check the computer with the application. If the applicant has completed all requirements, you should update the computer and enter all other information required to issue the license and collect the \$40.00 commercial license fee and any other applicable fees. After the license has been issued, attach all documents relating to the applicant to the application (surrendered license, DE-26, DE-16A, CDL certification, etc).

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### Rule 10.2 Security and Privacy Requirements

1. The purpose of the Security and Privacy Requirements is to make all employees who use the National Driving Record aware of the controls that are necessary to ensure that NDR information is obtained and used as prescribed by Federal law. The request and receipt of NDR information are subject to the provisions of the NDR Act of 1982 (Public Law 97-364) and to section 552a of Title 5, United States Code (the Privacy Act of 1974). Each of these laws contains provisions enacted to promote governmental respect for citizens' privacy.
2. Since state personnel request and receive NDR information, they must share the responsibility for preventing unauthorized access and use of this information. The chief driver licensing official is ultimately responsible for ensuring that proper controls in relation to NDR information are established and adhered to by all members of the state staff. It is recommended that all employees who handle NDR information be required to become familiar with the contents of this document and to sign the statement of understanding that follows (or a similar statement).
3. NDR Access Restrictions:  

Chief driver licensing officials are authorized to access and use NDR information for purposes of fulfilling their duties with respect to driver licensing, driver improvement, and transportation safety. Transportation safety purposes means information requests submitted on behalf of other parties authorized by the NDR Act of 1982 to receive information, such as employers of motor vehicle and railroad locomotive operators and certain federal agencies. Any other use or access by anyone not prescribed by law is unauthorized.
4. Privacy Requirements:
  - a. The NDR-PDPS is a federal system of records, as defined by the Privacy Act of 1974, and complies with the requirements of that Act. Under that Act, the NDR-PDPS is required, among other things:



- i. To permit individuals to review any records pertaining to them and have a copy made of all or any portion thereof in a form comprehensible to them.
  - ii. To permit individuals to request amendment of records pertaining to them, to request review of refusals to amend records pertaining to them, and to inform them of the provisions for judicial review of the reviewing official's determination.
  - iii. Other than driver licensing or driver improvement inquiries, not to disclose any NDR-PDP records by any means of communication to anyone except pursuant to a written request or with the prior written consent of the individual to whom the record pertains.
- b. States are not directly subject to these Privacy Act Requirements. However, because the NDR contains state records, and because the NDR Act permits individuals, and requires other authorized NDR users, to submit their NDR file check requests through the chief driver licensing official of a state, it is necessary for the states to take certain actions to ensure that these requirements are met, namely:
- i. Permit and assist individuals who wish to access information pertaining to themselves that may be on the NDR file.
  - ii. Ensure that all requests for NDR file checks from individuals and other users are authorized by verifying the identity of the individuals and by ensuring that properly completed and signed request forms and consent forms are submitted for all requests other than driver licensing or driver improvement inquiries.
  - iii. Train existing and new employees on NDR restrictions and penalties for misuse of NDR data.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

Rule 10.3 Problem Driver Pointer System (PDPS) Reminders

1. An OI or SI (for commercial license) inquiry must be done for all first time original drivers (this includes out-of-state drivers).
2. If the status from OI or SI inquiry shows anything but 'VAL', do not issue the license, both CDL and non CDL. Write down each state and corresponding phone numbers that you received a pointer record on that does not have a 'VALID' status.
3. A driver may have a pointer(s) on the NDR and yet their status will be 'VAL'. Pointer

records for specific violations are required to remain on the NDR even though the driver may have already served his suspension time.

4. Status of PDPS messages:

- a. OUTB
- b. SENT
- c. RECV
- d. EROR

- i. If the error message says “Files unavailable send SRS TXN later”, this means that the state’s driver license files are unavailable. Sending an inquiry through the NCIC machine at this point will not get you any driver license information because both PDPS and the NCIC transaction are trying to access the same files.
- ii. If the error message says “Driver not found call help desk”, this indicates that the NDR has a pointer record on their files and no record could be found at the State of Record. Call the DPS/PDPS Help Desk. He must notify the NDR/PDPS Help Desk in Washington, D.C. to get the problem resolved.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

Rule 10.4 Roving Teams

1. You are required to call the Driver Records Dept. (or wherever you are designated to call) in order to inquire on your applicants. Those assisting you will need the following information from you in order to complete the inquiry: Full name, date of birth and Social Security Number. If the inquiry response returns “possible matches”, you and the person helping you must determine if the applicant and the inquiry response information are the same individual. If they are, they will in return tell you whether or not to license the individual based on the statuses received. If their response to you is “Do not license”, they will be relaying pointer information to you. This information will consist of each state and corresponding phone number that may have an outstanding action against that driver. It is the driver’s responsibility to resolve the issue.
2. PDPS is required by law, NCIC checks are not. The NCIC checks are part of your licensing policies and procedures and should continue to be so.
3. PDPS will only give you status information and the state of action (no violation information). The NCIC transactions will give you a complete driver history plus wanted information.

4. PDPS will tell you about problem drivers only. PDPS will not show any type of valid license that the driver may hold. NCIC checks will show any valid license that the driver may be holding along with any outstanding actions against the driver.

Department of Public Safety  
Driver Services Bureau

**Commercial Driver License Application Requirements**  
(This Form MUST Be Given With Each Application)

Applicant is Responsible for Application:

1. The applicant is responsible for maintaining his/her own original application.
2. If the applicant loses or misplaces the application, the applicant will then be responsible for paying another application fee. Once the application fee has been paid, the individual will receive another application.
3. Payment for the application fee is CASH ONLY.
4. Any Third Party Score Sheets must stay with the application and MUST be sealed at ALL times.
5. Once the testing process has been completed, the applicant will then turn in their application before obtaining their Commercial Driver License.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

Rule 10.5 Diabetic and Eye Waivers for CDL Drivers

1. Anyone coming in to renew or obtain a first time commercial license are to be asked if they have missing/false limbs or joints and if they are a diabetic. Every applicant must sign a CDL Certification form. The following procedures are to be adhered to:
2. If renewing and they are a diabetic, they must be given the Certification of Diabetic Form (DE-16A). They will not be able to renew until this form is filled out by their physician.
  - a. If they are Injection (shot) dependent:
    - i. They must have held a valid commercial license for a period of three (3) years to apply for an over the road waiver through the Diabetes Exemption Program at 400 7<sup>th</sup> Street, SW Washington,

DC 20590, 202-366-2987. They will have to drop down to a regular license until this waiver is approved; or

- ii. The applicant can apply for an Intra State Insulin Dependent Commercial License through the Mississippi Department of Public Safety. They can do so by contacting the CDL Help Desk to have an application mailed to them. The applicant cannot be self-employed or un-employed to qualify.
  - b. If they are Oral (pill) dependent:
    - i. You must put a “D” in the medical field on their license and send the Certification of Diabetic Form in with your paperwork to the CDL Department to have it microfilmed.
3. If they are obtaining a first time commercial license, they will have to have the Certification of Diabetic Form (DE-16A) filled out before testing begins:
- a. If they are Injection (shot) dependent:
    - i. They can apply for an Intra State Insulin Dependent Commercial License. They will not be eligible for a waiver through the Diabetes Exemption Program.
  - b. If they are Oral (pill) dependent:
    - i. You will follow the same procedures outlined in section 1 B.
4. If a person is renewing and missing limbs/joints or has false limbs, they will not be able to renew the license. They will need to contact the Atlanta, GA office at 404-562-3620 to apply for a medical waiver. They will have to drop down to a regular or class D license.
5. If a person renewing or applying for first time commercial license cannot meet the eye requirements, they must contact the Eye Waiver Exemption Program in Washington, DC at 202-366-2987 to apply for an eye waiver. They will also have to keep a regular or class D license until the waiver is approved.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.6 Commercial Driver License “CDLIS”

1. If an individual from another state is obtaining a Mississippi Commercial Driver License:

- a. You will need to issue them a Mississippi Commercial Driver License, you will need to bring all information from the CDLIS using the exact information that is on CDLIS. DO NOT issue an assigned number before you bring them over on CDLIS.
  - b. Once you have done this, you may then go in and give them an assigned number by using a free shot. After giving the free shot, you can then call Headquarters CDL Help Desk and have someone to remove the free shot.
  - c. Make sure that you go in and add the new assigned number to CDLIS. You may have to do a Change Data Record.
2. The changing of a name or date of birth for a commercial license:
- a. Make sure that the proper documentation is paper clipped to the application (a copy of the original document MUST be attached). DO NOT SEND IN NAME CHANGE FORMS WITHOUT THE PROPER DOCUMENTATION!
  - b. Any change done to a commercial license must be changed on CDLIS also. A Change Data Record has to be done.
3. Out-of-State CDL Applicants:
- a. The applicant must provide the out-of-state license (not over thirty (30) days old), Social Security card, and proof of Mississippi residence. They are required to pay the \$25.00 application fee, \$40.00 license fee and \$5.00 for each endorsement. If they have HAZ/MAT, they are required to retest.
  - b. Verify that the driver does not hold a Mississippi driver's license (DIS LIC).
  - c. Verify that the driver is or is not on the Commercial Driver License Information System:
    - A. At the main menu, enter 'CDL' and press enter. The CDLIS command menu is displayed.
    - B. Perform the Search Inquiry (SI) function.
      - i. If no matches are received from the Search Inquiry and the driver holds a valid CDL license, you must contact Headquarters CDL Help Desk. Both CDLIS and NDR will be searched to find the driver's master pointer record. If a match is received from CDLIS or NDR as a result of the search, review the data to determine if the driver is licensed in another state. If it appears that the driver is licensed in another state and more

information is needed, then send a SRS (state request for status) transaction or a DHR (driver history request) transaction to the driver's licensing state.

4. When the driver has been determined to have a clear driving record, then enter 'NEWLIC' and continue with normal procedures to add a new driver on the Mississippi Driver's License System (refer to driver license system reference guide).
5. After the driver has been added to MHP files exactly as it lists on the out-of-state license, enter the command 'CDL' to return to the CDLIS command menu. Enter 'MNT' to display the CDLIS Maintenance Menu. The maintenance menu contains all update functions to the CDLIS database. Enter 'CSR' (change state of record) in the option field and follow the 'CSR' procedures listed under the CDLIS Maintenance Menu to issue a Change State of Record on the driver through CDLIS.
  - a. After the Change State of Record has been issued, all messages sent and received must be reviewed to ensure that all processing is complete. To review these messages, enter the 'RSP' option from the CDLIS Command Menu. Select the 'CSR' message on the driver that you are processing. Press PF9 to add the driver's history to the Mississippi Driver License System. A CBU (confirmation by Mississippi) message is automatically generated and sent to CDLIS to confirm that you have received and processed the driver's history. The driver's history will automatically be printed on all Change State of Record transactions. You must enter 'DIS' in the operation field to review any messages that have been previously reviewed.
  - b. After the driver has been added to the Mississippi Driver License System and CDLIS, enter the command 'CDL' to return to the CDLIS Command Menu.
  - c. The Change State of Record procedures consist of several different processes at the new State of Record, the old State of Record, and the Central Site. The primary procedural responsibilities belong to the new State of Record. The discussion which follows assumes that the State will comply with the CMVSA requirement to check NDR and fully consider the NDR response prior to licensing a commercial driver.
  - d. A Change State of Record procedure begins when a driver holding a CDL presents an application to another state for a CDL or commercial permit.
  - e. In the Change State of Record procedure, the new state will require the driver to surrender their commercial license from the old state. When the new state has determined that the person who presented the license is the licensee, has

adequately proven new residency, and has based all normal State reviews establishing the driver's identification, the procedure may begin.

- f. It is possible that the driver may want to relinquish their CDL and receive a non-commercial license from the new state. In this case, the preferred procedure is for the new state to perform a Change State of Record (UD). Changing the pointer to the new state is the best means to support the concept of one license, one driver, one record. If the new state wishes, it may account for the cost of these pointers and claim a credit on its AAMVA net bill.
- g. If for some reason, the new state that accepts the surrendered CDL cannot take the pointer record, no Change State of Record (UD) is performed. The new state should return the surrendered CDL to the old State of Record and notify them that this driver has relinquished their privilege to drive a commercial motor vehicle. In such cases, the State of Record for the CDL has not changed and as far as CDLIS is concerned, the State that originally issued the CDL will remain the State of Record until another State issues a CDL to that driver. Please note that under the Driver License Reciprocity (DLR) application, the new SOR will be required to perform a CDLIS Change State of Record and move the pointer when notified by the old SOR that a CDLIS pointer exists for the driver.
- h. Any state that transmits a Driver History Conviction (H3) to another state via a CSOR (UD) transaction should edit and validate conviction offense codes before they are sent out. The new SOR should also edit and validate conviction offense codes received from other States. This process should be performed by both the sending (old SOR) and receiving (new SOR) states to help insure data integrity. The overall purpose of editing is to identify errors that, if not corrected, would interfere with the new SOR's ability to interpret the data and to determine whether to take any driver control actions.
- i. Please note that there are many other errors that a new SOR may identify and return to the sending (old SOR) State.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.7 Downgrading to an Operator or Class D License

1. If a person who holds a CDL license wishes to downgrade to an operator license or Class D license, you must first check the person's current record on the computer to determine if the person's current status is valid. If the current status is valid, follow departmental procedures for issuing the operator or Class D license as a renewal, charging full renewal fee and having the person sign the form wishing to down grade his/her license. The applicant will remain on the national CDLIS. Any applicant requesting to downgrade

must have a “VALID” commercial status. If a person’s commercial status is suspended, they are not eligible for a downgrade until they are cleared.

2. If a person comes into your office and wishes to reapply for his/her previously held CDL and is currently holding a valid operator or Class D license, you must contact the CDL Help Desk to determine what class and/or endorsement the person had. Once the CDL Help Desk determines that it has not been over two (2) years since the applicant held the previous CDL, retesting will not be required. You must collect all required fees, \$40.00 CDL fee plus \$5.00 for each endorsement before the CDL Help Desk will make any changes to the person’s record. After all applicable fees have been collected, the CDL Help Desk will update the record and advise you to print the data card and issue the license.
3. If a person holds a Mississippi CDL and moves to another state and becomes licensed in that state with any class other than CDL, then moves back to this state surrendering the out-of-state license and applying for his/her previously held CDL, they are only eligible to obtain the class of license in which they surrendered their CDL for. If they wish to obtain a CDL license, they MUST re-take all required tests. Advise the subject to complete a CDL application, check their current license status in-state and out-of-state and collect the \$25.00 application fee before re-testing may begin. They must be issued a Mississippi license before the CDL testing process begins (refer to policy & procedure 10-1 section 1).
4. If a person is returning to Mississippi to apply for his/her CDL with an out-of-state CDL, but also desiring to upgrade, they must first obtain a Mississippi license reflecting exactly as the state they are coming from before a CDL permit can be issued. If the person wants to add endorsements, then they may fill out an application. Then, you may administer the written test before their license is switched over to Mississippi unless they are adding the passenger endorsement. You must collect the \$40.00 CDL fee along with the \$25.00 application fee and the \$5.00 fee for each endorsement. If the applicant needs a CDL permit to upgrade or add the passenger endorsement, they will also need to pay the \$12.00 permit fee. After you have issued the receipt, update the person’s record on the computer as an upgrade.
5. If a person’s previously held CDL has expired, and it has not been more than two (2) years since the person held the CDL, they will be eligible to reapply for CDL license without re-testing (except for HAZ/MAT endorsement). Have the applicant fill out CDL application, update all information on the computer and call the CDL Help Desk to update the information that you are not able to.
6. If an applicant possesses a CDL with a HAZ/MAT endorsement and the issue date on the CDL is over two (2) years old, the person must retake and pass the HAZ/MAT test in order to retain the HAZ/MAT endorsement. This applies when an individual is coming to



us from another jurisdiction or is renewing his/her CDL. Re-testing for HAZ/MAT can be done only at a CDL station.

I hereby certify that on this date, \_\_\_\_\_,  
that I, \_\_\_\_\_, do not wish  
to keep my class \_\_\_\_\_, CDL license. I wish to down  
grade my driver's license to a class \_\_\_\_\_ license.

Signature: \_\_\_\_\_

Driver License Number: \_\_\_\_\_

Witness: \_\_\_\_\_

(Driver License Examiner)

Source: *Miss. Code Ann.* §§ 45-1-3, 63-1-201, and 63-1-216

#### Rule 10.8 When to use Registered Gross Weight

1. *Miss. Code Ann.* § 63-1-75, Subsection (o), defines gross vehicle weight rating as meaning the value specified by the manufacturer as the maximum loaded weight of a single or a combination (articulated) vehicle, or registered gross weight, whichever is greater. The gross vehicle weight rating of a combination (articulated) vehicle (commonly referred to as the "gross combination weight rating") is the gross vehicle weight rating of the power unit plus the gross vehicle weight rating of the towed unit or units.
2. The registered gross weight rating referred to in this section will be used only when the value specified by the manufacturer as a maximum loaded weight of a single or combination (articulated) vehicle cannot be determined.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.9 CDL Learner's Permit Fee

There will be a \$2.00 photo fee in addition to the regular \$10.00 fee currently charged for a commercial driver license learner's permit. A hard copy learner's permit will be issued to replace the current paper learner's permit.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### Rule 10.10 Farm Waiver CDL - Class “B” Restricted

The attached booklet outlines the policies and procedures to be used for the issuance of a farm waiver CDL - Class B Restricted.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### Rule 10.11 Skills Test Exemption

Applicants who operate vehicles described in *Miss. Code Ann.* § 63-1-78 shall be exempt from the skills test upon providing proof of a safe driving record and sworn statement from an employer stating that the applicant has two (2) years' experience operating a vehicle which is equivalent to or exceeds the class vehicle for which they are seeking a license to operate.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### Rule 10.12 Restriction “F”

1. Effective January 19, 1995, a Commercial Driver License (CDL) may be issued or renewed for individuals who meet the present vision requirements for a non-commercial driver. The CDL must be restricted to Intrastate Driving, Restriction F.
2. From and after July 29, 1996, no new (first-time) CDL shall be issued to anyone who does not meet the vision requirements established by the United States Department of Transportation, Federal Motor Carrier Safety Division.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### Rule 10.13 Problem Driver Pointer System

1. The State of Mississippi, Department of Public Safety, is mandated by federal law to develop and implement a subsystem of the driver license system called the “Problem Driver Pointer System” (PDPS). This system will allow us to send “interactive” inquiries to the National Driver Register (NDR) for all drivers. The NDR houses information about all problem drivers (suspensions, revocations, etc.) in every state. Currently we can only send and receive interactive inquiries to the NDR on CDL drivers through the CDLIS System (a vital part of the driver license system). Other states are currently active PDPS States and have been for some time now. The Problem Driver Pointer System will go into production on January 2, 1995 for the State of Mississippi.
2. As part of the licensing process, we are required to make an inquiry to the NDR/PDPS on first time non-minimum age drivers (all originals). If the inquiry response returns “possible matches”, you must determine if the applicant and the inquiry response

information are the same individual. If they are, “DO NOT LICENSE”. The information you receive will contain each state, the state address, and phone number that may have an outstanding action against that driver. It is the driver’s responsibility to resolve the issue with each state.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.14 Policy for DPS (Driver License) Employees Teaching CDL

Driver License Employees are not permitted to teach CDL outside of the department.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.15 Suspension of Commercial Driver Licenses

The Commissioner of Public Safety shall suspend the commercial driver’s license of a person for such period under the Federal Motor Carriers Motor Vehicle Safety Act of 1986 (CMVSA) and regulations adopted pursuant thereto, if the person is determined to have committed a violation of the CMVSA or its accompanying regulations.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.16 Applicants Under 21

1. Any applicant between the ages of seventeen (17) and twenty-one (21) can only be issued a commercial license with a restriction “F” (in-state only).
2. Any applicant between the ages of seventeen (17) and twenty-one (21) cannot be issued a HAZ/MAT endorsement.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.17 Monthly Report Sheets

Monthly report sheets are no longer required with the implementation of the On Line Scheduler.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.18 Waiting Periods for CDL Test

1. When applicants come in to take CDL written test, they are allowed to test for three (3) consecutive days. If after the third day they fail again, they are required to wait for seven (7) days before they may re-test.

2. There are no waiting periods for applicants scheduling CDL road test appointments after failing. They are able to schedule a re-test at the next available time. If an applicant has an appointment and does not show up for that appointment or is over 15 minutes late for that appointment, there will be a two (2) week waiting period before he/she is able to re-schedule.
3. Insulin Dependent Employer Guidelines:
  1. The following guidelines have been set forth by the Mississippi Department of Public Safety for employing an insulin dependant commercial driver. These guidelines are set forth in conjunction with *Miss. Code Ann. § 63-1-79*, as amended in Senate Bill 2560.
  2. In order to remain in compliance with the state regulations, an applicant must have a portable monitor with a downloadable memory. The employer will be responsible for obtaining the required software provided by the manufacturer of the monitor. Only these monitors will be accepted in obtaining an insulin dependant commercial license. On site inspections of employers will be performed by the Department of Public Safety every six (6) months without notification to the employer.
  3. The following information is what will be looked at when performing an inspection and must be made available to the representative of the Department of Public Safety.
    - i. Log sheets listing dates and times of a driver's route.
    - ii. Log printout of monitor readings that are required of a driver to perform before and during driving assignment from the glucose monitoring device.
    - iii. Copy of current annual medical certification and a copy of the endocrinologist's report that is required for the medical certification.
  4. All guidelines will be strictly adhered to. If for any reason during an inspection the guidelines listed are not being followed, the employee's license will be suspended without notice by the Department of Public Safety.

Source: *Miss. Code Ann. §§ 45-1-3 and 63-1-201*

#### Rule 10.19 Insulin Dependent Commercial Driver License

1. All applicants renewing or applying for a insulin dependent commercial driver license must first obtain an application package from the Department of Public Safety.

2. Once the package is completely filled out and received at Headquarters, it will be reviewed. Once eligibility is determined, the applicant will receive an approval letter with their instructions on how to proceed.
3. First time applicants may not begin any testing until they receive an approval letter. This letter must be presented before testing can begin. All first time CDL applicants applying for the insulin dependent commercial license will be road tested with a Department of Public Safety CDL Examiner. Third party examiners will not be accepted.
5. Applicants that are renewing an existing commercial license may not renew their commercial license until they receive an approval letter or they may drop the commercial license and go to a lower class regular license if they wish to do so.

Amended *Miss. Code Ann.* § 63-1-79 and § 63-1-82.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.20 Hazardous Materials Endorsement

1. Renewal Procedures:
  - a. Any applicant renewing an existing Mississippi Commercial License bearing the HAZ/MAT endorsement must submit to a security threat assessment. After applicant has passed the appropriate written test:
    - i. Go through “UPDLIC” and remove the HAZ/MAT score and date, PF5 to save
    - ii. Go through “ADDLIC” on CDL score screen and enter “I” in the HAZ/MAT status code, current day’s date and examiner’s badge number.
  - b. Complete renewal process; collect all appropriate fees including fees for the security threat assessment. You will stamp the receipt that indicates the HAZ/MAT endorsement is valid ninety (90) days from date of receipt. The examiner will then collect the applicant’s fingerprints for submission.
  - c. The applicant will receive notice by mail from TSA (Transportation Security Administration) of approval or denial. Upon receiving approval notice, the applicant will return to have the “H” endorsement placed on the license within one hundred and eighty (180) days from the date of letter. If the applicant does not return within one hundred and eighty (180) days, they will have to submit for a new security threat assessment. At this time, the applicant will pay the appropriate endorsement fee only. The examiner will issue a “free shot”. Once the

process is completed, the examiner will call the CDL Help Desk to have the “free shot” removed from the license.

2. Adding HAZ/MAT:

- a. Any applicant adding the Hazardous Materials endorsement to an existing Mississippi Commercial Driver License must submit to a security threat assessment. After the applicant has passed the appropriate test:
  - i. Go through “UPDLIC” on the CDL score screen and enter “I” in the HAZ/MAT status code, current day’s date and examiner’s badge number. No scores will be entered at this time.
- b. At this time, the examiner will collect only the security threat assessment fees, but not the endorsement fee. The applicant will receive notice by mail from TSA of approval or denial. Upon receipt of approval, the applicant will return to have the “H” endorsement placed on the license within one hundred and eighty (180) days from the date of the letter. If the applicant does not return within the one hundred and eighty (180) days, they will have to submit for a new security threat assessment. At this time, the applicant will pay the endorsement fee and duplicate license fee.

3. Transfers:

- a. Any applicant transferring from another state with a commercial driver license bearing the HAZ/MAT endorsement will be required to submit to a security threat assessment. The HAZ/MAT endorsement cannot be transferred from another state. The applicant will be required to drop the HAZ/MAT endorsement. The applicant will transfer the commercial license without the “H” endorsement and then they can apply for it. The examiner will follow the same procedures for adding the endorsement.

4. HAZ/MAT E-mails:

E-mails must be checked each and every working day. There is no exception to this rule. When an applicant prints are submitted for a security threat assessment electronically, a response is sent back via e-mail to the transmitting station. This response will be from one of two (2) agencies, state agencies or FBI. This lets the examiner know if the fingerprints submitted for each applicant were accepted or rejected. If the prints are rejected, it is the examiner’s responsibility to contact that applicant to return for submitting a new set of prints. The department is charged each time a print is submitted. If an applicant’s prints are rejected, there is a transaction control reference number on the rejection notice that can be entered on the new submission to prevent from being billed a second time. This number must be entered anytime a print is being re-submitted. The

transaction control reference number can only be submitted once. If an applicant is rejected three (3) or more times, you do not need to enter this number.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.21 Third Party Certification Fees

1. The Mississippi Department of Public Safety will require a \$250.00 fee per student that attends any certification class given by the Department of Public Safety. As of January 1, 2005, all Third Party Testers will be required to pay a \$100.00 fee for the renewal of their Instructors Certificate Card. This card is required to be renewed every year.
2. Employees for the Mississippi Department of Transportation and Department of Education are exempted from these fees, provided they are testing within their agency. For any employee to do testing outside their agency, they will be required to pay all proper fees.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

#### Rule 10.22 Period Without Necessity To Re-Test In View of Child Support Arrearage Suspension

If a CDL Holder has his or her license suspended for failure to pay child support payments, that CDL Holder shall have a period of twenty-four (24) months from the date of the license suspension, as noticed by the Department of Public Safety, in order to obtain reinstatement of the CDL without the necessity to re-take their commercial driving test. If more than 24 months have elapsed since the date of the suspension of the license, it will be necessary that the individual successfully complete their commercial driving test in order to re-obtain their CDL.

Source: *Miss. Code Ann.* §§ 45-1-3 and 63-1-201

### **Part 1 Chapter 11 Supervisor Duties and Voter Registration**

#### Rule 11.1 Driver Services Master Sergeant (M/Sgt) Responsibilities

1. See that driver license offices are properly equipped and supplied.
2. See that regional supervisors are informed of manpower needs.
3. See that all deposits for receipts collected are made according to State Statute (on the first working day following the collection of said fees).

4. See that all daily reports for driver licenses are mailed to Jackson on the first working day following the issuance of the driver licenses and all monthly reports are mailed to Jackson no later than the fifth of the following month.
5. See that no bank account is opened or closed without prior approval of the Comptroller's office.
6. Get approval from the Director of Driver Services, through the proper chain of command, before opening, closing, changing locations, office hours and/or any changes made to any driver license station.
7. Inform the regional supervisor of the location and office hours of each driver license location. The office hours will be established and regulated by the Director of Driver Services with the approval of the Chief of Patrol.
8. Audit each examiner and clerk, under his/her supervision, a minimum of once a month. The audit shall be conducted on established audit forms. The results of which will be placed in each individual's district level 201 file with a copy to the Driver Services Bureau Director's office. Also, the monthly bank validation form report should be sent to the Field Operations Supervisor.
9. Inform the Driver Services Bureau office immediately of any change of driver license station's telephone numbers.
10. These outlined responsibilities apply to all CDL stations as well as regular DL stations.
11. Act as Driver Improvement Hearing Officer for district.

Source: *Miss. Code Ann.* § 45-1-3

#### Rule 11.2 Voter Registration

Voter Registration Forms will be handled as follows:

1. The examiner will ask each applicant, eighteen (18) years or older, if they would like to register to vote.
2. The examiner will make sure that the appropriate box is marked and that the application is properly completed.
3. There is a place on the computer screen that must be marked either YES or NO showing that an applicant is asking to register to vote.



4. The Master Sergeant will place the application in an envelope with the appropriate address to the circuit clerk in the applicant’s county of residence. If the applicant’s home county is inside the Master Sergeant’s district, they are to be hand delivered to the circuit clerk. If the applicant’s home county is outside the district, the Master Sergeant will write “postage due” in the upper right-hand corner of the envelope and send to Headquarters to Driver Services, Attention “Motor Voter.”
5. There will be a control sheet provided that must be completed by the Master Sergeant and included in each envelope.

Source: *Miss. Code Ann.* § 45-1-3

**Part 1 Chapter 12 Formatting**

**Rule 12.1 Driver License and Identification Card Format**

All driver licenses and identification cards issued by the Department of Public Safety shall be of the same format. The name and address and all other personal information appearing on the license or identification card shall be in black print. No license shall denote place of employment, including elected or appointed officials. No license shall denote anyone’s rank or title.

Source: *Miss. Code Ann.* § 45-1-3

**Part 1 Chapter 13 Suspension of License**

**Rule 13.1 Suspension Period Based on Traffic Violations**

The Department of Public Safety shall suspend the driving privileges of an operator based on the following points accumulated within a three (3) year period:

15-29 points	:	Warning
30-39 points	:	Probation
40-44 points	:	30-day suspension
45-49 points	:	60-day suspension
50+ points	:	90-day suspension
Points assigned to each traffic violation are listed in Appendix E attached.		

Source: *Miss. Code Ann.* § 45-1-3

## **Part 1 Chapter 14 Automated Driver License Testing System**

### **Rule 14.1 Automated Driver License Testing System (ADLTS)**

1. When an applicant comes in to take a test, you **MUST** first check to see if they have already been entered into the ADLTS system. This procedure is done by using the “search edit applicant”.
2. When entering an applicant into the ADLTS system, you must enter both a driver license number and Social Security Number. If they do not have a driver license number, enter the Social Security Number in both fields.
3. If the applicant does not have a Social Security Number (Out-of-Country applicants), enter all 0's for the license number and Social Security Number. Once they have passed the test and have been assigned a driver permit or driver license number, you will then need to go back and enter the correct license number in the license field on the testing system.
4. If an applicant has ever tested on the ADLTS system, they cannot go to a station that does not use the ADLTS system to re-take or complete testing. They must continue testing on the ADLTS.
5. Printing of tests is only to be done for the purpose of visiting a school for Driver Education Classes or printing from a travel team. Tests are not to be printed for any other purpose. If for some reason you feel that you need to print a test for a valid reason, you will first need to call your District Supervisor for prior approval. Commercial Driver License tests are **NOT** to be printed.
6. When a test has been printed, you will need to grade all tests in the system. You do so by going under review/score paper test and choosing the date that the test was printed. You are only allowed ten (10) days to grade the test from the date that the test is printed. This will be strictly adhered to.
7. ADLTS Help Desk is to be notified of all technical problems. Do not attempt to ‘fix’ the system on your own. Examiners are not to use the keys to the machines unless they are instructed to do so by the ADLTS Help Desk.

*Source: Miss. Code Ann. § 45-1-3*

## **Part 1 Chapter 15 Enhanced Conceal and Carry Administration**

### **Rule 15.1 Enhanced Conceal and Carry Endorsement**

1. Pursuant to House Bill 506, which amended Mississippi Code Section 97-37-7, the Gun

Permits Division of Driver Services shall recognize individuals that have received advanced training in weapons handling and Mississippi laws relative to concealed carry with an enhanced endorsement. This enhanced endorsement shall only be given to an individual if they have taken and satisfactorily completed a course of the safe handling of firearms as given by a licensed and certified firearms instructor which has met the requirements of the Department of Public Safety (“Department”). The Department shall maintain a list of instructors which the Department has determined are certified within the meaning of current Mississippi laws relative to enhanced endorsements.

2. Instructors which desire to be recognized by the Department for the purpose of qualifying individuals for an enhanced endorsement must contact the Gun Permit Division of Driver Services and provide copies of their credentials as being certified to provide instruction by a nationally recognized entity that customarily offers firearm instruction or training. The instructors shall also provide contact information. They may be required to provide additional information in order to conduct a background check if they are not already a conceal and carry license holder registered in the State of Mississippi. There may be a background check fee associated with this requirement.
3. The instructor, after having provided the requisite information to the Department, will then be required to sign a Memorandum of Understanding (MOU). The MOU will contain, among other things, a requirement of at least one (1) hour of legal training relative to concealed carry and justifiable homicide as well as any other pertinent laws for the individuals that will be instructed for the purpose of the enhanced endorsement. When all information is submitted and the MOU is signed, the Gun Permit Division shall issue a sample certificate to the instructor that is to be given to the individuals that complete their respective classes. This certificate will be turned over to the Gun Permit Division by the applicant for enhanced endorsement, and shall serve as an indicator that the individual completed the required training to receive said endorsement on their conceal and carry permit. The Department reserves the right to contact the instructor named on the certificate to verify its authenticity.
4. The Gun Permits Division shall maintain records on the information submitted by certified instructors.
5. The Gun Permits Division shall maintain records on the information submitted by those individuals seeking and obtaining enhanced endorsements.
6. The Gun Permits Division shall affix a sticker to the individual’s conceal and carry permit that indicates that they have taken the requisite class and maintain an enhanced endorsement.
7. The recognition of the enhanced endorsement shall be valid indefinitely, unless reason is present to revoke the gun permit associated with the endorsement. In that scenario, the

permit holder may be required to take the enhanced endorsement class again.

8. The Department maintains the right to revoke the enhanced endorsement of an individual for cause. If the Department determines that it should revoke the endorsement for cause, it shall notify the individual in writing and provide for a hearing on the merits with the aggrieved individual.
9. Instructors shall be allowed to conduct on-line training courses upon seeking and receiving written approval from the Gun Permits Division. Instructors will be required to pre-submit their on-line curriculum and plan of action relative to conducting the on-line course. The requirements within the existing MOU between the Instructors and the Gun Permit Division shall still be in place. Moreover, applicants will be required to pass an in person shooting course before being eligible for their certificate of completion.

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY AND**

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WHEREAS, Mississippi Code Section 97-37-7(2), Mississippi Code of 1972, states (inpart) that, “a person licensed under Section 45-9-101 to carry a concealed pistol, who has voluntarily completed an instructional course in the safe handling and use of firearms offered by an instructor certified by a nationally recognized organization that customarily offers firearms training, or by any organization approved by the Department of Public Safety, shall be authorized to carry weapons in courthouses, except in courtrooms during a judicial proceeding, and any location listed in subsection (13) of Section 45-9-101, except any place of nuisance as defined in Section 95-3-1, any police, sheriff or highway patrol station or any detention facility, prison or jail.”

WHEREAS, the Mississippi Department of Public Safety shall promulgate rules and regulations allowing concealed pistol permit holders to obtain an endorsement on their permit indicating that they have completed the course and have authority to carry a concealed pistol in these locations.

WHEREAS, the Mississippi Department of Public Safety will approve certified firearms instructors certified by nationally recognized organizations that customarily offer firearms training, as well as certified instructors from other organizations deemed appropriate by the Department, that are willing and able to provide the required training for individual trainees to receive the endorsement noted in MS Code Section 97-37-7.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

**I. PURPOSE**

This is an agreement between the Mississippi Department of Public Safety and \_\_\_\_\_ as a part of the Department’s recognition of this individual/entity as an approved firearm instructor, possessing the necessary knowledge, skill and training to instruct Mississippi Conceal and Carry permit holders to the extent that they are eligible for endorsement in view of Section 97-37-7(2) of the Mississippi Code of 1972 as well as all reasonable and necessary rules as promulgated pursuant to the rule making authority of the Commissioner of Public Safety pursuant to Section 45-1-3 of the Mississippi Code of 1972.

**II. IMPLEMENTATION AND REQUIREMENTS**

The qualified instructor herein swears and agrees that they are indeed qualified through Mississippi Minimum Standards and Training as Certified Firearms Instructors or have been certified by a nationally recognized organization that customarily offers firearms training, and as such, are capable of effectively and intelligently training individuals about proper firearm

technique, usage and safe handling. A certificate shall be deposited with the Department of Public Safety illustrating recognition or certification of the instructor. Moreover, said instructor herein swears and agrees that they possess the requisite legal knowledge of State and Federal Firearms laws to effectively and intelligently convey said knowledge of said laws to individuals receiving training for their conceal and carry endorsement. Specifically, the instructors are required to make available and review pertinent Mississippi guns laws with their trainees as a part of this agreement. This legal instruction shall, at a minimum, represent an one hour component of the overall course and include instruction relative to MS Code Section 45-9-101 (License to carry stun gun, concealed pistol or revolver) and MS Code Section 97-3-15 (Homicide; justifiable homicide; use of defensive force; duty to retreat).

The instructor herein swears and agrees that they will implement and instruct based on generally accepted course requirements of nationally recognized organizations that customarily offer firearms training. Moreover, the Department shall issue to instructors a protocol of minimum competency for granting of the endorsement. The instructors are encouraged to teach beyond the minimum requirements provided by the Department. The Department will require, at a minimum, an eight (8) hour course completion by the trainees in order to issue an endorsement to an individual.

The Instructor herein swears and agrees that they have the requisite and appropriate classroom space to effectively administer the classroom aspect of the instruction. Moreover, the Instructor also possesses access to a gun range that will provide a safe and effective environment for proper education as to actual firearm usage.

The Instructor herein swears and agrees that if they conduct on on-line enhanced carry course, it will meet or exceed the baseline requirements as set forth to establish a minimum competency for granting an endorsement. Moreover, the Instructor agrees that prior to implementing and utilizing an on-line course structure, said course will be pre-approved through the Mississippi Department of Public Safety, Gun Permits Division. Furthermore, the on-line course will still require that trainees take an in-person, written test and satisfactorily complete a live-fire, in-person gun range component.

The Instructor will maintain individual files on every trainee that receives a certificate of passage of the instructive course for a period of not less than five (5) years.

On demand of the Mississippi Department of Public Safety, instructors shall make available the individual files of trainees who have received certificates. Moreover, the Mississippi Department of Public Safety reserves the right to sit in on any instructional class of the instructor relative to the endorsement that is the subject of this agreement without notice.

The Mississippi Department of Public Safety reserves the right to remove the instructor from its list of instructors at its sole discretion if it possesses a reasonable suspicion that the instructor is not properly instructing trainees or fails to maintain and require a high degree of competence by the trainees taking the instruction course and receiving a passing mark. If the Department

removes an instructor from the approved list of instructors, it will notify said instructor by certified mail and said instructor shall have the right to appeal the decision of the Department to the then acting Director of Gun Permits within thirty (30) calendar days of the notification of removal.

The instructor herein swears and agrees to hold harmless the Mississippi Department of Public Safety from any liability that should arise as a result of the firearm instruction classes that are the subject of this agreement. Furthermore, the instructor herein agrees to indemnify the Mississippi Department of Public Safety for any actual liability that should arise therein as a result of the actions of the Instructor.

### III. ILLEGAL ACTIVITY

If the Mississippi Department of Public Safety has a reasonable suspicion that trainees being instructed are being certified without either actually taking and participating fully in the course, or are being certified without possessing the required minimum level of competence to the extent that said trainee is paying and being certified with little to no instruction or proof of knowledge, the instructor shall be subject to criminal investigation and potential prosecution.

WE, THE UNDERSIGNED, HEREIN AGREE TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY AND \_\_\_\_\_.

\_\_\_\_\_  
MS DEPT. OF PUBLIC SAFETY

\_\_\_\_\_  
DATE

\_\_\_\_\_  
INSTRUCTOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
COUNTY IN THE STATE OF MISSISSIPPI

Source: *Miss. Code Ann.* §§ 45-1-3 and 97-37-7

## **Part 1 Chapter 16 Implied Consent**

### **Rule 16.1 Proof of Financial Responsibility For License Reinstatement Under Implied Consent**

In order for an individual that has received a license suspension under the State of Mississippi's Implied Consent Laws to be eligible for reinstatement, they must provide to the Department, in addition to other requirements at law, proof of financial responsibility in the form of high risk insurance, SR22 Insurance or the like, that shall be in effect for not less than a period of three (3) years after issuance in accordance with the requirements as set for in *Miss. Code Ann. § 63-15-61*.

Source: *Miss. Code Ann. §§ 45-1-3, 63-11-30, and 63-15-61*