

S.F. No. 27 – Driver’s license and identification card eligibility

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S.F. 27 amends requirements relating to obtaining a noncompliant driver’s license or ID card. A noncompliant driver’s license or ID card is a license or card that does not comply with the federal REAL ID requirements, enhanced driver’s license, or enhanced ID card requirements. This bill eliminates the requirement that an applicant demonstrate US citizenship or lawful presence in the US when applying for a noncompliant driver’s license or ID card.

Article 1 – Driver’s Licenses and Identification Cards

Section 1 [Temporary lawful admission] amends a section on issuing driver’s licenses with a temporary lawful admission status to apply to REAL ID compliant licenses.

Section 2 [Contents of application; other information] eliminates the need to certify that an applicant does not have a Social Security number, but leaves in place the requirement that the applicant make a statement to that effect, if applicable.

Section 3 [Noncompliant license or identification card; residence, lawful status] requires a person who applies for a noncompliant driver’s license or ID card to attest to residence in the state. The applicant is not required to demonstrate US citizenship or lawful presence in the US.

Section 4 [Noncompliant license or identification card; general requirements] requires documents submitted with an application for a noncompliant driver’s license or ID card to include certain information. Requires the commissioner of public safety to establish a waiver process for the requirements of **sections 5 and 6**. Prohibits using the same document as both a primary and secondary document.

Section 5 [Noncompliant license or identification card; primary documents] provides for additional types of primary documents that may be used when applying for a noncompliant driver’s license or ID card. This is in addition to primary documents provided for in current administrative rules.

Section 6 [Noncompliant license or identification card; secondary documents] provides for additional types of secondary documents that may be used when applying for a noncompliant driver's license or ID card. This is in addition to primary documents provided for in current administrative rules.

Section 7 [License; contents and design] and **Section 8 [Identification card; content and design; fee]** prohibit noncompliant driver's licenses and ID card from including any indication of the cardholder's lawful presence. Specifies that the requirement to mark licenses and ID cards as "temporary" only applies to REAL ID cards.

Section 9 [Appropriation] makes a blank appropriation from the general fund to the commissioner of public safety to implement the requirements of this bill. This section is effective the day following final enactment.

Section 10 [Repealer] repeals a subdivision that prohibits the commissioner of public safety from adopting rules relating to identification requirements when applying for a driver's license or ID card.

Article 2 – Data Protections

Section 1 [Noncompliant license or identification card; lawful status] states that data on certain noncompliant driver's licenses and ID cards are governed by **section 4**.

Section 2 [Disclosure of personal information] specifies that the requirement that the commissioner disclose personal information does not apply to data restricted by **section 4**.

Section 3 [Driving record disclosure to law enforcement] specifies that the requirement that the commissioner disclose driving records does not apply to data restricted by **section 4**.

Section 4 [Certain data on noncompliant license or identification card; department and agents] prohibits the commissioner of public safety and driver's license agents from sharing or disseminating any data on individuals indicating whether that individual has demonstrated US citizenship or lawful status in relation to a noncompliant driver's license or ID card. (This prohibition does not apply to sharing information within the Division of Vehicle Services within the Department of Public Safety.) The commissioner and driver's license agents are prohibited from sharing or disseminating information about citizenship or lawful status with federal, state, or local entities or any entity authorized to obtain bulk data on drivers.