

IN THE SENATE

SENATE BILL NO. 1043

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLE DRIVER'S LICENSES AND IDENTIFICATION CARDS;
2 AMENDING SECTION 49-315, IDAHO CODE, TO PROVIDE THAT A LICENSEE WHO IS
3 A VETERAN MAY REQUEST THAT HIS OR HER STATUS AS SUCH BE DESIGNATED ON
4 HIS OR HER DRIVER'S LICENSE AND TO ESTABLISH PROVISIONS GOVERNING SUCH
5 DESIGNATION; AMENDING SECTION 49-2444, IDAHO CODE, TO PROVIDE THAT A
6 PERSON WHO IS A VETERAN MAY REQUEST THAT HIS OR HER STATUS AS SUCH BE DES-
7 IGNATED ON AN IDENTIFICATION CARD AND TO ESTABLISH PROVISIONS GOVERNING
8 SUCH DESIGNATION; AND PROVIDING AN EFFECTIVE DATE.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section 49-315, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 49-315. LICENSES ISSUED TO DRIVERS. (1) The department shall issue
14 to every qualifying applicant a distinguishing driver's license as applied
15 for, which shall bear a distinguishing number assigned to the licensee, the
16 full name, date of birth, Idaho residence address, sex, weight, height, eye
17 color, hair color, color photograph, name of this state, date of issuance,
18 date of expiration, license class, endorsements, restrictions, and the ap-
19 plicant's signature. If an applicant has submitted an application pursuant
20 to the provisions of chapter 58, title 19, Idaho Code, then the applicant's
21 driver's license shall contain his or her alternative Idaho mailing address
22 in place of his or her Idaho residence address. Driver's licenses for per-
23 sons under eighteen (18) years of age shall include a notation "under 18
24 until (month, day, year)," and driver's licenses for persons eighteen (18)
25 years of age to twenty-one (21) years of age shall include a notation "under
26 21 until (month, day, year)." No driver's license shall be valid until it has
27 been signed on the signature line of the license by the licensee.

28 (2) Every driver's license shall bear a color photograph of the li-
29 censee, which shall be taken by the examiner at the time the application is
30 made. The photograph shall be taken without headgear or other clothing or
31 device that disguises or otherwise conceals the face or head of the appli-
32 cant. A waiver may be granted by the department allowing the applicant to
33 wear headgear or other head covering for medical, religious or safety pur-
34 poses so long as the face is not disguised or otherwise concealed. At the
35 request of the applicant, a driver's license may contain a statement or indi-
36 cation of the medical condition of the licensee.

37 (3) The department shall notify the commercial driver license infor-
38 mation system that a class A, B or C driver's license has been issued as re-
39 quired by 49 CFR parts 383 and 384.

40 (4) A licensee applying for a hazardous material endorsement on a
41 driver's license shall have a security background records check and shall
42 receive clearance from the federal transportation security administration

1 before the endorsement can be issued, renewed or transferred as required
2 by 49 CFR part 383, subject to procedures established by the federal trans-
3 portation security administration.

4 (5) A licensee who desires to donate any or all organs or tissue in the
5 event of death, and who has completed a document of gift pursuant to the pro-
6 visions for donation of anatomical gifts as set forth in chapter 34, title
7 39, Idaho Code, may, at the option of the donor, indicate this desire on the
8 driver's license by the imprinting of the word "donor" on the license. The
9 provisions of this subsection shall apply to licensees sixteen (16) years of
10 age or older but less than eighteen (18) years of age if the requirements pro-
11 vided in chapter 34, title 39, Idaho Code, have been complied with and the
12 donor indicates this desire be placed on the license.

13 (6) A licensee who is a person with a permanent disability may request
14 that the notation "permanently disabled" be imprinted on the driver's li-
15 cense, provided the licensee presents written certification from a licensed
16 physician verifying that the licensee's stated impairment qualifies as a
17 permanent disability according to the provisions of section 49-117, Idaho
18 Code.

19 (7) A licensee who is a veteran may request that his or her status as
20 such be designated on the driver's license at no additional cost. Any such
21 request shall be accompanied by proof of being a current or former member of
22 the United States armed forces. Upon request and submission of satisfactory
23 proof, the department shall indicate such person's status as a veteran on any
24 class of driver's license issued pursuant to this section. Such designation
25 shall be made upon original issuance or renewal of a driver's license. Des-
26 ignation shall also be made on any duplicate driver's license issued, pro-
27 vided that the fee for such duplicate driver's license is paid in accordance
28 with section 49-306, Idaho Code.

29 Satisfactory proof of being a current or former member of the United
30 States armed forces must be furnished by an applicant to the department
31 before a designation of veteran status will be indicated on any class of
32 driver's license. Acceptable proof shall be a copy of form DD214 or an equiv-
33 alent document or statement from the department of veterans affairs that
34 identifies a character of service upon separation as "honorable" or "general
35 under honorable conditions."

36 SECTION 2. That Section 49-2444, Idaho Code, be, and the same is hereby
37 amended to read as follows:

38 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)
39 The department shall issue a distinguishing identification card that shall
40 set forth the information contained in the application, in a form as pre-
41 scribed by the department. All identification cards issued on or after Jan-
42 uary 1, 1993, shall not contain the applicant's social security number. An
43 applicant's social security number shall be exempt from disclosure except
44 for inquiries from agencies or institutions authorized to obtain such infor-
45 mation by federal law or regulation, from peace officers or from jury com-
46 missioners. Each card shall have printed on it the applicant's full name,
47 date of birth, Idaho residence address, sex, weight, height, eye color, hair
48 color, and shall be issued a distinguishing number assigned to the appli-
49 cant. If an applicant has submitted an application pursuant to the provi-

1 sions of chapter 58, title 19, Idaho Code, then the applicant's identifica-
2 tion card shall contain his or her alternative Idaho mailing address in place
3 of his or her Idaho residence address. Each card shall also have printed on
4 it the name of this state, the date of issuance, and the date of expiration.
5 An identification card shall not be valid until it has been signed on the sig-
6 nature line by the applicant. Each card shall bear upon it a color photograph
7 of the applicant which shall be taken by the examiner at the time of appli-
8 cation. The photograph shall be taken without headgear or other clothing or
9 device that disguises or otherwise conceals the face or head of the appli-
10 cant. A waiver may be granted by the department allowing the applicant to
11 wear headgear or other head covering for medical, religious or safety pur-
12 poses so long as the face is not disguised or otherwise concealed. At the re-
13 quest of the applicant, an identification card may contain a statement or in-
14 dication of the medical condition of the applicant.

15 No person shall receive an identification card unless and until he sur-
16 renders to the department all identification cards in his possession issued
17 to him by Idaho or any other jurisdiction, or any driver's license issued by
18 any other jurisdiction within the United States, or until he executes an af-
19 fidavit that he does not possess an identification card or any driver's li-
20 cense.

21 Identification cards issued to persons under eighteen (18) years of age
22 shall include a notation "under 18 until (month, day, year)," and identifi-
23 cation cards issued to persons eighteen (18) years of age to twenty-one (21)
24 years of age shall include a notation "under 21 until (month, day, year)."
25 The nonrefundable fee for a four-year identification card issued to persons
26 twenty-one (21) years of age or older shall be ten dollars (\$10.00) of which
27 five dollars (\$5.00) shall be retained by the county and credited to the cur-
28 rent expense fund, and five dollars (\$5.00) shall be deposited in the state
29 treasury to the credit of the highway distribution account. The nonrefund-
30 able fee for identification cards issued to persons under twenty-one (21)
31 years of age shall be ten dollars (\$10.00), of which five dollars (\$5.00)
32 shall be retained by the county and credited to the current expense fund, and
33 five dollars (\$5.00) shall be deposited in the state treasury to the credit
34 of the highway distribution account. The nonrefundable fee for an eight-
35 year identification card shall be twenty dollars (\$20.00) of which ten dol-
36 lars (\$10.00) shall be retained by the county and credited to the current ex-
37 pense fund, and ten dollars (\$10.00) shall be deposited in the state treasury
38 to the credit of the highway distribution account. At the option of the ap-
39 plicant, the identification card issued to a person twenty-one (21) years of
40 age or older shall expire either on the cardholder's birthday in the fourth
41 year or the eighth year following issuance of the card, except as otherwise
42 provided in subsection (3) of this section. Every identification card is-
43 sued to a person under eighteen (18) years of age shall expire five (5) days
44 after the person's eighteenth birthday, except as otherwise provided in sub-
45 section (3) of this section. Every identification card issued to a person
46 eighteen (18) years of age but under twenty-one (21) years of age shall ex-
47 pire five (5) days after the person's twenty-first birthday, except as oth-
48 erwise provided in subsection (3) of this section.

49 Individuals required to register in compliance with section 3 of the
50 federal military selective service act, 50 U.S.C. App. 451 et seq., as

1 amended, shall be provided an opportunity to fulfill such registration re-
2 quirements in conjunction with an application for an identification card.
3 Any registration information so supplied shall be transmitted by the depart-
4 ment to the selective service system.

5 (2) Every identification card, except those issued to persons under
6 twenty-one (21) years of age, shall be renewable on or before its expiration,
7 but not more than twenty-five (25) months before, and upon application and
8 payment of the required fee.

9 (3) Every identification card issued to a person who is not a citizen or
10 permanent legal resident of the United States shall have an expiration date
11 that is the same date as the end of lawful stay in the United States as indi-
12 cated on documents issued and verified by the department of homeland secu-
13 rity, provided however, that the expiration date shall not extend beyond the
14 expiration date for the same category of identification card issued to citi-
15 zens. Persons whose department of homeland security documents do not state
16 an expiration date shall be issued an identification card with an expiration
17 date of one (1) year from the date of issuance.

18 (4) When an identification card has been expired for less than twenty-
19 five (25) months, the renewal of the identification card shall start from
20 the original date of expiration regardless of the year in which the applica-
21 tion for renewal is made. If the identification card is expired for more than
22 twenty-five (25) months, the application shall expire, at the option of the
23 applicant, on the applicant's birthday in the fourth year or the eighth year
24 following reissuance of the identification card, except as otherwise pro-
25 vided in subsection (3) of this section.

26 (5) (a) If an Idaho identification card has expired or will expire and
27 the identification cardholder is temporarily out of state except on ac-
28 tive military duty, the identification cardholder may request in writ-
29 ing on a form prescribed by the department an extension of the identifi-
30 cation card. The request shall be accompanied by the fee fixed in sec-
31 tion 49-306, Idaho Code, and the extension shall be no more than a twelve
32 (12) month period. If the department determines that an extension of
33 the identification card is necessary, it may issue an identification
34 card showing the date to which the expired identification card is ex-
35 tended. Identification card extensions are limited to two (2) consecu-
36 tive extensions per identification cardholder.

37 (b) Upon returning to the state of Idaho, the identification cardholder
38 shall, within ten (10) days, apply for a renewal of the expired iden-
39 tification card and surrender the extended identification card and the
40 expired identification card.

41 (6) An Idaho identification card issued to any person prior to serving
42 on active duty in the armed forces of the United States, or a member of the
43 immediate family accompanying such a person, if valid and in full force and
44 effect upon entering active duty, shall remain in full force and effect and
45 shall, upon application, be extended for a period of four (4) years so long
46 as active duty continues, and the identification card shall remain in full
47 force and effect sixty (60) days following the date the cardholder is re-
48 leased from active duty.

49 (7) A person possessing an identification card who desires to donate
50 any or all organs or tissue in the event of death, and who has completed a

1 document of gift pursuant to the provisions for donation of anatomical gifts
2 as set forth in chapter 34, title 39, Idaho Code, may, at the option of the
3 donor, indicate this desire on the identification card by the imprinting of
4 the word "donor" on the identification card. The provisions of this subsec-
5 tion shall apply to persons possessing an identification card who are six-
6 teen (16) years of age or older but less than eighteen (18) years of age if
7 the requirements provided in chapter 34, title 39, Idaho Code, have been com-
8 plied with.

9 (8) A person possessing an identification card or an applicant for an
10 identification card who is a person with a permanent disability may request
11 that the notation "permanently disabled" be imprinted on the identification
12 card, provided the person presents written certification from a licensed
13 physician verifying that the person's stated impairment qualifies as a per-
14 manent disability according to the provisions of section 49-117, Idaho Code.

15 (9) A person who is a veteran may request that his or her status as such
16 be designated on an identification card at no additional cost. Any such re-
17 quest shall be accompanied by proof of being a current or former member of
18 the United States armed forces. Upon request and submission of satisfactory
19 proof, the department shall indicate such person's status as a veteran on any
20 identification card issued pursuant to the provisions of this section. Such
21 designation shall be made upon original issuance or renewal of an identifi-
22 cation card. Designation shall also be made on any duplicate identification
23 card issued, provided that the fee for such duplicate card is paid in accor-
24 dance with this section.

25 Satisfactory proof of being a current or former member of the United
26 States armed forces must be furnished by an applicant to the department be-
27 fore a designation of veteran status will be indicated on any identification
28 card. Acceptable proof shall be a copy of form DD214 or an equivalent docu-
29 ment or statement from the department of veterans affairs that identifies a
30 character of service upon separation as "honorable" or "general under hon-
31 orable conditions."

32 (10) In the case of a name change, the applicant shall provide legal doc-
33 umentation to verify the change in accordance with department rules.

34 (101) Whenever any person, after applying for or receiving an identifi-
35 cation card, shall move from the address shown on the application or on the
36 identification card issued, that person shall, within thirty (30) days, no-
37 tify the transportation department in writing of the old and new addresses.

38 (112) The department shall cancel any identification card upon deter-
39 mining that the person was not entitled to the issuance of the identification
40 card, or that the person failed to give the required and correct information
41 in his application or committed fraud in making the application. Upon can-
42 cellation, the person shall surrender the canceled identification card to
43 the department.

44 (123) If any person shall fail to return to the department the identifi-
45 cation card as required, the department may direct any peace officer to se-
46 cure its possession and return the identification card to the department.

47 (134) The department may issue a no-fee identification card to an indi-
48 vidual whose driver's license has been canceled and voluntarily surrendered
49 as provided in section 49-322 (5), Idaho Code. The identification card may be

1 renewed at no cost to the applicant as long as the driver's license remains
2 canceled.

3 (145) It is an infraction for any person to fail to notify the department
4 of a change of address as required by the provisions of subsection (101) of
5 this section.

6 SECTION 3. This act shall be in full force and effect on and after Novem-
7 ber 10, 2014.