

HOUSE BILL 789

R4

3lr2198
CF SB 715

By: Delegates Ivey, Anderson, Arora, Barkley, Barnes, Barve, Bobo, Braveboy, Carr, Carter, Conaway, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Griffith, Gutierrez, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Jones, Kaiser, A. Kelly, Kramer, Lee, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Murphy, Nathan-Pulliam, Niemann, Oaks, Pena-Melnyk, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Stukes, Summers, Swain, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, A. Washington, M. Washington, and Zucker

Introduced and read first time: February 6, 2013

Assigned to: Ways and Means

Reassigned: Judiciary, February 11, 2013

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 2013

CHAPTER _____

1 AN ACT concerning

2 ~~Vehicle Laws – Lawful Status Requirement – Repeal~~
3 ~~(Maryland Highway Safety Act of 2013)~~

4 FOR the purpose of ~~repealing a requirement that an applicant for issuance or renewal~~
5 ~~of an identification card, a moped operator's permit, or a license to drive provide~~
6 ~~certain evidence of the applicant's lawful status in the United States and~~
7 ~~certain evidence relating to a Social Security number; repealing certain~~
8 ~~provisions of law relating to the acceptability, by federal agencies for certain~~
9 ~~official purposes, of an identification card, a moped operator's permit, or a~~
10 ~~license to drive issued by the Motor Vehicle Administration; repealing~~
11 ~~requirements that the Administration establish a certain security plan and~~
12 ~~adopt certain regulations; repealing certain defined terms; providing for the~~
13 ~~repeal of laws inconsistent with this Act; requiring the publishers of the~~
14 ~~Annotated Code of Maryland, in consultation with and subject to the approval of~~
15 ~~the Department of Legislative Services, to correct any references throughout the~~
16 ~~Code that are rendered incorrect by this Act and to describe any corrections in~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~an editor's note following the section affected; and generally relating to~~
 2 ~~identification cards, moped operators' permits, and licenses to drive issued or~~
 3 ~~renewed by the Motor Vehicle Administration authorizing the issuance, to new~~
 4 ~~applicants, of identification cards, moped operators' permits, and drivers'~~
 5 ~~licenses that are not acceptable by federal agencies for certain official purposes;~~
 6 ~~requiring a certain applicant for an identification card, a moped operator's~~
 7 ~~permit, or a driver's license to provide certain evidence that the applicant has~~
 8 ~~filed certain Maryland income tax returns or has resided in Maryland for a~~
 9 ~~certain period of time and been claimed as a dependent on certain Maryland~~
 10 ~~income tax returns; repealing a provision of law that prohibits, after a certain~~
 11 ~~date, the issuance or renewal of identification cards, moped operators' permits,~~
 12 ~~and drivers' licenses that are not acceptable by federal agencies for certain~~
 13 ~~official purposes; requiring that certain identification cards, moped operators'~~
 14 ~~permits, and drivers' licenses include a certain statement; repealing a~~
 15 ~~requirement that certain identification cards, moped operators' permits, and~~
 16 ~~drivers' licenses that are not acceptable by federal agencies for certain official~~
 17 ~~purposes expire by a certain date; providing for a delayed effective date; and~~
 18 ~~generally relating to the issuance of identification cards, moped operators'~~
 19 ~~permits, and drivers' licenses that are not acceptable by federal agencies for~~
 20 ~~certain official purposes.~~

21 ~~BY repealing~~

22 ~~Article — Transportation~~
 23 ~~Section 11-127.1, 11-165.1, and 16-121 through 16-123~~
 24 ~~Annotated Code of Maryland~~
 25 ~~(2012 Replacement Volume)~~

26 ~~BY repealing and reenacting, with amendments,~~

27 ~~Article — Transportation~~
 28 ~~Section 12-301(a) and (i), 16-103.1, 16-104.2, 16-106, and 16-115(a)~~
 29 ~~Annotated Code of Maryland~~
 30 ~~(2012 Replacement Volume)~~

31 ~~BY repealing~~

32 ~~Chapter 390 of the Acts of the General Assembly of 2009~~
 33 ~~Section 3~~

34 BY repealing and reenacting, with amendments,

35 Article — Transportation
 36 Section 16-122
 37 Annotated Code of Maryland
 38 (2012 Replacement Volume)

39 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 40 MARYLAND, That ~~Section(s) 11-127.1, 11-165.1, and 16-121 through 16-123 of~~
 41 ~~Article — Transportation of the Annotated Code of Maryland be repealed.~~

~~SECTION 2. AND BE IT FURTHER ENACTED,~~ That the Laws of Maryland
read as follows:

Article – Transportation

~~12-301.~~

~~(a) On application, the Administration shall issue an identification card to any applicant who:~~

~~(1) Is a resident of this State;~~

~~(2) Does not have a driver's license;~~

~~(3) Presents a birth certificate or other proof of age and identity acceptable to the Administration; AND~~

~~(4) [Provides satisfactory documentary evidence that the applicant has lawful status;~~

~~(5) (i) Provides satisfactory documentary evidence that the applicant has a valid Social Security number by presenting the applicant's Social Security Administration account card or, if the Social Security Administration account card is not available, any of the following documents bearing the applicant's Social Security number:~~

~~1. A current W-2 form;~~

~~2. A current SSA-1099 form;~~

~~3. A current non-SSA-1099 form; or~~

~~4. A current pay stub with the applicant's name and Social Security number on it; or~~

~~(ii) Provides satisfactory documentary evidence that the applicant is not eligible for a Social Security number; and~~

~~(6) Presents a completed application for an identification card on a form furnished by the Administration.~~

~~(i) (1) [Subject to paragraph (2) of this subsection, an] AN identification card issued to an applicant expires at the end of a period of not more than 8 years determined in regulations adopted by the Administration.~~

~~(2) [(i) If an applicant has temporary lawful status, the Administration may not issue an identification card to the applicant for a period that~~

1 ~~extends beyond the expiration date of the applicant's authorized stay in the United~~
2 ~~States or, if there is no expiration date, for a period longer than 1 year.~~

3 ~~(ii) Nothing contained in this paragraph may be construed to~~
4 ~~allow the issuance of an identification card for a period longer than the period~~
5 ~~described in paragraph (1) of this subsection.~~

6 ~~(iii) The Administration shall indicate on the face and in the~~
7 ~~machine-readable zone of a temporary identification card issued under this paragraph~~
8 ~~that the card is a temporary identification card.~~

9 ~~(3)] An identification card may be renewed on application and payment~~
10 ~~of the fee required by this section.~~

11 ~~16-103.1.~~

12 ~~The Administration may not issue a driver's license to an individual:~~

13 ~~(1) During any period for which the individual's license to drive is~~
14 ~~revoked, suspended, refused, or canceled in this or any other state, unless the~~
15 ~~individual is eligible for a restricted license under § 16-113(c) of this subtitle;~~

16 ~~(2) Who is an habitual drunkard, habitual user of narcotic drugs, or~~
17 ~~habitual user of any other drug to a degree that renders the individual incapable of~~
18 ~~safely driving a motor vehicle;~~

19 ~~(3) Who previously has been adjudged to be suffering from any mental~~
20 ~~disability or mental disease and who, at the time of application, has not been adjudged~~
21 ~~competent;~~

22 ~~(4) Who is required by this title to take an examination, unless the~~
23 ~~individual has passed the examination;~~

24 ~~(5) Whose driving of a motor vehicle on the highways the~~
25 ~~Administration has good cause to believe would be inimical to public safety or welfare;~~

26 ~~(6) Who is unable to exercise reasonable control over a motor vehicle~~
27 ~~due to disease or a physical disability, including the loss of an arm or leg or both,~~
28 ~~except that, if the individual passes the examination required by this title, the~~
29 ~~Administration may issue the individual a restricted license requiring the individual~~
30 ~~to wear a workable artificial limb or other similar body attachment;~~

31 ~~(7) Who is unable to understand highway warning or direction signs~~
32 ~~written in the English language;~~

33 ~~(8) Who is unable to sign the individual's name for identification~~
34 ~~purposes;~~

1 (9) ~~Who is 70 years old or older and applying for a new license, unless~~
2 ~~the applicant presents to the Administration;~~

3 (i) ~~Proof of the individual's previous satisfactory operation of a~~
4 ~~motor vehicle; or~~

5 (ii) ~~A written certification acceptable to the Administration from~~
6 ~~a licensed physician attesting to the general physical and mental qualifications of the~~
7 ~~applicant; OR~~

8 (10) ~~[Who does not provide satisfactory documentary evidence of lawful~~
9 ~~status;~~

10 (11) ~~Who does not provide:~~

11 (i) ~~Satisfactory documentary evidence that the applicant has a~~
12 ~~valid Social Security number by presenting the applicant's Social Security~~
13 ~~Administration account card or, if the Social Security Administration account card is~~
14 ~~not available, any of the following documents bearing the applicant's Social Security~~
15 ~~number:~~

16 1. ~~A current W-2 form;~~

17 2. ~~A current SSA 1099 form;~~

18 3. ~~A current non-SSA 1099 form; or~~

19 4. ~~A current pay stub with the applicant's name and~~
20 ~~Social Security number on it; or~~

21 (ii) ~~Satisfactory documentary evidence that the applicant is not~~
22 ~~eligible for a Social Security number; or~~

23 (12) ~~Who otherwise does not qualify for a license under this title.~~

24 ~~16-104.2.~~

25 (a) ~~On application, the Administration shall issue a moped operator's permit~~
26 ~~to an applicant who:~~

27 (1) ~~Is 16 years of age or older; AND~~

28 (2) ~~Does not possess a valid driver's license issued by this State or any~~
29 ~~other jurisdiction, but whose license or privilege to drive is not revoked, suspended,~~
30 ~~refused, or canceled;~~

1 ~~(3) Provides satisfactory documentary evidence that the applicant has~~
2 ~~lawful status; and~~

3 ~~(4) (i) Provides satisfactory documentary evidence that the~~
4 ~~applicant has a valid Social Security number by presenting the applicant's Social~~
5 ~~Security Administration account card or, if the Social Security Administration account~~
6 ~~card is not available, any of the following documents bearing the applicant's Social~~
7 ~~Security number:~~

8 ~~1. A current W-2 form;~~

9 ~~2. A current SSA-1099 form;~~

10 ~~3. A current non-SSA-1099 form; or~~

11 ~~4. A current pay stub with the applicant's name and~~
12 ~~Social Security number on it; or~~

13 ~~(ii) Provides satisfactory documentary evidence that the~~
14 ~~applicant is not eligible for a Social Security number].~~

15 ~~(b) An applicant is entitled to receive a moped operator's permit if the~~
16 ~~applicant:~~

17 ~~(1) Passes the examination provided for in § 16-110(e)(1) of this~~
18 ~~subtitle; AND~~

19 ~~(2) Pays the fee provided for in this section]; and~~

20 ~~(3) Provides the documentary evidence described in subsection (a) of~~
21 ~~this section].~~

22 ~~(c) Each application for a moped operator's permit shall be on a form and~~
23 ~~contain the information that the Administration requires and each permit issued shall~~
24 ~~be of a size, design, and content that the Administration specifies.~~

25 ~~(d) (1) A permit is not valid unless the applicant signs the applicant's~~
26 ~~name on it in the applicant's usual signature.~~

27 ~~(2) When issued and signed, a moped operator's permit only~~
28 ~~authorizes its holder to operate a moped, as defined in § 11-134.1 of this article or a~~
29 ~~motor scooter, as defined in § 11-134.5 of this article.~~

30 ~~(e) [(1) Subject to paragraph (2) of this subsection, a] A moped operator's~~
31 ~~permit expires at the end of a period of not more than 5 years determined in~~
32 ~~regulations adopted by the Administration.~~

1 ~~[(2) (i) If an applicant has temporary lawful status, the~~
2 ~~Administration may not issue a moped operator's permit to the applicant for a period~~
3 ~~that extends beyond the expiration date of the applicant's authorized stay in the~~
4 ~~United States or, if there is no expiration date, for a period longer than 1 year.~~

5 ~~(ii) Nothing contained in this paragraph may be construed to~~
6 ~~allow the issuance of a moped operator's permit for a period longer than the period~~
7 ~~described in paragraph (1) of this subsection.~~

8 ~~(iii) The Administration shall indicate on the face and in the~~
9 ~~machine-readable zone of a temporary moped operator's permit issued under this~~
10 ~~paragraph that the permit is a temporary moped operator's permit.~~

11 ~~(3) It may be renewed on application and payment of the fee required~~
12 ~~by subsection (f) of this section.]~~

13 ~~(f) (1) For issuance or renewal of a moped operator's permit, an applicant~~
14 ~~shall pay the Administration a fee established by the Administration.~~

15 ~~(2) For issuance of a duplicate moped operator's permit, an applicant~~
16 ~~shall pay the Administration a fee established by the Administration.~~

17 ~~16-106.~~

18 ~~(a) Each application for a driver's license shall be made on the form that the~~
19 ~~Administration requires.~~

20 ~~(b) The application shall state:~~

21 ~~(1) The full name, Maryland residence address, race, sex, height,~~
22 ~~weight, general physical condition, and date of birth of the applicant;~~

23 ~~(2) Whether the applicant previously has been refused a license to~~
24 ~~drive and, if so:~~

25 ~~(i) By what state or country; and~~

26 ~~(ii) The date of and reason for the refusal;~~

27 ~~(3) Whether the applicant previously has been licensed to drive and, if~~
28 ~~so:~~

29 ~~(i) When and by what state or country; and~~

30 ~~(ii) Whether the license ever has been suspended, revoked, or~~
31 ~~cancelled and, if so, the date of and reason for the suspension, revocation, or~~
32 ~~cancellation;~~

1 ~~(4) Subject to the provisions of subsection (c) of this section, the~~
2 ~~applicant's Social Security number; and~~

3 ~~(5) Any other pertinent information that the Administration requires.~~

4 ~~[(c) An applicant shall provide:~~

5 ~~(1) Satisfactory documentary evidence that the applicant has a valid~~
6 ~~Social Security number by presenting the applicant's Social Security Administration~~
7 ~~account card or, if the Social Security Administration account card is not available,~~
8 ~~any of the following documents bearing the applicant's Social Security number:~~

9 ~~(i) A current W-2 form;~~

10 ~~(ii) A current SSA-1099 form;~~

11 ~~(iii) A current non-SSA-1099 form; or~~

12 ~~(iv) A current pay stub with the applicant's name and Social~~
13 ~~Security number on it; or~~

14 ~~(2) Satisfactory documentary evidence that the applicant is not~~
15 ~~eligible for a Social Security number.]~~

16 ~~**(C) IF AN APPLICANT DOES NOT HAVE A SOCIAL SECURITY NUMBER,**~~
17 ~~**THE APPLICANT SHALL CERTIFY IN THE APPLICATION THAT THE APPLICANT**~~
18 ~~**DOES NOT HAVE A SOCIAL SECURITY NUMBER.**~~

19 ~~(d) The applicant shall sign the application and certify that the statements~~
20 ~~made in it are true.~~

21 ~~(e) (1) Except as otherwise provided in this subsection, an applicant for~~
22 ~~an original license shall submit with the application a birth certificate or other proof of~~
23 ~~age and identity that is satisfactory to the Administration.~~

24 ~~(2) An individual party to an absolute divorce may elect to use a prior~~
25 ~~legal or true name upon filing an affidavit or other proof, satisfactory to the~~
26 ~~Administration, of:~~

27 ~~(i) The prior name; and~~

28 ~~(ii) The absolute divorce.~~

29 ~~(3) An applicant who claims a name change by or under the common~~
30 ~~law of this State or any other state shall submit with the applicant's application the~~
31 ~~following:~~

1 (i) ~~An affidavit of the name by which the applicant is known~~
2 ~~and transacts business, as demonstrated by a Social Security card or record together~~
3 ~~with documents from at least 2 of the following categories:~~

- 4 1. ~~Tax records;~~
5 2. ~~Selective Service card or records;~~
6 3. ~~Voter registration card or records;~~
7 4. ~~Passport;~~
8 5. ~~A form of identification issued by a government unit~~
9 ~~that contains a photograph of the applicant;~~
10 6. ~~Baptismal certificate;~~
11 7. ~~Banking records; and~~
12 8. ~~Other proof of age and identity that is satisfactory to~~
13 ~~the Administration;~~

14 (ii) ~~Any document required under subparagraph (i) of this~~
15 ~~paragraph reflecting the legal name previously given to, or used by, the applicant prior~~
16 ~~to assuming the common law name;~~

17 (iii) ~~Any driver's license issued to the applicant in the name~~
18 ~~previously used by the applicant prior to assuming the common law name; and~~

19 (iv) ~~A copy of the applicant's birth certificate or other proof of~~
20 ~~age and identity that is satisfactory to the Administration.~~

21 ~~[(4) An applicant shall provide satisfactory documentary evidence that~~
22 ~~the applicant has lawful status.]~~

23 (f) ~~If an individual previously licensed to drive in another jurisdiction~~
24 ~~applies for a license, the Administration may request a copy of his driving record from~~
25 ~~the other jurisdiction.~~

26 (g) ~~If another licensing jurisdiction requests a driving record from the~~
27 ~~Administration, the Administration may send the record to it without charge.~~

28 ~~16-115.~~

29 (a) (1) ~~[Subject to paragraph (5) of this subsection, a] A license issued~~
30 ~~under this title to a driver at least 21 years old shall expire on the birth date of the~~

1 ~~licensee at the end of a period of not more than 8 years determined in regulations~~
2 ~~adopted by the Administration following the issuance of the license.~~

3 ~~(2) [Subject to paragraph (5) of this subsection, a] A license issued~~
4 ~~under this title to a driver under the age of 21 years shall expire not later than 60~~
5 ~~days after the driver's 21st birthday.~~

6 ~~(3) A license is renewable on the presentation of an application, the~~
7 ~~payment of the renewal fee required by § 16-111.1 of this subtitle, and satisfactory~~
8 ~~completion of the examination required or authorized by subsection (i) of this section:~~

9 ~~(i) Within 6 months before its expiration; or~~

10 ~~(ii) When a driver qualifies for a corrected license issued under §~~
11 ~~16-114.1(e) of this subtitle.~~

12 ~~(4) Except as provided in subsection (f) of this section, the~~
13 ~~Administration may not renew an individual's license for more than one consecutive~~
14 ~~term without requiring the individual to appear in person at an office of the~~
15 ~~Administration.~~

16 ~~[(5) (i) If an applicant has temporary lawful status, the~~
17 ~~Administration may not issue to the applicant a license to drive for a period that~~
18 ~~extends beyond the expiration date of the applicant's authorized stay in the United~~
19 ~~States or, if there is no expiration date, for a period longer than 1 year.~~

20 ~~(ii) Nothing contained in this paragraph may be construed to~~
21 ~~allow the issuance of a temporary license to drive for a period longer than the period~~
22 ~~described in this subsection.~~

23 ~~(iii) The Administration shall indicate on the face and in the~~
24 ~~machine readable zone of a temporary license to drive that the license is a temporary~~
25 ~~license to drive.~~

26 ~~(6) A holder of a temporary license to drive who had temporary lawful~~
27 ~~status at the time of the issuance of the temporary license to drive shall present~~
28 ~~satisfactory documentary evidence of lawful status if the holder applies for issuance or~~
29 ~~renewal of any license to drive under this subtitle.]~~

30 ~~Chapter 390 of the Acts of 2009~~

31 ~~[SECTION 3. AND BE IT FURTHER ENACTED, That the Motor Vehicle~~
32 ~~Administration shall adopt regulations to implement this Act, including regulations to:~~

33 ~~(1) create a written, defined exceptions process, consistent with~~
34 ~~regulations adopted by the Secretary of the United States Department of Homeland~~
35 ~~Security, for applicants who, for reasons beyond their control, are unable to present all~~

~~1 necessary documentation and must rely on alternative documents to establish identity
2 or date of birth, however, under the regulations, alternative documents to demonstrate
3 lawful status shall only be allowed to demonstrate that the applicant is a citizen of the
4 United States; and~~

~~5 (2) implement the provisions of this Act concerning a non-match, as
6 described in this Act, of documentation provided by an applicant to the
7 Administration.]~~

~~8 SECTION 3. AND BE IT FURTHER ENACTED, That all laws or parts of laws,
9 public general or public local, inconsistent with this Act, are repealed to the extent of
10 the inconsistency.~~

~~11 SECTION 4. AND BE IT FURTHER ENACTED, That the publishers of the
12 Annotated Code of Maryland, in consultation with and subject to the approval of the
13 Department of Legislative Services, shall correct any references throughout the
14 Annotated Code that are rendered incorrect by this Act, with no further action
15 required by the General Assembly. The publishers shall adequately describe any such
16 correction in an editor's note following the section affected.~~

~~17 16-122.~~

18 (a) (1) Notwithstanding any other provision of this article, the
19 Administration shall, subject to the provisions of this section, issue or renew an
20 identification card, a moped operator's permit, or a license to drive that is not
21 acceptable by federal agencies for official purposes determined by the Secretary of the
22 United States Department of Homeland Security if an applicant:

23 (i) 1. Has an unresolved non-match described under §
24 16-121 of this subtitle;

25 2. Meets the requirements concerning the non-match
26 contained in regulations adopted by the Administration that are consistent with
27 regulations adopted by the Secretary of the United States Department of Homeland
28 Security; and

29 3. Would be otherwise eligible under this article for the
30 issuance or renewal of an identification card under § 12-301 of this article, a moped
31 operator's permit under § 16-104.2 of this subtitle, or a license to drive under this
32 title, but for the unresolved non-match; or

33 (ii) 1. [Was the holder of an identification card under §
34 12-301 of this article, a moped operator's permit under § 16-104.2 of this subtitle, or a
35 license to drive under this subtitle issued or renewed by the Administration before
36 April 19, 2009;

1 2.] Does not provide satisfactory documentary evidence
2 that the applicant has lawful status or a valid Social Security number;

3 [3.] 2. Certifies that the applicant does not have a Social
4 Security number; [and]

5 [4.] 3. IN THE CASE OF AN APPLICANT WHO IS NOT A
6 CURRENT HOLDER OF AN IDENTIFICATION CARD UNDER § 12-301 OF THIS
7 ARTICLE, A MOPED OPERATOR'S PERMIT UNDER § 16-104.2 OF THIS SUBTITLE,
8 OR A LICENSE TO DRIVE ISSUED UNDER THIS SUBTITLE, PROVIDES
9 DOCUMENTARY EVIDENCE THAT THE APPLICANT, FOR EACH OF THE PRECEDING
10 2 YEARS, HAS:

11 A. FILED A MARYLAND INCOME TAX RETURN; OR

12 B. RESIDED IN MARYLAND AND BEEN CLAIMED AS A
13 DEPENDENT BY AN INDIVIDUAL WHO HAS FILED A MARYLAND INCOME TAX
14 RETURN; AND

15 4. Would be otherwise eligible for issuance or renewal of
16 an identification card under § 12-301 of this article, a moped operator's permit under §
17 16-104.2 of this subtitle, or a license to drive issued under this subtitle, but for the
18 absence of documentary evidence described in item [2] 1 of this item.

19 (2) [The Administration may not issue or renew an identification card,
20 moped operator's permit, or license to drive under paragraph (1)(ii) of this subsection
21 on or after July 1, 2015.

22 (3) An identification card, moped operator's permit, or license to drive
23 issued or renewed under paragraph (1)(ii) of this subsection on or after July 1, 2010,
24 shall expire on July 1, 2015.

25 (4)] This subsection does not apply to any provision of law applicable to
26 the issuance or renewal of a commercial driver's license under this title.

27 (3) AN IDENTIFICATION CARD, A MOPED OPERATOR'S PERMIT, OR
28 A LICENSE TO DRIVE THAT IS ISSUED UNDER THIS SUBSECTION SHALL INCLUDE
29 A STATEMENT THAT THE DOCUMENT MAY NOT BE USED TO PURCHASE A
30 FIREARM.

31 (b) The Administration may require that an application for issuance or
32 renewal of an identification card, a moped operator's permit, or a license to drive
33 under this section be made in person.

1 (c) A person may not be a holder of an identification card, a moped operator's
2 permit, or a license to drive issued or renewed under this section if the person is the
3 holder of any other identification card, moped operator's permit, or license to drive
4 issued or renewed under this section or any other section of this article.

5 (d) Each identification card, moped operator's permit, and license to drive
6 issued or renewed in accordance with this section shall:

7 (1) Clearly state on its face and in its machine-readable zone that it is
8 not acceptable by federal agencies for official purposes;

9 (2) Have a unique design or color indicator that clearly distinguishes it
10 from the design or color of an identification card under § 12-301 of this article, a
11 moped operator's permit under § 16-115 of this subtitle, or any license to drive under
12 any other section of this subtitle; and

13 (3) Be of the size and design that the Administration requires,
14 tamperproof, to the extent possible, and contain:

15 (i) The name and address of the applicant;

16 (ii) The birth date of the applicant;

17 (iii) The gender of the applicant;

18 (iv) A description of the applicant;

19 (v) A color photograph of the applicant taken by the procedure
20 that the Administration requires;

21 (vi) The expiration date of the identification card, moped
22 operator's permit, or license to drive;

23 (vii) The signature of the applicant; and

24 (viii) The signature and seal of the issuing agent.

25 (e) An identification card, a moped operator's permit, or a license to drive
26 issued or renewed under this section shall expire at the end of a period that is
27 equivalent to the expiration period applicable for an identification card under § 12-301
28 of this article, a moped operator's permit under § 16-115 of this subtitle, or a license to
29 drive under this subtitle.

30 (f) Except as otherwise expressly provided by law, an identification card, a
31 moped operator's permit, or a license to drive issued under this section may be used
32 for any purpose as legal identification of the holder to whom the identification card,
33 moped operator's permit, or license to drive is issued.

1 (g) The Administration may establish a fee for the issuance or renewal of an
2 identification card, a moped operator's permit, or a license to drive issued or renewed
3 under this section.

4 (h) Except as expressly provided in this section, this section does not limit
5 the application of any other provision of this article to an identification card, a moped
6 operator's permit, or a license to drive issued under this section.

7 SECTION ~~5~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take
8 effect ~~October 1, 2013~~ January 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.