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By: **Delegate Rudolph**

Introduced and read first time: February 7, 2003

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2003

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CHAPTER 332

1 AN ACT concerning

2 **Motor Vehicle Administration - Identification Cards - ~~Safekids Pix Program~~**  
3 **for Children - Expiration Date**

4 FOR the purpose of altering the number of years an identification card remains  
5 effective for certain minors; ~~requiring the Motor Vehicle Administration to~~  
6 ~~establish a Safekids Pix Program; requiring the Administration to inform~~  
7 ~~parents or guardians of certain minors issued identification cards of the~~  
8 ~~Safekids Pix Program and to request their consent to include their children in~~  
9 ~~the database maintained by the Program; requiring the Program to maintain a~~  
10 ~~database of certain children who are issued identification cards that includes~~  
11 ~~certain information; providing that the Administration may only provide~~  
12 ~~information from the database to State and local police departments under~~  
13 ~~certain circumstances; limiting the use by State and local police departments of~~  
14 ~~information from the database; authorizing the Administration to adopt certain~~  
15 ~~regulations; providing for a delayed effective date; clarifying language; and~~  
16 ~~generally relating to the establishment of a Safekids Pix Program identification~~  
17 ~~cards for children under a certain age.~~

18 BY repealing and reenacting, with amendments,  
19 Article - Transportation  
20 Section 12-301  
21 Annotated Code of Maryland  
22 (2002 Replacement Volume)

23 ~~BY adding to~~  
24 ~~Article - Transportation~~  
25 ~~Section 12-305~~

1 ~~Annotated Code of Maryland~~  
2 ~~(2002 Replacement Volume)~~

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article - Transportation**

6 12-301.

7 (a) On application, the Administration shall issue an identification card to any  
8 individual who:

9 (1) Is a resident of this State;

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

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

13 (4) Presents a completed application for an identification card on a form  
14 furnished by the Administration.

15 (b) (1) Except as provided in paragraph (2) of this subsection, the  
16 Administration shall establish a fee for the issuance of an identification card and for  
17 issuance of a duplicate identification card.

18 (2) A fee is not required if the applicant for the card:

19 (i) Is 65 years old or older;

20 (ii) Is legally blind;

21 (iii) Has permanently lost the use of a leg or an arm;

22 (iv) Is permanently disabled so severely that the applicant cannot  
23 move without the aid of crutches or a wheelchair; or

24 (v) Has a physical or mental impairment that substantially limits a  
25 "major life activity" as defined in the federal Americans with Disabilities Act.

26 (c) A person may not commit any fraud in applying for an identification card  
27 issued under this section.

28 (d) A person may not commit any misrepresentation in applying for an  
29 identification card issued under this section.

30 (e) A person may not commit any fraud in using an identification card issued  
31 under this section.

1 (f) A person may not make any misrepresentation in using an identification  
2 card issued under this section.

3 (g) (1) An identification card shall be:

4 (i) Of the size and design that the Administration requires; and

5 (ii) Tamperproof, to the extent possible.

6 (2) The card shall contain:

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

8 (ii) The birth date of the applicant;

9 (iii) The sex of the applicant;

10 (iv) A description of the applicant;

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

13 (vi) The expiration date of the identification card;

14 (vii) The signature of the applicant; and

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

16 (h) An identification card may be used as legal identification of the individual  
17 to whom it is issued for any purpose.

18 (i) (1) An identification card ISSUED TO AN APPLICANT AT LEAST 16 YEARS  
19 OLD expires every 5 years.

20 (2) AN IDENTIFICATION CARD ISSUED TO AN APPLICANT UNDER THE  
21 AGE OF 16 YEARS EXPIRES EVERY 2 YEARS.

22 (3) [It] AN IDENTIFICATION CARD may be renewed on application and  
23 payment of the fee required by this section.

24 (j) ~~ON ISSUING AN IDENTIFICATION CARD TO AN APPLICANT UNDER THE AGE~~  
25 ~~OF 16 YEARS, THE ADMINISTRATION SHALL:~~

26 ~~(1) INFORM THE APPLICANT'S PARENT OR GUARDIAN OF THE SAFEKIDS~~  
27 ~~PIX PROGRAM ESTABLISHED UNDER § 12-305 OF THIS SUBTITLE; AND~~

28 ~~(2) REQUEST THE CONSENT OF THE APPLICANT'S PARENT OR GUARDIAN~~  
29 ~~TO INCLUDE THE APPLICANT IN THE DATABASE MAINTAINED BY THE SAFEKIDS PIX~~  
30 ~~PROGRAM.~~

1     ~~(K)~~     The identification card shall be surrendered by the holder upon being  
2 issued a Maryland driver's license.

3     ~~{(k)}~~     ~~(L)~~     The Administrator may issue an identification card to an applicant:

4             (1)     Whose privilege to drive has been refused, cancelled, suspended, or  
5 revoked; or

6             (2)     Who has been issued a temporary license under § 16-205.1(b)(3)(iii)  
7 of this article.

8 ~~12-305.~~

9     ~~(A)     THE ADMINISTRATION SHALL ESTABLISH A SAFEKIDS PIX PROGRAM~~  
10 ~~WITHIN THE ADMINISTRATION.~~

11     ~~(B)     (1)     THE PROGRAM SHALL MAINTAIN A DATABASE OF CHILDREN~~  
12 ~~BETWEEN THE AGES OF 2 AND 15 WHO ARE ISSUED IDENTIFICATION CARDS UNDER §~~  
13 ~~12-301 OF THIS SUBTITLE AND WHOSE PARENTS OR GUARDIANS CONSENT TO~~  
14 ~~INCLUSION IN THE DATABASE IN ACCORDANCE WITH § 12-301(J) OF THIS SUBTITLE.~~

15             ~~(2)     THE DATABASE SHALL INCLUDE:~~

16                     ~~(I)     A FRONTAL VIEW DIGITAL IMAGE OF EACH CHILD'S FACE; AND~~

17                     ~~(H)     OTHER IDENTIFYING INFORMATION INCLUDING EACH CHILD'S~~  
18 ~~HOME ADDRESS, SOCIAL SECURITY NUMBER, AND DATE OF BIRTH.~~

19     ~~(C)     (1)     WITH THE CONSENT OF THE CHILD'S PARENT OR GUARDIAN, THE~~  
20 ~~ADMINISTRATION MAY PROVIDE INFORMATION FROM THE DATABASE REGARDING~~  
21 ~~THE CHILD ONLY TO A STATE OR LOCAL POLICE DEPARTMENT THAT REQUESTS THE~~  
22 ~~INFORMATION.~~

23             ~~(2)     A STATE OR LOCAL POLICE DEPARTMENT MAY USE INFORMATION~~  
24 ~~FROM THE DATABASE ONLY FOR LAW ENFORCEMENT PURPOSES RELATED TO~~  
25 ~~LOCATING A MISSING CHILD.~~

26     ~~(D)     THE ADMINISTRATION MAY ADOPT REGULATIONS TO CARRY OUT THE~~  
27 ~~PROVISIONS OF THIS SECTION.~~

28     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
29 effect ~~October 1, 2003~~ January 1, 2004.

