SENATE BILL 153

R4 SB 787/15 – JPR

By: Senator Reilly

Introduced and read first time: January 15, 2016 Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

Drivers' Licenses, Identification Cards, and Moped Operators' Permits – Enhanced Identification Documents

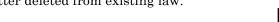
4 FOR the purpose of requiring the Motor Vehicle Administration to make available to an $\mathbf{5}$ applicant for a driver's license, an identification card, or a moped operator's permit 6 the opportunity to upgrade the document to be an enhanced identification document; 7 establishing that the Administration may issue an enhanced identification document 8 only to certain individuals who provide certain documentation; requiring an 9 individual who applies for an enhanced identification document to provide to the Administration a certain biometric identifier at a certain time and in a certain 1011 manner; requiring the Administration to select for use for an enhanced identification 12document only a biometric identifier that meets certain federal standards and 13 requirements; authorizing the Administration to establish a certain fee for the issuance and renewal of an enhanced identification document; defining certain 14 terms; and generally relating to the upgrade of drivers' licenses, identification cards, 1516and moped operators' permits to be enhanced identification documents.

- 17 BY adding to
- 18 Article Transportation
- 19 Section 12–305
- 20 Annotated Code of Maryland
- 21 (2012 Replacement Volume and 2015 Supplement)
- 22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 23 That the Laws of Maryland read as follows:
- 24

Article – Transportation

25 **12–305.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.





6lr1740 CF 6lr2183 **SENATE BILL 153**

1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS 2 INDICATED.

3 (2) (I) "BIOMETRIC IDENTIFIER" MEANS A DISTINCTIVE AND 4 MEASURABLE PHYSIOLOGICAL CHARACTERISTIC THAT MAY BE USED TO LABEL AND 5 DESCRIBE INDIVIDUALS.

- 6 (II) "BIOMETRIC IDENTIFIER" INCLUDES:
 7 1. FINGERPRINTS;
 8 2. AN IMAGE OR ANY OTHER IDENTIFIER THAT WOULD
 9 ALLOW THE APPLICATION OF:
 10 A. FACE RECOGNITION TECHNOLOGY; OR
- 11B.IRIS RECOGNITION TECHNOLOGY;123.DEOXYRIBONUCLEIC ACID (DNA); AND134.A PALM PRINT.

14 (3) "ENHANCED IDENTIFICATION DOCUMENT" MEANS A DRIVER'S 15 LICENSE, AN IDENTIFICATION CARD, OR A MOPED OPERATOR'S PERMIT ISSUED BY 16 THE ADMINISTRATION THAT HAS EMBEDDED INTO THE DOCUMENT A MEMORY AND 17 MICROPROCESSOR CHIP TO STORE ONE OR MORE BIOMETRIC IDENTIFIERS FOR 18 ENHANCED IDENTIFICATION PURPOSES.

(B) THE ADMINISTRATION SHALL MAKE AVAILABLE TO AN APPLICANT FOR
 THE ISSUANCE OR RENEWAL OF A DRIVER'S LICENSE, AN IDENTIFICATION CARD, OR
 A MOPED OPERATOR'S PERMIT THE OPPORTUNITY TO UPGRADE THE DOCUMENT TO
 BE AN ENHANCED IDENTIFICATION DOCUMENT.

(C) THE ADMINISTRATION MAY ISSUE AN ENHANCED IDENTIFICATION
 DOCUMENT ONLY TO AN INDIVIDUAL WHO SHOWS PROOF ACCEPTABLE TO THE
 ADMINISTRATION OF IDENTITY, STATE RESIDENCE, AND UNITED STATES
 CITIZENSHIP.

(D) IN ADDITION TO THE INFORMATION REQUIRED IN AN APPLICATION FOR
 THE ISSUANCE OR RENEWAL OF A DRIVER'S LICENSE, AN IDENTIFICATION CARD, OR
 A MOPED OPERATOR'S PERMIT, AN INDIVIDUAL WHO APPLIES FOR AN ENHANCED
 IDENTIFICATION DOCUMENT SHALL PROVIDE TO THE ADMINISTRATION A

 $\mathbf{2}$

SENATE BILL 153

1 BIOMETRIC IDENTIFIER AS DETERMINED BY THE ADMINISTRATION AT THE TIME 2 AND IN THE MANNER REQUIRED BY THE ADMINISTRATION.

3 (E) IN ESTABLISHING ONE OR MORE BIOMETRIC IDENTIFIERS TO BE USED 4 FOR AN ENHANCED IDENTIFICATION DOCUMENT, THE ADMINISTRATION SHALL 5 SELECT ONLY A BIOMETRIC IDENTIFIER THAT MEETS THE STANDARDS AND 6 REQUIREMENTS OF THE FEDERAL WESTERN HEMISPHERE TRAVEL INITIATIVE.

7 (F) IN ADDITION TO THE UNDERLYING FEE ESTABLISHED BY THE 8 ADMINISTRATION, THE ADMINISTRATION MAY ESTABLISH AN ADDITIONAL FEE FOR 9 THE ISSUANCE OR RENEWAL OF AN ENHANCED IDENTIFICATION DOCUMENT.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 11 October 1, 2016.