

HOUSE BILL 911

R4

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By: **Delegates Gutierrez, Braveboy, Carr, Cullison, Dumais, Ivey, A. Kelly, Lee, Luedtke, Pena-Melnyk, S. Robinson, and Waldstreicher**

Introduced and read first time: February 7, 2013

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Drivers' Licenses, Identification Cards, and Moped Operators' Permits –**
3 **Issuance, Renewal, and Expiration**

4 FOR the purpose of altering the date after which the Motor Vehicle Administration
5 may not issue or renew an identification card, a moped operator's permit, or a
6 license to drive that is not acceptable by federal agencies for certain official
7 purposes; providing for certain expiration dates for identification cards, moped
8 operators' permits, or licenses to drive that are not acceptable by federal
9 agencies for certain official purposes; and generally relating to the issuance,
10 renewal, and expiration of federally noncompliant drivers' licenses,
11 identification cards, and moped operators' permits.

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 16–122
15 Annotated Code of Maryland
16 (2012 Replacement Volume)

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

19 **Article – Transportation**

20 16–122.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) 1. Has an unresolved non-match described under §
2 16-121 of this subtitle;

3 2. Meets the requirements concerning the non-match
4 contained in regulations adopted by the Administration that are consistent with
5 regulations adopted by the Secretary of the United States Department of Homeland
6 Security; and

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

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

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

17 3. Certifies that the applicant does not have a Social
18 Security number; and

19 4. Would be otherwise eligible for issuance or renewal of
20 an identification card under § 12-301 of this article, a moped operator's permit under §
21 16-104.2 of this subtitle, or a license to drive issued under this subtitle, but for the
22 absence of documentary evidence described in item 2 of this item.

23 (2) The Administration may not issue or renew an identification card,
24 moped operator's permit, or license to drive under paragraph (1)(ii) of this subsection
25 on or after July 1, [2015] **2023**.

26 (3) (I) An identification card, moped operator's permit, or license to
27 drive issued or renewed under paragraph (1)(ii) of this subsection on or after July 1,
28 2010, **BUT BEFORE OCTOBER 1, 2013**, shall expire on July 1, 2015.

29 (II) **AN IDENTIFICATION CARD OR A LICENSE TO DRIVE**
30 **ISSUED OR RENEWED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION ON OR**
31 **AFTER OCTOBER 1, 2013, SHALL EXPIRE ON THE EARLIER OF 8 YEARS AFTER**
32 **ISSUANCE OR JULY 1, 2023.**

33 (III) **A MOPED OPERATOR'S PERMIT ISSUED OR RENEWED**
34 **UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION ON OR AFTER OCTOBER 1,**

1 **2013, SHALL EXPIRE ON THE EARLIER OF 5 YEARS AFTER ISSUANCE OR JULY 1,**
2 **2023.**

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

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

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

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

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

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

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

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

23 (ii) The birth date of the applicant;

24 (iii) The gender of the applicant;

25 (iv) A description of the applicant;

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

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

30 (vii) The signature of the applicant; and

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

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

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

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

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

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2013.