

SENATE BILL 715

R4

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By: **Senators Ramirez, Benson, Currie, Ferguson, Forehand, Garagiola, Gladden, King, Madaleno, Manno, McFadden, Montgomery, Muse, Pinsky, and Raskin**

Introduced and read first time: February 1, 2013

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Highway Safety Act of 2013**

3 FOR the purpose of authorizing the issuance, to new applicants, of identification
4 cards, moped operators' permits, and drivers' licenses that are not acceptable by
5 federal agencies for certain official purposes; repealing a provision of law that
6 prohibits, after a certain date, the issuance or renewal of identification cards,
7 moped operators' permits, and drivers' licenses that are not acceptable by
8 federal agencies for certain official purposes; repealing a requirement that
9 certain identification cards, moped operators' permits, and drivers' licenses that
10 are not acceptable by federal agencies for certain official purposes expire by a
11 certain date; and generally relating to the issuance of identification cards,
12 moped operators' permits, and drivers' licenses that are not acceptable by
13 federal agencies for certain official purposes.

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 16–122
17 Annotated Code of Maryland
18 (2012 Replacement Volume)

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

21 **Article – Transportation**

22 16–122.

23 (a) (1) Notwithstanding any other provision of this article, the
24 Administration shall, subject to the provisions of this section, issue or renew an

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 identification card, a moped operator's permit, or a license to drive that is not
2 acceptable by federal agencies for official purposes determined by the Secretary of the
3 United States Department of Homeland Security if an applicant:

4 (i) 1. Has an unresolved non-match described under §
5 16-121 of this subtitle;

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

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

14 (ii) 1. [Was the holder of an identification card under §
15 12-301 of this article, a moped operator's permit under § 16-104.2 of this subtitle, or a
16 license to drive under this subtitle issued or renewed by the Administration before
17 April 19, 2009;

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

20 [3.] 2. Certifies that the applicant does not have a
21 Social Security number; and

22 [4.] 3. Would be otherwise eligible for issuance or
23 renewal of an identification card under § 12-301 of this article, a moped operator's
24 permit under § 16-104.2 of this subtitle, or a license to drive issued under this
25 subtitle, but for the absence of documentary evidence described in item [2] 1 of this
26 item.

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

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

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

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

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

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

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

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

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

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

19 (ii) The birth date of the applicant;

20 (iii) The gender of the applicant;

21 (iv) A description of the applicant;

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

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

26 (vii) The signature of the applicant; and

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

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

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

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

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

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