

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 904

Short Title: Duplicate Drivers License Requirements. (Public)

Sponsors: Representatives Thomas, Folwell, Wilkins, Sutton (Primary Sponsors); Blackwood, Blust, Boylan, Brown, Brubaker, Clary, Cleveland, Current, Daughtrige, Daughtry, England, Fisher, Goforth, Haire, J. Harrell, Hilton, Howard, Hurley, Justice, Justus, McGee, Neumann, Samuelson, Stam, Starnes, Tillis, Tolson, Wainwright, Walend, Wray, and Wright.

Referred to: Transportation, if favorable, Judiciary I.

March 20, 2007

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT ANY PERSON APPLYING FOR A DUPLICATE SPECIAL IDENTIFICATION CARD, LEARNER'S PERMIT, OR DRIVERS LICENSE THAT WAS ISSUED BY USING AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER BE REQUIRED TO PRODUCE A VALID SOCIAL SECURITY NUMBER OR DOCUMENTATION OF LEGAL PRESENCE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-7(b1) reads as rewritten:

"§ 20-7. Issuance and renewal of drivers licenses.

...

(b1) Application. – To obtain an identification card, learners permit, or drivers license from the Division, a person shall complete an application form provided by the Division, present at least two forms of identification approved by the Commissioner, be a resident of this State, and, except for an identification card, demonstrate his or her physical and mental ability to drive safely a motor vehicle included in the class of license for which the person has applied. At least one of the forms of identification shall indicate the applicant's residence address. The Division may copy the identification presented or hold it for a brief period of time to verify its authenticity. To obtain an endorsement, a person shall demonstrate his or her physical and mental ability to drive safely the type of motor vehicle for which the endorsement is required.

The application form shall request all of the following information, and it shall contain the disclosures concerning the request for an applicant's social security number required by section 7 of the federal Privacy Act of 1974, Pub. L. No. 93-579:

- (1) The applicant's full name.
- (2) The applicant's mailing address and residence address.

- 1 (3) A physical description of the applicant, including the applicant's sex,
- 2 height, eye color, and hair color.
- 3 (4) The applicant's date of birth.
- 4 (5) The applicant's valid social security number.
- 5 (6) The applicant's signature.

6 The Division shall not issue an identification card, learners permit, or drivers license
 7 license, or a duplicate identification card, learners permit, or drivers license to an
 8 applicant who fails to provide the applicant's valid social security number."

9 **SECTION 2.** G.S. 20-7(f)(3) reads as rewritten:

10 **"§ 20-7. Issuance and renewal of drivers licenses.**

11 ...

12 (f) Duration and Renewal of Licenses. – Drivers licenses shall be issued and
 13 renewed pursuant to the provisions of this subsection.

14 ...

15 (3) Duration of license. – A drivers license that was issued by the Division
 16 and is renewed by the Division expires at the end of the period
 17 provided by this subsection after the expiration date of the license that
 18 is renewed unless the Division determines that a license of shorter
 19 duration should be issued when the applicant ~~holds, a visa of limited~~
 20 ~~duration from the United States Department of Homeland Security~~
 21 presents a valid passport from the country of origin and valid
 22 documentation demonstrating legal presence in the United States and
 23 that documentation is issued to the applicant under the authority of the
 24 United States government, but in no event shall the license expire later
 25 than the applicant's lawful presence in the United States. A person may
 26 apply to the Division to renew a license during the 180-day period
 27 before the license expires. The Division may not accept an application
 28 for renewal made before the 180-day period begins."

29 **SECTION 3.** G.S. 20-7(s) reads as rewritten:

30 "...

31 (s) Notwithstanding the requirements of subsection (b1) of this section that an
 32 applicant present a valid social security number, the Division shall issue a drivers
 33 license of limited duration, under subsection (f) of this section, to an applicant present in
 34 the United States ~~under a valid visa issued to the applicant by the United States~~
 35 ~~Department of Homeland Security if the applicant presents that valid visa.~~ that presents
 36 a valid passport from the country of origin and valid documentation demonstrating legal
 37 presence in the United States and that documentation is issued to the applicant under the
 38 authority of the United States government. This requirement shall apply to the issuance
 39 of any duplicate license issued under this subsection."

40 **SECTION 4.** This act is effective when it becomes law.