

IN THE SENATE

SENATE BILL NO. 1268

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO IDENTIFICATION CARDS; AMENDING SECTION 49-2444, IDAHO CODE, TO
2 PROVIDE FOR A NO-FEE IDENTIFICATION CARD FOR AN INDIVIDUAL WHO IS HOME-
3 LESS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 49-2444, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)
9 The department shall issue a distinguishing identification card that shall
10 set forth the information contained in the application, in a form as pre-
11 scribed by the department. All identification cards issued on or after Jan-
12 uary 1, 1993, shall not contain the applicant's social security number. An
13 applicant's social security number shall be exempt from disclosure except
14 for inquiries from agencies or institutions authorized to obtain such infor-
15 mation by federal law or regulation, from peace officers, or from jury com-
16 missioners. Each card shall have printed on it the applicant's full name,
17 date of birth, Idaho residence address, sex, weight, height, eye color, and
18 hair color and shall be issued a distinguishing number assigned to the ap-
19 plicant. If an applicant has submitted an application pursuant to the provi-
20 sions of chapter 58, title 19, Idaho Code, then the applicant's identifica-
21 tion card shall contain his or her alternative Idaho mailing address in place
22 of his or her Idaho residence address. Each card shall also have printed on
23 it the name of this state, the date of issuance, and the date of expiration.
24 An identification card shall not be valid until it has been signed on the sig-
25 nature line by the applicant. Each card shall bear upon it a color photograph
26 of the applicant, which shall be taken by the examiner at the time of appli-
27 cation. The photograph shall be taken without headgear or other clothing or
28 device that disguises or otherwise conceals the face or head of the appli-
29 cant. A waiver may be granted by the department allowing the applicant to
30 wear headgear or other head covering for medical, religious or safety pur-
31 poses as long as the face is not disguised or otherwise concealed. At the re-
32 quest of the applicant, an identification card may contain a statement or in-
33 dication of the medical condition of the applicant.

34 No person shall receive an identification card unless and until he sur-
35 renders to the department all identification cards in his possession issued
36 to him by Idaho or any other jurisdiction, or any driver's license issued by
37 any other jurisdiction within the United States, or until he executes an af-
38 fidavit that he does not possess an identification card or any driver's li-
39 cense.

40 Identification cards issued to persons under eighteen (18) years of age
41 shall include a notation "under 18 until (month, day, year)," and identifi-
42 cation cards issued to persons eighteen (18) years of age to twenty-one (21)

1 years of age shall include a notation "under 21 until (month, day, year)."
2 The nonrefundable fee for a four (4) year identification card issued to per-
3 sons twenty-one (21) years of age or older shall be fifteen dollars (\$15.00),
4 of which ten dollars (\$10.00) shall be retained by the county and credited
5 to the current expense fund, and five dollars (\$5.00) shall be deposited in
6 the state treasury to the credit of the highway distribution account. The
7 nonrefundable fee for identification cards issued to persons under twenty-
8 one (21) years of age shall be ten dollars (\$10.00), of which five dollars
9 (\$5.00) shall be retained by the authorized issuing agent or, if issued by
10 the county, shall be credited to the current expense fund, and five dollars
11 (\$5.00) shall be deposited in the state treasury to the credit of the highway
12 distribution account. The nonrefundable fee for an eight (8) year identi-
13 fication card shall be twenty-five dollars (\$25.00), of which fifteen dol-
14 lars (\$15.00) shall be retained by the authorized issuing agent or, if issued
15 by the county, shall be credited to the current expense fund, and ten dol-
16 lars (\$10.00) shall be deposited in the state treasury to the credit of the
17 highway distribution account. At the option of the applicant, the identi-
18 fication card issued to a person twenty-one (21) years of age or older shall
19 expire either on the card holder's birthday in the fourth year or the eighth
20 year following issuance of the card, except as otherwise provided in subsec-
21 tion (3) of this section. Every identification card issued to a person un-
22 der eighteen (18) years of age shall expire five (5) days after the person's
23 eighteenth birthday, except as otherwise provided in subsection (3) of this
24 section. Every identification card issued to a person eighteen (18) years of
25 age but under twenty-one (21) years of age shall expire five (5) days after
26 the person's twenty-first birthday, except as otherwise provided in subsec-
27 tion (3) of this section.

28 Individuals required to register in compliance with section 3 of the
29 federal military selective service act, 50 U.S.C. App. 451 et seq., as
30 amended, shall be provided an opportunity to fulfill such registration re-
31 quirements in conjunction with an application for an identification card.
32 Any registration information so supplied shall be transmitted by the depart-
33 ment to the selective service system.

34 (2) Every identification card, except those issued to persons under
35 twenty-one (21) years of age, shall be renewable on or before its expiration,
36 but not more than twenty-five (25) months before, and upon application and
37 payment of the required fee.

38 (3) Every identification card issued to a person who is not a citizen or
39 permanent legal resident of the United States shall have an expiration date
40 that is the same date as the end of lawful stay in the United States as indi-
41 cated on documents issued and verified by the department of homeland secu-
42 rity, provided however, that the expiration date shall not extend beyond the
43 expiration date for the same category of identification card issued to citi-
44 zens. Persons whose department of homeland security documents do not state
45 an expiration date shall be issued an identification card with an expiration
46 date of one (1) year from the date of issuance.

47 (4) When an identification card has been expired for less than twenty-
48 five (25) months, the renewal of the identification card shall start from
49 the original date of expiration, regardless of the year in which the applica-
50 tion for renewal is made. If the identification card is expired for more than

1 twenty-five (25) months, the application shall expire, at the option of the
2 applicant, on the applicant's birthday in the fourth year or the eighth year
3 following reissuance of the identification card, except as otherwise pro-
4 vided in subsection (3) of this section.

5 (5) (a) If an Idaho identification card has expired or will expire and
6 the identification card holder is temporarily out of state, except
7 on active military duty, the identification card holder may request
8 in writing on a form prescribed by the department an extension of the
9 identification card. The request shall be accompanied by the fee
10 fixed in section 49-306, Idaho Code, and the extension shall be no more
11 than a twelve (12) month period. If the department determines that an
12 extension of the identification card is necessary, it may issue an iden-
13 tification card showing the date to which the expired identification
14 card is extended. Identification card extensions are limited to two (2)
15 consecutive extensions per identification card holder.

16 (b) Upon returning to the state of Idaho, the identification card
17 holder shall, within ten (10) days, apply for a renewal of the expired
18 identification card and surrender the extended identification card and
19 the expired identification card.

20 (6) An Idaho identification card issued to any person prior to serving
21 on active duty in the armed forces of the United States, or a member of the
22 immediate family accompanying such a person, if valid and in full force and
23 effect upon entering active duty, shall remain in full force and effect and
24 shall, upon application, be extended for a period of four (4) years as long
25 as active duty continues, and the identification card shall remain in full
26 force and effect sixty (60) days following the date the card holder is re-
27 leased from active duty.

28 (7) A person possessing an identification card who desires to donate
29 any or all organs or tissue in the event of death, and who has completed a
30 document of gift pursuant to the provisions for donation of anatomical gifts
31 as set forth in chapter 34, title 39, Idaho Code, may, at the option of the
32 donor, indicate this desire on the identification card by the imprinting of
33 the word "donor" on the identification card. The provisions of this subsec-
34 tion shall apply to persons possessing an identification card who are fif-
35 teen (15) years of age or older but less than eighteen (18) years of age if
36 the requirements provided in chapter 34, title 39, Idaho Code, have been com-
37 plied with.

38 (8) A person possessing an identification card or an applicant for an
39 identification card who is a person with a permanent disability may request
40 that the notation "permanently disabled" be imprinted on the identification
41 card, provided the person presents written certification from a licensed
42 physician verifying that the person's stated impairment qualifies as a per-
43 manent disability according to the provisions of section 49-117, Idaho Code.

44 (9) A person who is a veteran may request that his or her status as such
45 be designated on an identification card at no additional cost. Any such re-
46 quest shall be accompanied by proof of being a current or former member of
47 the United States armed forces. Upon request and submission of satisfactory
48 proof, the department shall indicate such person's status as a veteran on any
49 identification card issued pursuant to the provisions of this section. Such
50 designation shall be made upon original issuance or renewal of an identifi-

1 cation card. Designation shall also be made on any duplicate identification
2 card issued, provided that the fee for such duplicate card is paid in accor-
3 dance with this section.

4 Satisfactory proof of being a current or former member of the United
5 States armed forces must be furnished by an applicant to the department be-
6 fore a designation of veteran status will be indicated on any identification
7 card. Acceptable proof shall be a copy of form DD214 or an equivalent docu-
8 ment or statement from the department of veterans affairs that identifies a
9 character of service upon separation as "honorable" or "general under hon-
10 orable conditions."

11 (10) In the case of a name change, the applicant shall provide legal docu-
12 mentation to verify the change in accordance with department rules.

13 (11) Whenever any person, after applying for or receiving an identifi-
14 cation card, shall move from the address shown on the application or on the
15 identification card issued, that person shall, within thirty (30) days, no-
16 tify the transportation department in writing of the old and new addresses.

17 (12) The department shall cancel any identification card upon determin-
18 ing that the person was not entitled to the issuance of the identification
19 card or that the person failed to give the required and correct information
20 in his application or committed fraud in making the application. Upon can-
21 cellation, the person shall surrender the canceled identification card to
22 the department.

23 (13) If any person shall fail to return to the department the identifi-
24 cation card as required, the department may direct any peace officer to se-
25 cure its possession and return the identification card to the department.

26 (14) The department may issue a no-fee identification card to an indi-
27 vidual whose driver's license has been canceled and voluntarily surrendered
28 as provided in section 49-322(5), Idaho Code. The identification card may be
29 renewed at no cost to the applicant as long as the driver's license remains
30 canceled.

31 (15) It is an infraction for any person to fail to notify the department
32 of a change of address as required by the provisions of subsection (11) of
33 this section.

34 (16) The department may issue an initial four (4) year no-fee identifi-
35 cation card to an individual who is homeless. The department shall establish
36 a form for verification of homelessness pursuant to this section. Such form
37 shall require the signature of an outreach worker or service worker verify-
38 ing that the individual is homeless and attesting to the individual's resi-
39 dency at an Idaho relief agency or shelter. An applicant issued an identifi-
40 cation card under the provisions of this subsection shall be entitled to one
41 (1) free replacement. Subsequent replacements and renewals of this identi-
42 fication card will be subject to the fees imposed in this section.

43 SECTION 2. An emergency existing therefor, which emergency is hereby
44 declared to exist, this act shall be in full force and effect on and after
45 July 1, 2022.