

SENATE BILL 787

R4
SB 387/14 – JPR

5lr2861

By: **Senator Reilly**
Introduced and read first time: February 19, 2015
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of requiring the Motor Vehicle Administration to make available to an
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
10 Administration a certain biometric identifier at a certain time and in a certain
11 manner; requiring the Administration to select for use for an enhanced identification
12 document only a biometric identifier that meets certain federal standards and
13 requirements; authorizing the Administration to establish a certain fee for the
14 issuance and renewal of an enhanced identification document; defining certain
15 terms; and generally relating to the upgrade of drivers' licenses, identification cards,
16 and 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 2014 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.



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**

11 **B. IRIS RECOGNITION TECHNOLOGY;**

12 **3. DEOXYRIBONUCLEIC ACID (DNA); AND**

13 **4. 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.**

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

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

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

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, 2015.