
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1247 Session of
2023

INTRODUCED BY D. MILLER, ISAACSON, GUENST, SANCHEZ, HILL-EVANS,
GIRAL, MADDEN, SCHLOSSBERG, KINSEY, HOHENSTEIN, DELLOSO,
CIRESI, CEPEDA-FREYTIZ AND CONKLIN, MAY 24, 2023

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 24, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; in licensing of drivers, further providing for
4 issuance and content of driver's license and for carrying and
5 exhibiting driver's license on demand; and, in fees, further
6 providing for driver's license and learner's permit.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The definition of "driver's license" in section
10 102 of Title 75 of the Pennsylvania Consolidated Statutes is
11 amended and the section is amended by adding definitions to
12 read:

13 § 102. Definitions.

14 Subject to additional definitions contained in subsequent
15 provisions of this title which are applicable to specific
16 provisions of this title, the following words and phrases when
17 used in this title shall have, unless the context clearly
18 indicates otherwise, the meanings given to them in this section:

19 * * *

1 "Data field." A discrete piece of information that is
2 printed or otherwise appears on a driver's license or
3 identification card issued under this title.

4 * * *

5 "Driver's license." A license or permit to drive a motor
6 vehicle issued under this title. The term includes a physical
7 driver's license or an electronic driver's license.

8 * * *

9 "Electronic driver's license." An electronic representation
10 of a physical driver's license which is viewable on an
11 electronic product system.

12 "Electronic identification card." An electronic
13 representation of a physical identification card which is
14 viewable on an electronic product system.

15 "Electronic product." An electronic representation of a
16 physical driver's license or physical identification card which
17 is viewable on an electronic product system.

18 "Electronic product device." A computer, tablet, smart phone
19 or other electronic personal device used by an electronic
20 product holder to access or display an electronic product or
21 electronic proof of financial responsibility.

22 * * *

23 "Full profile." All the data included on a physical driver's
24 license or physical identification card regarding the holder of
25 the physical driver's license or physical identification card.

26 * * *

27 "Identification card." A physical identification card or
28 electronic identification card issued by the department under
29 this title that identifies the individual to whom the card was
30 issued.

1 * * *

2 "Limited profile." An electronic representation created by
3 the department containing some, but not all, of the data fields
4 printed or otherwise displayed upon an individual's driver's
5 license or identification card issued under this title.

6 * * *

7 "Physical driver's license." A driver's license issued under
8 this title in a physical format, such as paper or plastic, that
9 identifies the individual to whom the driver's license was
10 issued.

11 "Physical identification card." An identification card
12 issued under this title in a physical format, such as paper or
13 plastic, that identifies the individual to whom the
14 identification card was issued.

15 * * *

16 "Product holder." An individual to whom a driver's license
17 or an identification card was issued under this title.

18 * * *

19 "Third-party electronic product system." As follows:

20 (1) An electronic product system that is not maintained
21 by the department or by an agent acting on behalf of the
22 department.

23 (2) The term may include, without limitation, an
24 electronic wallet.

25 * * *

26 "Verification system." A computer system operated by the
27 department or a person authorized by the department that is used
28 to verify the authenticity and validity of electronic products
29 issued under this title.

30 "Verifier." A person that seeks to confirm information about

1 an electronic product holder via the department's verification
2 system and the electronic product's data fields.

3 * * *

4 Section 2. Section 1510 of Title 75 is amended by adding
5 subsections to read:

6 § 1510. Issuance and content of driver's license.

7 * * *

8 (k) Electronic driver's license.--

9 (1) The department may issue an electronic driver's
10 license to an individual who has paid the annual access fee
11 to an electronic credential system and who holds a physical
12 driver's license issued under this title. The following
13 apply:

14 (i) The department may create an electronic product
15 system that the individual may access via an electronic
16 product device to display the individual's electronic
17 driver's license on the electronic product device.

18 (ii) The department may not issue an electronic
19 driver's license to an individual unless the individual
20 holds a valid physical driver's license.

21 (2) Only one electronic product may be issued to an
22 individual.

23 (3) The data fields in an electronic product shall match
24 the data fields held by the department for the product holder
25 at the time that the electronic product is issued. The
26 following apply:

27 (i) Changes and updates to data fields held by the
28 department shall be reflected in the data fields in the
29 electronic product.

30 (ii) Within 30 days of updating the records of

1 individuals holding an electronic product, the department
2 shall update the data fields of the electronic products.

3 (iii) An electronic product device shall
4 periodically update with the department, not less than 30
5 days, the data fields on the individual's electronic
6 product device, to determine operating system and
7 application compliance and to update the data fields on
8 the electronic product.

9 (1) Electronic identification card.--The department may
10 issue an electronic identification card to an individual who has
11 paid the annual access fee to an electronic product system and
12 who holds a physical identification card issued under this
13 title. The following apply:

14 (1) The department may create an electronic product
15 system that the individual may access via an electronic
16 product device to display the individual's electronic
17 identification card on the electronic product device.

18 (2) The department may not issue an electronic
19 identification card to an individual unless the individual
20 holds a valid physical identification card.

21 (m) Regulations regarding electronic driver's licenses and
22 identification cards.--The department shall promulgate
23 regulations as necessary to issue and verify electronic products
24 issued under this title or by other government entities.

25 (n) Third-party electronic product systems.--

26 (1) The department may issue electronic products through
27 a third-party electronic product system.

28 (2) Prior to issuing electronic products through a
29 third-party electronic product system, the department shall
30 enter into an agreement with the owner of the third-party

1 electronic product system to protect the confidentiality of
2 the information contained in records held by the department
3 or the data fields of electronic credentials as required by
4 this title.

5 (o) Verification system.--

6 (1) The department shall develop a verification system
7 that shall operate when the department issues electronic
8 products.

9 (2) An individual who is issued an electronic product
10 may give consent to a verifier to verify information about
11 the individual as product holder via the department's
12 verification system. The following apply:

13 (i) The product holder shall determine which data
14 fields shall be made available to the verifier via the
15 product holder's electronic product device.

16 (ii) The product holder has discretion to make
17 either a full profile, a limited profile or no data
18 fields available to the verifier.

19 (iii) If there is a discrepancy between the
20 information on an individual's physical driver's license
21 or physical identification card and the information in a
22 verification from the department via the verification
23 system, the information from the verification system is
24 to be considered the more accurate and current
25 information.

26 (3) The department may enter into agreements with other
27 government entities that issue electronic credentials to
28 allow for verification of those credentials through the
29 department's verification system.

30 (4) The department may enter into agreements with other

1 governmental entities and jurisdictions that operate a
2 similar verification system for the purpose of verifying
3 electronic products issued under this title.

4 (p) Medical-related indicator.--

5 (1) The department shall include a medical-related
6 indicator, designed by the department, on an electronic
7 product upon application by an individual. The application
8 shall include:

9 (i) A self-attestation that the individual:

10 (A) has a medical condition that could affect
11 communication or account for a medical emergency;

12 (B) is deaf or has a hearing impairment; or

13 (C) has a developmental disability.

14 (ii) A statement from the individual that the
15 individual has voluntarily provided the self-attestation
16 and other information verifying the individual's
17 condition.

18 (iii) For individuals under 18 years of age, the
19 signature of a parent, legal guardian, person in loco
20 parentis or spouse who is 18 years of age or older.

21 (iv) Any additional documentation required by the
22 department.

23 (2) A medical-related indicator shall only be accessed
24 by law enforcement or emergency personnel during an
25 interaction with law enforcement or in response to an
26 accident or emergency situation. The following apply:

27 (i) Information contained in a medical-related
28 indicator shall be kept confidential by law enforcement
29 and emergency personnel.

30 (ii) The inclusion of a medical-related indicator

1 shall not be construed as a blanket waiver to an
2 individual's right to privacy.

3 Section 3. Section 1511 of Title 75 is amended to read:

4 § 1511. Carrying and exhibiting driver's license on demand.

5 (a) General rule.--Every licensee shall possess a physical
6 driver's license issued to the licensee at all times when
7 driving a motor vehicle and shall exhibit the physical driver's
8 license or an electronic driver's license upon demand by a
9 police officer, and when requested by the police officer the
10 licensee shall write the licensee's name in the presence of the
11 officer in order to provide identity.

12 (b) Production to avoid penalty.--No person shall be
13 convicted of violating this section or section 1501(a) (relating
14 to drivers required to be licensed) if the person:

15 (1) produces at the headquarters of the police officer
16 who demanded to see the person's license, within 15 days of
17 the demand, a driver's license valid in this Commonwealth at
18 the time of the demand; or

19 (2) if a citation has been filed, produces at the office
20 of the issuing authority, within 15 days of the filing of the
21 citation, a driver's license valid in this Commonwealth on
22 the date of the citation.

23 (c) No requirement to surrender electronic product device.--
24 A statute or regulation that requires an individual to surrender
25 a driver's license or identification card to law enforcement
26 does not apply to an electronic product device.

27 (d) Privacy of information on electronic product device.--If
28 a licensee exhibits an electronic driver's license upon demand
29 by a police officer under this section, the police officer may
30 review only the full profile of the product holder's electronic

1 driver's license via the electronic product device. If the
2 police officer inadvertently reviews information on the
3 electronic product device in addition to the licensee's full
4 profile, that information may not be used as evidence in any
5 civil or criminal action.

6 Section 4. Section 1951 of Title 75 is amended by adding a
7 subsection to read:

8 § 1951. Driver's license and learner's permit.

9 * * *

10 (e) Electronic product.--The fee for an electronic product
11 shall be \$5 and shall be paid in addition to the other fees
12 imposed in this section.

13 Section 5. This act shall take effect in 15 months.