

2015 -- H 5606

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS'  
LICENSES

Introduced By: Representatives Roberts, Chippendale, Nardolillo, Price, and Reilly

Date Introduced: February 25, 2015

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-10-26 of the General Laws in Chapter 31-10 entitled "Operators'  
2 and Chauffeurs' Licenses" is hereby amended to read as follows:

3 **31-10-26. Issuance of license.** -- (a) The division of motor vehicles shall, upon payment  
4 of the required fee, issue to every qualifying applicant an operator's or chauffeur's license. The  
5 license shall be approximately two and one-half inches (2 1/2") wide and three and one-half  
6 inches (3 1/2") long and shall bear on it a distinguishing number assigned to the licensee, the full  
7 name, date of birth, residence address, brief description of the licensee, a photograph of the  
8 licensee, whether the licensee has indicated a desire to donate tissue or organs pursuant to the  
9 provisions of chapter 18.6 of title 23, and either a space upon which the licensee shall write his or  
10 her usual signature with pen and ink or a facsimile of the signature of the licensee. No license  
11 shall be valid until it has been so signed by the licensee designated on it. A negative file of all  
12 photographs of licensees shall be maintained by the division of motor vehicles for a period of five  
13 (5) years. [A "qualifying applicant" as used in this section shall mean an individual who possesses](#)  
14 [a valid social security number issued by the Social Security Administration.](#)

15 (b) The division of motor vehicles shall issue special licenses to those licensees who  
16 have indicated that they desire to donate tissue or organs, which conform to the provisions of the  
17 Rhode Island Anatomical Gift Act, chapter 18.6 of title 23.

18 (c) Any person who is a law enforcement officer, meaning any permanently employed

1 member of the state, city, or town police departments, sheriffs and deputy sheriffs, members of  
2 the marshal's unit, capitol police, and the state fire marshal and deputy fire marshals of the  
3 division of fire safety or a member of the department of attorney general, any permanently  
4 employed federal law enforcement officer assigned in Rhode Island, or any member of the United  
5 States Attorney's Office in Rhode Island or any employee of the R.I. department of corrections, as  
6 recommended by the director of the department of corrections, upon request of the applicant,  
7 shall be issued a license which contains the applicant's official business address in lieu of a  
8 residence address as required under the general provisions of this section.

9 (d) The license issued to a person applying for the first time shall be designated as a  
10 "first license". A first license shall be issued for a one year period after which time a permanent  
11 driver's license shall be issued according to this section.

12 (e) If an applicant has been adjudicated for committing one moving motor vehicle  
13 violation, has been involved in one reportable motor vehicle accident, or both, he or she shall be  
14 summoned for a hearing before a judge of the traffic tribunal at which time the driving record will  
15 be reviewed. The traffic tribunal judge shall determine if the person should be granted an  
16 operator's license, be reissued a first license, or be denied a license to operate a motor vehicle in  
17 the state of Rhode Island.

18 (f) Any person who is under the age of twenty-one (21) years shall, upon payment of the  
19 required fee and upon meeting the qualifications for the receipt of an operator's or chauffeur's  
20 license, be issued a license which shall be readily distinguishable in color from those licenses  
21 issued to persons who are twenty-one (21) years of age or older. When a person under the age of  
22 twenty-one (21) years to whom a license has been issued and whose license is in full force and  
23 effect, attains his or her twenty-first birthday, he or she shall be entitled to receive a new license  
24 of the type issued to persons who are older than the age of twenty-one (21) years from the  
25 administrator of the division of motor vehicles upon demand at no expense. Every person shall  
26 supply to the division of motor vehicles satisfactory proof of his or her date of birth.

27 (g) The division of motor vehicles shall issue special licenses upon the request of a  
28 licensee which conform to the provisions of the Rhode Island Anatomical Gift Act, chapter 18.6  
29 of title 23.

30 (h) The division of motor vehicles shall note in an appropriate manner a restriction on  
31 any person's license who is prohibited from operating a motor vehicle that is not equipped with an  
32 ignition interlock system as provided in chapter 27 of this title.

33 (i) Any personal digitized information contained within an operator's or chauffeur's  
34 license shall be limited to: (a) the licensee's name, age, date of birth, address, gender, physical

1 description such as weight, height, hair color and eye color, signature and organ donor status; and  
2 (b) the license number, commercial endorsements, expiration date, issue date, restriction and  
3 class.

4 (j) Except to the extent an entity is authorized to renew drivers' licenses, or except for  
5 financial institutions engaged in the verification of information for financial transactions,  
6 nongovernmental entities shall not have access to any digitized information contained in an  
7 operator or chauffeur's license other than the licensee's name, age, date of birth, signature, and  
8 photographic image, and the license's expiration date; nor shall they store, record or retain any  
9 such information obtained through a digital reading device. Access to digitized information by  
10 such entities shall be solely for the purpose of determining the age of an individual for a  
11 transaction, right or privilege available by law only to persons of a certain age.

12 (k) To the extent that nongovernmental entities shall have access to the digitized  
13 information stored on an operator's or chauffeur's license, the entity shall be civilly liable for the  
14 unauthorized access to, or retention or use of, such information by its agents or persons acting in  
15 the name of the entity.

16 (l) The division of motor vehicles shall collect from applicants and licensees their social  
17 security numbers and tax identification numbers only to the extent required by federal law [and](#)  
18 [subsection \(a\) of this section](#). Such numbers shall not be included, either digitally or visually, on  
19 the operator's or chauffeur's license.

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1           This act would require that any individual applying for a driver's/chauffeur's license
- 2           possess a valid social security number.
- 3           This act would take effect upon passage.

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