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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO MOTOR VEHICLE OPERATOR LICENSES - VETERANS

Introduced By: Representatives Martin, Gallison, and Mattiello

Date Introduced: January 04, 2012

Referred To: House Veterans` Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 3-8-6 and 3-8-6.1 of the General Laws in Chapter 3-8 entitled
2 "Regulation of Sales" are hereby amended to read as follows:

3 **3-8-6. Unlawful drinking and misrepresentation by underage persons --**
4 **Identification cards for persons twenty-one and older. --** (a) It is unlawful for:

5 (1) A person who has not reached his or her twenty-first (21st) birthday to enter any
6 premises licensed for the retail sale of alcoholic beverages for the purpose of purchasing or
7 having served or delivered to him or her alcoholic beverages; or

8 (2) A person who has not reached his or her twenty-first (21st) birthday to consume any
9 alcoholic beverage on premises licensed for the retail sale of alcoholic beverages or to purchase,
10 attempt to purchase, or have another purchase for him or her any alcoholic beverage; or

11 (3) A person to misrepresent or misstate his or her age, or the age of any other persons, or
12 to misrepresent his or her age through the presentation of any of the following documents:

13 (i) An armed service identification card, valid passport, the identification card license, or
14 any other documentation used for identification purposes that may belong to any other person
15 who is twenty-one (21) years or older;

16 (ii) A motor vehicle operator's license which bears the date of birth of the licensee, and
17 which is issued by this state or any other state;

18 (iii) A Rhode Island identification card as defined in subsection (b) for the purpose of
19 inducing any licensee or any employee of any licensee, to sell, serve or deliver any alcoholic

1 beverage to a minor.

2 (b) (1) The administrator of the division of motor vehicles shall issue to any person who
3 has reached his or her twenty-first (21st) birthday a Rhode Island identification card upon
4 payment of a fee of twenty-five dollars (\$25), and, upon presentation of a certified birth or
5 baptismal certificate, or U.S. or foreign passport, or U.S. naturalization certificate or a valid
6 immigrant or refugee document issued by the United States immigration and naturalization
7 service, including, but not limited to, any one of the following: Form I-551, Form I-94, Form I-
8 688A, and Form I-688, together with a document bearing the applicant's signature.

9 (2) A person who has reached his or her fifty ninth (59th) birthday is not required to pay
10 the fee.

11 (3) Each registration card shall be subject to renewal every five (5) years upon payment
12 of a fee of twenty-five dollars (\$25).

13 (4) No person who holds an operator's license issued by this state or any other state shall
14 be issued a Rhode Island identification card.

15 (5) The identification card shall be signed by the administrator of the division of motor
16 vehicles and by the applicant and his or her picture shall appear on the card along with the
17 required information and the card shall be encased in laminated plastic. The card shall be two
18 inches (2") in height and four inches (4") in length and shall be printed in the following form:

19 RHODE ISLAND IDENTIFICATION CARD

20 Date Issued No.

21 First Name Middle Name Last Name

22 Address

23 BIRTH RECORD

24 Month Day Year

25 Secure Color Color Sex Ht. Wt.

26 Photo of hair of eyes

27 by Pasting

28 here

29 Issued by

30 Administrator of the Division of Motor Vehicles

31 Administrator

32 (6) The identification cards shall be produced at the adult correctional institutions if they
33 have facilities to do so; if the adult correctional institutions have no facilities to do so, then all
34 cards shall be manufactured by the lowest responsible bidder following advertisement for the

1 solicitation of bids.

2 (7) The identification cards shall be clearly distinguishable from those issued pursuant to
3 section3-8-6.1 and operators' and chauffeurs' licenses issued pursuant to title 31.

4 (8) Any person who has been designated as permanently and totally disabled by the social
5 security administration or who upon certification by an optometrist, ophthalmologist or physician
6 that a holder of a valid and current motor vehicle operator's license is no longer able to operate a
7 motor vehicle, the administrator of the division of motor vehicles shall issue to such person, upon
8 request, a Rhode Island identification card for the unexpired term of such person's motor vehicle
9 operator's license at no additional cost. Thereafter, a renewal of such card shall be subject to the
10 standard renewal charge of twenty-five dollars (\$25) until such person shall reach his or her fifty-
11 ninth (59th) birthday.

12 (c) (1) Every retail Class A, B, C, and D licensee shall cause to be kept a book or
13 photographic reproduction equipment which provides the same information as required by the
14 book. That licensee and/or the licensee's employee shall require any person who has shown a
15 document as set forth in this section substantiating his or her age to sign that book or to permit the
16 taking of his or her photograph and indicate what document was presented. Use of the
17 photographic reproduction equipment is voluntary for every Class A, B, C and D licensee.

18 (2) The sign-in as minor book and photographic reproduction equipment shall be
19 prescribed, published, and approved at the direction and control of the division. The book shall
20 contain at least four hundred (400) pages, shall be uniform throughout the state, and shall be
21 distributed at a cost not to exceed seven dollars (\$7.00).

22 (3) If a person whose age is in question signs the sign-in as minor book or has a
23 photograph taken before he or she is sold any alcoholic beverage and it is later determined that
24 the person had not reached his or her twenty-first (21st) birthday at the time of sale, it is
25 considered prima facie evidence that the licensee and/or the licensee's agent or servant acted in
26 good faith in selling any alcoholic beverage to the person producing the document as set forth in
27 this section misrepresenting his or her age.

28 (4) Proof of good faith reliance on any misrepresentation is a defense to the prosecution
29 of the licensee and/or the licensee's agent or servant for an alleged violation of this section.

30 (d) (1) Any person who violates this section shall be punished for the first offense by a
31 mandatory fine of not less than one hundred dollars (\$100) nor more than five hundred dollars
32 (\$500) and shall be further punished by thirty (30) hours of community service and shall be
33 further punished by a suspension of his or her motor vehicle operator's license or driving
34 privileges for a period of thirty (30) days; for the second offense by a mandatory fine of not less

1 than five hundred dollars (\$500) nor more than seven hundred fifty dollars (\$750) and shall be
2 further punished by forty (40) hours of community service and will be further punished by a
3 suspension of his or her motor vehicle operator's license or driving privileges for a period of three
4 (3) months; and for the third and subsequent offenses by a mandatory fine for each offense of not
5 less than seven hundred fifty dollars (\$750) nor more than one thousand dollars (\$1,000) and shall
6 be further punished by fifty (50) hours of community service and will be further punished by a
7 suspension of his or her motor vehicle operator's license or driving privileges for a period of one
8 year.

9 (2) Any suspension of an operator's license or driving privilege pursuant to this section
10 shall not operate to affect the insurance rating of the offender and any operator's license or
11 driving privilege suspended pursuant to this section shall be reinstated without further expense
12 upon application.

13 (e) Within thirty (30) days after this incident the police chief of the city or town where
14 the incident took place is directed to inform, in writing, the department of business regulation
15 whether or not charges in accordance with this section have been preferred against a person who
16 has not reached his or her twenty-first (21st) birthday and has violated this section. If no charge is
17 brought against any person who has not reached his or her twenty-first (21st) birthday and has
18 violated the provisions of this section, then the police chief of the city or town where the incident
19 took place will state the reason for his or her failure to charge the person who has not reached his
20 or her twenty-first (21st) birthday.

21 (f) The Rhode Island identification card may be withdrawn at any time for just cause, at
22 the discretion of the administrator of the division of motor vehicles. The administrator of the
23 division of motor vehicles shall keep a record of the cards issued and each card shall contain an
24 identification number specifically assigned to the person to whom the card was issued.

25 **3-8-6.1. Identification cards for persons under the age of 21.** -- (a) (1) The
26 administrator of the division of motor vehicles shall issue to any person upon request, who is
27 under twenty-one (21) years of age, an identification card upon payment of a fee of twenty-five
28 dollars (\$25.00), and, upon presentation of a certified birth or baptismal certificate, or U.S. or
29 foreign passport, or U.S. naturalization certificate, or a valid immigrant or refugee document
30 issued by the United States immigration and naturalization service including, but not limited to,
31 any one of the following: Form I-551, Form I-94, Form I-688A, and Form I-688, together with a
32 document bearing the applicant's signature. No person who holds an operator's license, issued by
33 this state or any other state, shall be issued an identification card. (2) The identification card shall
34 be subject to renewal every five (5) years upon the payment of a fee of twenty-five dollars

1 (\$25.00). (3) The identification card shall be signed by the administrator of the division of motor
2 vehicles and also by the applicant, and his or her picture shall appear on the card along with the
3 required information and the card shall be encased in laminated plastic. The card shall be two
4 inches (2") in height and four inches (4") in length and shall be printed in the following form:

5 IDENTIFICATION CARD
6 Date Issued No.
7 First Name Middle Name Last Name
8 Address
9 BIRTH RECORD Month Day Year
10 Secure Color Color Sex Ht. Wt.
11 Photo of hair of eyes
12 by Pasting
13 here
14 Issued by Administrator of the Division of Motor Vehicles
15 Administrator

16 (4) The identification cards shall be produced at the adult correctional institution if they
17 have facilities to do so; if the adult correctional institutions have no facilities to do so, then all
18 cards shall be manufactured by the lowest responsible bidder following advertisement for the
19 solicitation of bids.

20 (5) The identification cards shall be clearly distinguishable from those issued pursuant to
21 section 3-8-6 and operators' and chauffeurs' licenses issued pursuant to title 31.

22 (b) The identification card may be withdrawn at any time for just cause, at the discretion
23 of the administrator of the division of motor vehicles. The administrator of the division of motor
24 vehicles shall keep a record of the cards issued and each card shall contain an identification
25 number specifically assigned to the person to whom the card was issued.

26 (c) The administrator of the division of motor vehicles shall, upon presentation of
27 acceptable documentation of military service, issue an identification card to the presenter which is
28 clearly marked "veteran", at no additional cost.

29 SECTION 2. Chapter 31-10 of the General Laws entitled "Operators' and Chauffeurs'
30 Licenses" is hereby amended by adding thereto the following section:

31 **31-10-48. Veteran designation on operator license. – The administrator of the division**
32 **of motor vehicles shall, upon presentation of acceptable documentation of military service, issue**
33 **a motor vehicle operator license to the presenter which is clearly marked "veteran".**

34 SECTION 3. Section 31-10-31 of the General Laws in Chapter 31-10 entitled "Operators'

1 and Chauffeurs' Licenses" is hereby amended to read as follows:

2 **31-10-31. Fees.** -- The following fees shall be paid to the division of motor vehicles:

3 (1) For every operator's first license to operate a motor vehicle, twenty-five dollars
4 (\$25.00);

5 (2) For every chauffeur's first license, twenty-five dollars (\$25.00); provided, that when
6 a Rhode Island licensed operator transfers to a chauffeur's license, the fee for the transfer shall be
7 two dollars (\$2.00);

8 (3) For every learner's permit to operate a motorcycle, twenty-five dollars (\$25.00);

9 (4) For every operator's first license to operate a motorcycle, twenty-five dollars
10 (\$25.00);

11 (5) For every renewal of an operator's or chauffeur's license, thirty dollars (\$30.00); with
12 the exception of any person seventy-five (75) years of age or older for whom the renewal fee will
13 be eight dollars (\$8.00);

14 (6) For every duplicate operator's or chauffeur's license, twenty-five dollars (\$25.00);

15 (7) For every certified copy of any license, permit, or application issued under this
16 chapter, ten dollars (\$10.00);

17 (8) For every duplicate instruction permit, ten dollars (\$10.00);

18 (9) For every first license examination, five dollars (\$5.00);

19 (10) For every routine information update, i.e., name change or address change, five
20 dollars (\$5.00);

21 (11) For surrender of an out-of-state license, in addition to the above fees, five dollars
22 (\$5.00);

23 (12) For every addition of veteran's designation to an operator license, six dollars and
24 fifty cents (\$6.50). There shall be no incremental fee for this designation at the scheduled time of
25 renewal.

26 SECTION 4. 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 direct the administrator of the division of motor vehicles to issue
2 operators' licenses with a designation that the holder is a veteran. A fee of six dollars and fifty
3 cents shall be paid to the division of motor vehicles for the veteran designation.

4 This act would take effect upon passage.

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