

## HOUSE BILL NO. HB0117

REAL I.D.-repeal.

Sponsored by: Representative(s) Quarberg, Brechtel,  
Buchanan, Burkhart, Campbell, Edmonds,  
Harvey, Jaggi, Kroeker, Madden, Miller,  
Peasley, Semlek, Teeters and Wallis and  
Senator(s) Bebout, Case, Coe, Cooper, Hicks  
and Martin

A BILL

for

1 AN ACT relating to the federal Real ID Act; amending  
2 Wyoming's motor vehicle statutes to remove provisions added  
3 in 2009 to comply with the federal Real ID Act; and  
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8       **Section 1.** W.S. 7-19-106(a)(xvi), 8-7-101,  
9 31-7-111(a), 31-7-113(f)(i), 31-7-115(a)(iii)(C) and (D),  
10 31-7-119(a) and by creating a new subsection (j), 31-8-101,  
11 31-8-102(a)(vi) through (viii) and 31-8-103(a) and (c)(ii)  
12 are amended to read:

13

1           **7-19-106. Access to, and dissemination of,**  
2 **information.**

3

4           (a) Criminal history record information shall be  
5 disseminated by criminal justice agencies in this state,  
6 whether directly or through any intermediary, only to:

7

8           (xvi) The department of transportation for  
9 purposes of dealer and wholesaler licensing and permitting  
10 under title 31, chapter 16; ~~and for purposes of performing~~  
11 ~~background checks required by W.S. 31-7-103(b);~~

12

13           **8-7-101. Tribal identification cards.**

14

15 An identification card issued by the governing body of the  
16 Eastern Shoshone tribe of Wyoming or Northern Arapahoe  
17 tribe of Wyoming that includes the requirements of W.S.  
18 31-8-102(a)(i) through (vi) ~~and (ix)~~ shall be considered a  
19 valid form of identification for all purposes for which an  
20 identification card issued under W.S. 31-8-101 may be used.

21

22           **31-7-111. Application for license or permit**  
23 **generally.**

24

1           (a) Every application for instruction permit,  
2 driver's license, commercial driver's license or commercial  
3 driver instruction permit shall be made upon a form  
4 furnished by the division. Every application shall be  
5 accompanied by the proper fee, ~~proof of residence and proof~~  
6 ~~of identity. Proof of identity shall be established by a~~  
7 ~~certified copy of the applicant's birth certificate, valid~~  
8 ~~unexpired United States passport, consular report of birth~~  
9 ~~abroad, certificate of citizenship, certificate of~~  
10 ~~naturalization, permanent resident card, employment~~  
11 ~~authorization document, foreign passport (with United~~  
12 ~~States visa affixed and accompanied by an approved document~~  
13 ~~documenting the applicant's most recent admittance to the~~  
14 ~~United States), state issued driver's license or~~  
15 ~~identification card which complies with federal law and~~  
16 ~~applicable regulations, or other document required by the~~  
17 ~~division to establish identity where reasons beyond the~~  
18 ~~applicant's control prevent the applicant from presenting~~  
19 ~~the documents required by this subsection~~ and if the  
20 applicant has not previously been licensed in this state or  
21 another jurisdiction, by a certified copy of the  
22 applicant's birth certificate or a valid unexpired United  
23 States passport.

24

1           **31-7-113. Fees.**

2

3           (f) Notwithstanding W.S. 31-7-115(b), any licensee on  
4 active duty in the armed forces of the United States who is  
5 stationed outside the state of Wyoming, or his spouse or  
6 dependent child who has a valid driver's license issued  
7 under this chapter, may obtain a license with an updated  
8 photograph and the same expiration date of the current  
9 license without payment of any fee, unless renewing under  
10 W.S. 31-7-119, if:

11

12           (i) While outside the state, the person  
13 surrenders the current license and submits an updated color  
14 photograph certified by military officials to be a  
15 photograph of the person; or

16

17           **31-7-115. Issuance, description and contents.**

18

19           (a) Upon the satisfactory completion of any required  
20 examination, the division shall issue to every qualifying  
21 applicant a driver's license, and:

22

23           (iii) The driver's license shall include, but  
24 not be limited to, the following information:

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

(C) The full legal name, any identifying numbers or letters deemed appropriate, date of birth, ~~principal residence~~ mailing address, height, weight and sex of the licensee. Unless otherwise required by federal law, the social security number of the person shall not be required on a driver's license;

(D) A ~~full facial digital~~ color photograph of the licensee;

**31-7-119. Expiration and renewal; required tests; extension.**

(a) Every driver's license shall expire on the licensee's birthday in the fourth year following the issuance of the license. Every driver's license is renewable within one hundred twenty (120) days before its expiration upon application, payment of the required fee and satisfactory completion of the examination required or authorized by subsection (b) of this section. The division may renew a driver's license more than one hundred twenty (120) days before its expiration if the applicant states in

1 writing that he will not be in the state during the one  
2 hundred twenty (120) days before the license expires.

3

4 (j) The license extension shall be properly affixed  
5 to the reverse side of the license to validate extension.

6

7 **31-8-101. Issuance to residents by department;**  
8 **restrictions.**

9

10 (a) Any Wyoming resident may be issued an  
11 identification card by the department of transportation.  
12 The application shall state the registrant's ~~full~~ legal  
13 name, ~~social security number, date of birth~~ correct age and  
14 any other identifying data the department may require and  
15 shall be signed and verified by the applicant. The  
16 identification card shall at the applicant's request  
17 indicate that the applicant is an anatomical organ donor as  
18 provided by W.S. 35-5-205.

19

20 (b) The department shall not issue an identification  
21 card until documentary evidence of the applicant's age and  
22 identity has been ~~verified using documents as provided by~~  
23 ~~W.S. 31-7-111~~ received.

24

1           **31-8-102. Contents.**

2

3           (a) The identification card shall resemble a Wyoming  
4 driver's license. It shall have:

5

6           (vi) The registrant's ~~full facial digital color~~  
7 photograph;

8

9           (vii) The following: "State of Wyoming" -  
10 "Identification Card No. ...." - "This card is provided  
11 solely for the purpose of identification of the person  
12 described on the card"; and

13

14           (viii) As provided for in W.S. 31-7-139, ~~and~~

15

16           **31-8-103. Expiration; records; new cards.**

17

18           (a) Identification cards shall not expire. ~~on the~~  
19 ~~registrant's birthday in the eighth year following issuance~~  
20 ~~of the identification card.~~ The department shall keep  
21 records of data contained in identification cards.

22

23           (c) If any information contained in the  
24 identification card becomes inaccurate, or if it is desired

1 to withdraw or insert notice of anatomical organ donation,  
2 the person to whom it was issued may obtain a new card  
3 upon:

4  
5 (ii) Furnishing ~~all~~ the same documentary  
6 evidence ~~necessary to verify any material change to~~  
7 ~~information listed on the~~ as for an original identification  
8 card; and

9  
10 **Section 2.** W.S. 7-19-201(a)(xviii), 31-7-103(b) and  
11 (c), 31-7-111(b)(xi) and (g), 31-7-115(a)(iii)(J),  
12 31-7-119(f)(iv), 31-8-102(a)(ix) and 31-8-103(d) are  
13 repealed.

14  
15 **Section 3.** The Wyoming transportation commission and  
16 department of transportation shall repeal all rules and  
17 regulations adopted after the 2009 general session of the  
18 Wyoming legislature which were promulgated in an effort to  
19 comply with the federal Real ID Act and shall promulgate  
20 new rules which are similar in scope and operation to those  
21 which existed prior to efforts to comply with the federal  
22 Real ID Act.

23



1           **Section 4.** This act is effective immediately upon  
2 completion of all acts necessary for a bill to become law  
3 as provided by Article 4, Section 8 of the Wyoming  
4 Constitution.

5

6

(END)