

GREEN SHEET REDIGEST

HB 450

2018 Regular Session

James

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

MTR VEHICLE/DRIVER LIC. Provides relative to the possession of driver's licenses and special identification cards.

DIGEST

Present law defines "license" or "driver's license" as any license secured from the Dept. of Public Safety and Corrections, in accordance with present law to operate a motor vehicle on the highways of this state.

Proposed law modifies the definition of "license" and "driver's license" to include a license that complies with the standards of REAL ID as outlined in present law.

Present law requires a licensee have his license, or a digitized driver's license in his immediate possession at all times when driving a motor vehicle.

Proposed law clarifies that the licensee must have his physical license or digitized driver's license in his immediate possession at all times when driving a motor vehicle.

Present law defines "digitized drivers license" as a data file available on any mobile device which has connectivity to the internet through an application that allows the mobile device to download the data file from the department or an authorized representative of the department, contains all of the data elements visible on the face and back of the license, and also displays the current status of the license.

Proposed law clarifies that the term "digitized driver's license" includes a license that complies with the standards of REAL ID.

Present law authorizes the use of a special identification card as valid identification of a person to whom it was issued when presented for the purpose of furnishing proof of identification.

Proposed law maintains present law and specifies that the special identification card must be accepted as valid identification of a person to whom it was issued when it is presented physically or in the form of a digitized special identification card.

Proposed law defines a "digitized special identification card" as a data file available on any mobile device which has connectivity to the internet through an application that allows the mobile device to download the data file from the department or an authorized representative of the department, contains all of the data elements visible on the face and back of the license and includes any special identification card that complies with the standards of REAL ID as outlined in present law.

Proposed law specifies that a digital copy, photograph, or image of a special identification card that is not downloaded through the application on a mobile device will not be considered a valid digitized special identification card.

Proposed law authorizes a law enforcement officer, a representative of a state or federal department or agency, or a private entity to require a person to produce a physical special identification card in connection with requests for identification not associated with traffic stops or checkpoints.

Proposed law requires the Dept. of Public Safety and Corrections to promulgate rules as are necessary to implement a digitized special identification card and specifies that no digitized special identification card will be valid until such rules are adopted.

Proposed law specifies that display of a digitized special identification card does not serve as consent or authorization for a law enforcement officer, or any other person, to search, view, or access any data or application on the mobile device and requires that a law enforcement officer promptly return the mobile device to the person once he has had an opportunity to verify the identity of the person.

Proposed law provides that the fee to install the application to display a digitized special identification card cannot exceed \$6.

Present law authorizes the deputy secretary of public safety services of the Dept. of Public Safety and Corrections to promulgate rules and regulations necessary to enter into reciprocity agreements with foreign countries and requires the driver's license standards of a foreign country to be comparable to Louisiana's driver's license standards and requires the rules to require that foreign drivers comply with Louisiana's compulsory motor vehicle security laws.

Proposed law amends present law to authorize reciprocity agreements with jurisdictions or agencies in foreign countries or with foreign governments that issue driver's licenses or the equivalent and adds that the rules specify the licensing requirements that the department may waive for a driver's license in this state.

Proposed law prohibits issuance of a commercial driver's license pursuant to a reciprocity agreement.

Effective August 1, 2018.

(Amends R.S. 32:401(intro. para.) and (14), 404(F), 411(F)(1) and (3)(a), and R.S. 40:1321(B))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the reengrossed bill

1. Adds authority for the deputy secretary of public safety services to promulgate rules necessary to enter into reciprocity agreements with jurisdictions or agencies in foreign countries or with foreign governments that issue driver's licenses or the equivalent and adds that the rules specify the licensing requirements that the department may waive for a driver's license in this state.
2. Prohibits issuance of a commercial driver's license pursuant to a reciprocity agreement.
3. Adds that proposed law does not affect existing reciprocity agreements.
4. Makes technical changes.