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HOUSE FLOOR AMENDMENTS

2016 Regular Session

Amendments proposed by Representative Mike Johnson to Engrossed House Bill No. 702
by Representative Jimmy Harris

1 AMENDMENT NO. 1

2 On page 1, line 2, after "To" delete "enact R.S. 32:410(E) and R.S. 40:1321(O)" and insert
3 "amend and reenact R.S. 32:410(A)(1), to enact R.S. 32:410(A)(3)(a)(x), (E), and (F) and
4 R.S. 40:1321(O),"

5 AMENDMENT NO. 2

6 On page 1, line 4, after "relative to" delete the remainder of the line and at the beginning of
7 line 5, delete "cards in compliance with"

8 AMENDMENT NO. 3

9 On page 1, line 6, after "REAL ID Act" insert "for special identification cards; to prohibit
10 the issuance of driver's licenses in compliance with the REAL ID Act of 2005"

11 AMENDMENT NO. 4

12 On page 1, delete lines 9 through 20 in their entirety, delete page 2 in its entirety, and on
13 page 3, delete lines 1 through 11 in their entirety and insert the following:

14 "Section 1. R.S. 32:410(A)(1) is hereby amended and reenacted and R.S.
15 32:410(A)(3)(a)(x), (E), and (F) are hereby enacted to read as follows:

16 §410. Form of license; photograph, signature of licensee, anatomical gift statement,
17 declaration of life-sustaining procedures, and additional information on
18 license

19 A.(1) Every application for a driver's license and the license issued as a
20 result of such application shall contain the photograph of the applicant or licensee,
21 as the case may be. However, no driver's license issued as a result of such
22 application shall be compliant with the standards of the REAL ID Act of 2005, P.L.
23 109-13, and federal rules adopted pursuant thereto. At the time of renewal of a
24 license, the expired or expiring license shall be surrendered to the office of motor
25 vehicles of the Department of Public Safety and Corrections.

* * *

27 (3)(a) Every license issued shall bear thereon:

* * *

29 (x) An indication that such license is not in compliance with the REAL ID
30 Act of 2005, P.L. 109-13.

* * *

32 E. The department shall not copy, scan, maintain, or share personal
33 identifying source documents or biometrics obtained from any person in the process
34 of applying for the issuance or renewal of a driver's license.

35 F.(1) Any personal identifying source documents or photographs of persons
36 obtained by the department or a contractor in the process of a person applying for or
37 renewing a driver's license between July 7, 2008, and the effective date of the Act
38 which originated as House Bill 702 of the 2016 Regular Session that were not

1 required by state law to be captured by the department or a contractor as of July 7,
2 2008, shall be disposed of as follows:

3 (a) Personal identifying source documents shall be removed and purged from
4 department and contractor databases and systems.

5 (b) All photographs of persons obtained by the department prior to 2012
6 which are in the possession of a contractor shall be purged from the database or
7 system of that contractor.

8 (2) Any photographs of a person captured in the process of a person applying
9 for or renewing a driver's license between July 7, 2008, and the effective date of the
10 Act which originated as House Bill 702 of the 2016 Regular Session may be retained
11 by the department; however, any such photographs shall be removed and purged
12 from all databases and systems of any contractor.

13 (3) The department shall notify, in writing, any person who has personal
14 identifying source documents or photographs disposed of or retained pursuant to this
15 Subsection of what was disposed of or retained by the department or a contractor.

16 (4) As used in this Subsection, the following terms shall mean and include:

17 (a) "Contractor" shall mean and include any contractor of the department or
18 any affiliate or subsidiary of such contractor and any subcontractor of such
19 contractor or any affiliate or subsidiary of such subcontractor.

20 (b) "Personal identifying source documents" shall mean and include any
21 document provided by any person to prove his identity or residence. It shall include
22 all copies, scans, or digital images of such documents.

23 (c) "Photographs" shall mean and include any captured image, digital or
24 otherwise, of a person's face. It shall include all copies, scans, or digital images of
25 such image."