

SENATE COMMITTEE AMENDMENTS

2016 Regular Session

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 702 by Representative Jimmy Harris

1 AMENDMENT NO. 1

2 On page 1, delete lines 2 through 8 and insert the following:

3 "To enact R.S. 32:410(E) and (F) and R.S. 40:1321(O) and to repeal Act No.
 4 807 of the 2008 Regular Session of the Legislature and Act No. 151
 5 of the 2010 Regular Session of the Legislature, relative to the
 6 issuance of a driver's license and special identification card in
 7 compliance with the REAL ID Act of 2005; to provide for
 8 implementation of the REAL ID Act; to provide for exceptions; to
 9 require certain documents or photographs obtained in the process of
 10 applying for a driver's license be retained or purged under certain
 11 circumstances; to provide for an effective date; and to provide for
 12 related matters."

13 AMENDMENT NO. 2

14 On page 1, delete lines 10 through 19 and insert the following:

15 "Section 1. R.S. 32:410(E) and (F) are hereby enacted to read as follows:

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

19 * * *

20 E.(1) The department shall provide for the option of the issuance of
 21 a driver's license that is compliant or not compliant with the standards of the
 22 REAL ID Act of 2005, P. L. 109-13, and federal rules adopted pursuant
 23 thereto as of January 1, 2016, hereinafter collectively referred to as REAL
 24 ID, in the manner set forth in this Subsection.

25 (2) Any person applying for a driver's license pursuant to the
 26 provisions of this Chapter may elect to apply for a driver's license that
 27 complies with the standards of REAL ID. If that person is eligible for a
 28 driver's license to be issued pursuant to the provisions of this Chapter and
 29 meets all requirements of the United States Department of Homeland
 30 Security for a REAL ID compliant credential, that person shall be issued a
 31 driver's license which bears a United States Department of Homeland
 32 Security approved security marking reflecting that such credential meets
 33 REAL ID standards. A person who is issued a REAL ID compliant driver's
 34 license shall not be issued a REAL ID compliant special identification card.

35 (3) Any person applying for a driver's license pursuant to the
 36 provisions of this Chapter, who elects not to apply for a driver's license that
 37 complies with REAL ID standards, and who is otherwise eligible to be issued
 38 a driver's license pursuant to the provisions of this Chapter, shall be issued
 39 a driver's license which indicates the driver's license is not in compliance
 40 with REAL ID. If the person has elected not to apply for a REAL ID
 41 compliant driver's license, the department shall not require the applicant to
 42 comply with any REAL ID requirements that were not required by the state
 43 as of January 1, 2016, or require the applicant to submit to a facial image
 44 capture in connection with such application prior to determining if such
 45 applicant is eligible to be issued a driver's license pursuant to the provisions
 46 of this Chapter. If the person has elected not to apply for a REAL ID
 47 compliant driver's license, the department shall not copy, scan, maintain, or
 48 share a copy of the applicant's documents proving his identity. This includes

1 but is not limited to the applicant's birth certificate, social security card, or
 2 United States issued passport.

3 (4)(a) Each applicant for a driver's license shall be informed that he
 4 is not required by law to be issued a REAL ID compliant driver's license and
 5 may be issued a driver's license which is not REAL ID compliant. The
 6 applicant shall be required to indicate on his driver's license application
 7 whether he is applying for a REAL ID compliant driver's license or a driver's
 8 license that is not REAL ID compliant.

9 (b) The department shall provide each applicant for a driver's license
 10 a printed document that includes the following information:

11 (i) The documents that an applicant is required to provide to obtain
 12 a REAL ID compliant driver's license, and the documents an applicant is
 13 required to provide to obtain a driver's license that is not REAL ID
 14 compliant.

15 (ii) The purposes for which a REAL ID compliant driver's license
 16 may be utilized, and the purposes for which a driver's license that is not
 17 REAL ID compliant may be utilized.

18 (iii) The electronic technology incorporated into a REAL ID
 19 compliant driver's license, and the electronic technology incorporated into a
 20 driver's license that is not REAL ID compliant.

21 (5) Compliance with REAL ID referenced in this Subsection shall be
 22 limited to those standards in effect as of January 1, 2016. Any subsequent
 23 changes or additions to federal laws or rules for implementation of REAL ID
 24 shall be implemented by the state only if such changes are approved by the
 25 legislature by a favorable vote of a majority of the elected members of each
 26 house.

27 (6) Any eligible person electing to obtain a driver's license which
 28 bears a United States Department of Homeland Security approved security
 29 marking reflecting that such credential meets REAL ID standards prior to the
 30 renewal date of his driver's license may be issued such driver's license at the
 31 cost of a duplicate license.

32 (7) Upon the request of any applicant for a driver's license, the
 33 department shall record and retain the applicant's name, date of birth,
 34 certificate numbers, date filed, and issuing agency in lieu of retaining an
 35 image or copy of the applicant's birth certificate.

36 (8) Before January 1, 2017, the Department of Public Safety and
 37 Corrections, office of motor vehicles, shall submit to the Senate and House
 38 committees on transportation, highways, and public works a specific and
 39 detailed list of those standards in effect as of January 1, 2016, to which
 40 compliance with REAL ID in Louisiana is limited in this Subsection."

41 AMENDMENT NO. 3

42 On page 2, delete lines 1 through 27 and insert the following:

43 "F.(1) Upon request of any person, any personal identifying source
 44 documents or photographs of such person obtained by the department or a
 45 contractor in the process of a person applying for or renewing a driver's
 46 license between July 7, 2008, and the effective date of the Act which
 47 originated as House Bill No. 702 of this 2016 Regular Session of the
 48 Legislature that were not required by state law to be captured by the
 49 department or a contractor as of July 7, 2008, shall be disposed of as follows:

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

52 (b) All photographs of persons obtained by the department which are
 53 in the possession of a contractor shall be purged from the database or system
 54 of that contractor."

55 AMENDMENT NO. 4

56 On page 3, delete lines 1 through 3

1 AMENDMENT NO. 5

2 On page 3, line 4, change "(4)" to "(2)"

3 AMENDMENT NO. 6

4 On page 3, line 5, after "department" delete "or" and insert "₂"

5 AMENDMENT NO. 7

6 On page 3, line 6, change "contractor" to "contractor,"

7 AMENDMENT NO. 8

8 On page 4, line 8, after "(3)" change "If a" to "Any"

9 AMENDMENT NO. 9

10 On page 4, line 9, change "Section does not elect" to "Section, who elects not"

11 AMENDMENT NO. 10

12 On page 4, line 10, change "standards and that person" to "standards, and who"

13 AMENDMENT NO. 11

14 On page 4, line 11, after "Section," delete the remainder of line 11

15 AMENDMENT NO. 12

16 On page 4, line 15, change "of the REAL ID requirements which" to "REAL ID
17 requirements that"

18 AMENDMENT NO. 13

19 On page 4, line 29, change "card" to "card,"

20 AMENDMENT NO. 14

21 On page 5, line 4, change "utilized" to "utilized,"

22 AMENDMENT NO. 15

23 On page 5, line 7, change "card" to "card,"

24 AMENDMENT NO. 16

25 On page 5, line 19, change "provide" to "submit"

26 AMENDMENT NO. 17

27 On page 5, line 24, change "repealed in their entirety." to "repealed."