

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 40

Short Title: Strengthening Integrity of Drivers Licenses. (Public)

Sponsors: Representatives Cole, Allred (Primary Sponsors); L. Allen, Barnhart, Blackwood, Bordsen, Brown, Capps, Church, Cleveland, Coates, Crawford, Daughtridge, Folwell, Frye, Gibson, Goodwin, Harrell, Hill, Hilton, Justus, Kiser, LaRoque, Lucas, McGee, Preston, Rapp, Saunders, Steen, Tolson, and Yongue.

Referred to: Judiciary II.

February 3, 2005

A BILL TO BE ENTITLED

1 AN ACT STRENGTHENING THE INTEGRITY OF THE DRIVERS LICENSE,
2 IDENTIFICATION CARD, AND LEARNERS PERMIT AS IDENTIFICATION
3 DOCUMENTS.
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 20-7(b1) reads as rewritten:

7 "(b1) Application. – To obtain an identification card, learners permit, or drivers
8 license from the Division, a person shall complete an application form provided by the
9 Division, present at least two forms of identification approved by the Commissioner, be
10 a resident of this State, and, except for an identification card, demonstrate his or her
11 physical and mental ability to drive safely a motor vehicle included in the class of
12 license for which the person has applied. At least one of the forms of identification shall
13 indicate the applicant's residence address. The Division may copy the identification
14 presented or hold it for a brief period of time to verify its authenticity. To obtain an
15 endorsement, a person shall demonstrate his or her physical and mental ability to drive
16 safely the type of motor vehicle for which the endorsement is required.

17 The application form shall request all of the following information, and it shall
18 contain the disclosures concerning the request for an applicant's social security number
19 required by section 7 of the federal Privacy Act of 1974, Pub. L. No. 93-579:

- 20 (1) The applicant's full name.
- 21 (2) The applicant's mailing address and residence address.
- 22 (3) A physical description of the applicant, including the applicant's sex,
23 height, eye color, and hair color.
- 24 (4) The applicant's date of birth.
- 25 (5) The applicant's valid social security number.

1 (6) The applicant's signature.

2 If an applicant does not have a valid social security number and is ineligible to
3 obtain one, the applicant shall swear to or affirm that fact under penalty of perjury. ~~In~~
4 ~~such case, the applicant may provide a valid Individual Taxpayer Identification Number~~
5 ~~issued by the Internal Revenue Service to that person.~~

6 The Division shall not issue an identification card, learners permit, or drivers license
7 to an applicant who fails to provide either the applicant's valid social security number or
8 ~~the applicant's valid Individual Taxpayer Identification Number to swear or affirm that~~
9 ~~the applicant is ineligible to receive one."~~

10 **SECTION 2.** G.S. 20-7(b1), as amended by Section 1 of this act, reads as
11 rewritten:

12 "(b1) Application. – To obtain an identification card, learners permit, or drivers
13 license from the Division, a person shall complete an application form provided by the
14 Division, present at least two forms of identification approved by the Commissioner, be
15 a resident of this State, and, except for an identification card, demonstrate his or her
16 physical and mental ability to drive safely a motor vehicle included in the class of
17 license for which the person has applied. At least one of the forms of identification shall
18 indicate the applicant's residence address. The Division may copy the identification
19 presented or hold it for a brief period of time to verify its authenticity. To obtain an
20 endorsement, a person shall demonstrate his or her physical and mental ability to drive
21 safely the type of motor vehicle for which the endorsement is required.

22 The application form shall request all of the following information, and it shall
23 contain the disclosures concerning the request for an applicant's social security number
24 required by section 7 of the federal Privacy Act of 1974, Pub. L. No. 93-579:

25 (1) The applicant's full name.

26 (2) The applicant's mailing address and residence address.

27 (3) A physical description of the applicant, including the applicant's sex,
28 height, eye color, and hair color.

29 (4) The applicant's date of birth.

30 (5) The applicant's valid social security number.

31 (6) The applicant's signature.

32 If an applicant does not have a valid social security number and is ineligible to
33 obtain one, the applicant shall swear to or affirm that fact under penalty of perjury. The
34 Division shall not issue an identification card, learners permit, or drivers license to an
35 applicant who fails to provide either the applicant's valid social security number or to
36 swear or affirm that the applicant is ineligible to receive one.

37 An applicant for an original drivers license, learners permit, or identification card
38 shall be a citizen of the United States or otherwise demonstrate unexpired legal
39 authorization to be in the United States."

40 **SECTION 3.** Section 2 of this act becomes effective July 1, 2005. The
41 remainder of this act is effective when it becomes law.