

HCS HB 361 -- FEDERAL REAL ID ACT OF 2005 (Guest)

COMMITTEE OF ORIGIN: Committee on Real ID and Personal Privacy

This substitute specifies that an applicant for a driver's license, nondriver's license, or instruction permit cannot have his or her privacy rights violated in order to obtain or renew a driver's license.

The Department of Revenue is prohibited from amending procedures for applying for a driver's license or identification card in order to comply with the goals or standards of the federal REAL ID Act of 2005 and from selling any data derived from a person's license or permit application for commercial purposes.

Any biometric data previously collected, obtained, or retained by any state department or agency responsible for motor vehicle registration or operation or the issuance or renewal of driver's licenses or identification cards must be retrieved and deleted from all databases.

Currently, the department must verify that an applicant for a driver's license is lawfully present in the United States before accepting the application, and the license cannot be issued for a period that exceeds the applicant's lawful presence. The substitute requires the department to verify that an applicant for a driver's license is a Missouri resident or national of the United States or a noncitizen with lawful immigration status and a Missouri resident before accepting the application. The license cannot be issued for a period that exceeds the duration of the applicant's lawful immigration status.

For the renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, a photocopy of an applicant's United States birth certificate along with another form of identification approved by the department, including any United States military identification or discharge papers, will be sufficient proof of Missouri residency, United States naturalization, or lawful immigration status.

If an applicant for the renewal of a noncommercial driver's license or instruction permit or a nondriver's license is not at least 65 years of age with a previously issued Missouri noncommercial license or instruction permit or nondriver's license or does not have the required documents to prove Missouri residency, United States naturalization, or lawful immigration status but has held a Missouri noncommercial license or instruction permit or nondriver's license for at least 15 years, the department may issue a one-time only, one-year renewal license or permit.

FISCAL NOTE: No impact on state funds in FY 2010, FY 2011, and FY 2012.