

An act to amend Sections 12506 and 12801.8 of, to amend, repeal, and add Sections 12805, 13000, 13002, and 13002.1 of, and to add Section 681 to, the Vehicle Code, relating to government identification.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 681 is added to the Vehicle Code, to read:

681. (a) "Real ID driver's license or identification card" means a driver's license or identification card that has been issued by a state that has been certified by the Department of Homeland Security to be in compliance with the requirements of the Real ID Act of 2005 (Public Law 109-13) and the regulations adopted pursuant to the Act.

(b) This section shall become operative on January 1, 2018.

SEC. 2. Section 12506 of the Vehicle Code is amended to read:

12506. The department may issue a temporary driver's license to any person applying for a driver's license, to any person applying for renewal of a driver's license, or to any licensee whose license is required to be changed, added to, or modified.

Notwithstanding ~~subdivision (b)~~ paragraph (3) of subdivision (a) of Section 12805, the department may issue a temporary driver's license to an applicant who has previously been licensed in this state or in any other state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or the Dominion of Canada, notwithstanding that the applicant has failed the written examination on the person's first attempt.

A temporary license permits the operation of a motor vehicle upon the highways for a period of 60 days, if the licensee has the temporary license in his or her immediate possession, and while the department is completing its investigation and determination of all facts relative to the applicant's right to receive a license. The temporary license is invalid when the applicant's license has been issued or refused.



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SEC. 3. Section 12801.8 of the Vehicle Code is amended to read:

12801.8. (a) In the case of a legal, nonimmigrant driver's license applicant, the department shall issue a temporary driver's license, valid for 90 days, if the applicant has successfully completed the application and the related requirements for the issuance of a driver's license under this code, including ~~subdivision (a) paragraph (1) of subdivision (a) of Section 12805. If the United States Immigration and Naturalization Service United States Department of Homeland Security~~ is unable to verify the applicant's presence before the temporary driver's license expires, the department shall, at least 15 days before the temporary driver's license expires, extend the temporary driver's license for an additional 120 days and notify the applicant by mail that the temporary driver's license is being extended.

(b) If the department adjusts the expiration date of any driver's license issued pursuant to this code so that the date does not exceed the expiration date of a federal document submitted pursuant to subdivision (a) of Section 12801.5, the applicant may, upon receipt of a notice of renewal of the driver's license by the department sent prior to the expiration of the license, request an extension of the term of the driver's license by submitting to the department satisfactory proof that the applicant's presence in the United States has been reauthorized or extended under federal law. After verifying that the applicant's presence in the United States has been reauthorized or extended by federal law, the department shall adjust the expiration date of the driver's license so that it does not exceed the expiration date of the revised federal document submitted pursuant to subdivision (a) of Section 12801.5 and complies with the related requirements of this code.



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(c) ~~On or before July 1, 1997, the~~ The department shall establish a procedure for receiving mailed requests for the extension of driver’s licenses as described in this section.

SEC. 4. Section 12805 of the Vehicle Code is amended to read:

12805. (a) The department shall not issue a driver’s license to, or renew a driver’s license of, any person:

(a)

(1) Who is not of legal age to receive a driver’s license.

(b)

(2) Whose best corrected visual acuity is 20/200 or worse in that person’s better eye, as verified by an optometrist or ophthalmologist. ~~No~~ A person ~~may~~ shall not use a bioptic telescopic or similar lens to meet the 20/200 visual acuity standards.

(c)

(3) Who is unable, as shown by examination, to understand traffic signs or signals or who does not have a reasonable knowledge of the ~~provisions~~ requirements of this code governing the ~~operations~~ operation of vehicles upon the highways.

(d)

(4) When it is determined, by examination or other evidence, that the person is unable to safely operate a motor vehicle upon a highway.

(e)

(5) Who is unable to read and understand ~~simple~~ English used in highway traffic and directional signs. ~~This subdivision does not apply to any person holding an operator’s or chauffeur’s license issued by this state and valid on September 11, 1957.~~



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(f)

(6) Who holds a valid driver's license issued by a foreign jurisdiction unless the license has been surrendered to the department, or is lost or destroyed.

(g)

(7) Who has ever held, or is the holder of, a license to drive issued by another state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico, and that license has been suspended by reason, in whole or in part, of a conviction of a traffic violation until the suspension period has terminated, except that the department may issue a license to the applicant if, in the opinion of the department, it will be safe to issue a license to a person whose license to drive was suspended by a state that is not a party to the Driver License Compact provided for in Chapter 6 (commencing with Section 15000) of Division 6.

(h)

(8) Who has ever held, or is the holder of, a license to drive issued by another state, territory, or possession of the United States, the District of Columbia or the Commonwealth of Puerto Rico, and that license has been revoked by reason, in whole or in part, of a conviction of a traffic violation, until the revocation has been terminated or after the expiration of one year from the date the license was revoked, whichever occurs first, except that the department may issue a license to the applicant if, in the opinion of the department, it will be safe to issue a license to a person whose license to drive was revoked by a state that is not a party to the Driver License Compact provided for in Chapter 6 (commencing with Section 15000) of Division 6.



(b) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 5. Section 12805 is added to the Vehicle Code, to read:

12805. (a) The department shall not issue a driver’s license to, or renew a driver’s license of, any person:

(1) Who is not of legal age to receive a driver’s license.

(2) Whose best corrected visual acuity is 20/200 or worse in that person’s better eye, as verified by an optometrist or ophthalmologist. A person shall not use a bioptic telescopic or similar lens to meet the 20/200 visual acuity standards.

(3) Who is unable, as shown by examination, to understand traffic signs or signals or who does not have a reasonable knowledge of the requirements of this code governing the operation of vehicles upon the highways.

(4) When it is determined, by examination or other evidence, that the person is unable to safely operate a motor vehicle upon a highway.

(5) Who is unable to read and understand English used in highway traffic and directional signs.

(6) Who holds a valid driver’s license issued by a foreign jurisdiction unless the license has been surrendered to the department, or is lost or destroyed.

(7) Who has ever held, or is the holder of, a license to drive issued by another state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico, and that license has been suspended by reason, in whole or in part, of a conviction of a traffic violation until the suspension period has



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terminated, except that the department may issue a license to the applicant if, in the opinion of the department, it will be safe to issue a license to a person whose license to drive was suspended by a state that is not a party to the Driver License Compact provided for in Chapter 6 (commencing with Section 15000) of Division 6.

(8) Who has ever held, or is the holder of, a license to drive issued by another state, territory, or possession of the United States, the District of Columbia or the Commonwealth of Puerto Rico, and that license has been revoked by reason, in whole or in part, of a conviction of a traffic violation, until the revocation has been terminated or after the expiration of one year from the date the license was revoked, whichever occurs first, except that the department may issue a license to the applicant if, in the opinion of the department, it will be safe to issue a license to a person whose license to drive was revoked by a state that is not a party to the Driver License Compact provided for in Chapter 6 (commencing with Section 15000) of Division 6.

(b) The department shall not issue a Real ID driver's license to a person who holds a valid Real ID identification card.

(c) The department may cancel a driver's license in order to enable compliance with subdivision (b).

(d) This section shall become operative on January 1, 2018.

SEC. 6. Section 13000 of the Vehicle Code is amended to read:

13000. (a) The department may issue an identification card to any person attesting to the true full name, correct age, and other identifying data as certified by the applicant for the identification card.



(b) Any person 62 years of age or older may apply for, and the department upon receipt of a proper application therefor shall issue, an identification card bearing the notation “Senior ~~Citizen~~” Citizen.”

(c) Every application for an identification card shall be signed and verified by the applicant before a person authorized to administer oaths and shall be supported by bona fide documentary evidence of the age and identity of the applicant as the department may require, and shall include a legible print of the thumb or finger of the applicant.

(d) Any person 62 years of age or older, and any other qualified person, may apply for, or possess, an identification card under the provisions of either subdivision (a) or (b), but not under both of those provisions.

(e) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 7. Section 13000 is added to the Vehicle Code, to read:

13000. (a) (1) The department may issue an identification card to any person attesting to the true full name, correct age, and other identifying data as certified by the applicant for the identification card.

(2) The department may not issue a Real ID identification card to a person who holds a Real ID driver’s license.

(3) The department may cancel an identification card in order to enable compliance with paragraph (2).



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(b) Any person 62 years of age or older may apply for, and the department upon receipt of a proper application therefor shall issue, an identification card bearing the notation "Senior Citizen."

(c) Every application for an identification card shall be signed and verified by the applicant before a person authorized to administer oaths and shall be supported by bona fide documentary evidence of the age and identity of the applicant as the department may require, and shall include a legible print of the thumb or finger of the applicant.

(d) Any person 62 years of age or older, and any other qualified person, may apply for, or possess, an identification card under the provisions of either subdivision (a) or (b), but not under both of those provisions.

(e) This section shall become operative on January 1, 2018.

SEC. 8. Section 13002 of the Vehicle Code is amended to read:

13002. (a) Except as otherwise provided in subdivision (b), ~~every~~ each identification card shall expire, unless canceled earlier, on the sixth birthday of the applicant following the date of application for the identification card. Renewal of any identification card, other than a senior citizen identification card, shall be made for a term which shall expire on the sixth birthday of the applicant following expiration of the identification card renewed, unless surrendered earlier. Any application for renewal received after 90 days after expiration of the identification card, including a senior citizen identification card, shall be considered the same as an application for an original identification card. The department shall, at the end of six years and six months after



the issuance or renewal of an identification card, other than a senior citizen identification card, destroy any record of the card if it has expired and has not been renewed.

(b) Every senior citizen identification card issued pursuant to subdivision (b) of Section 13000 shall expire, unless canceled earlier, on the 10th birthday of the applicant following the date of application for the identification card. Renewal of any senior citizen identification card shall be made for a term which shall expire on the 10th birthday of the applicant following expiration of the senior citizen identification card renewed, unless surrendered earlier. The department shall, at the end of 10 years and six months after the issuance or renewal of a senior citizen identification card, destroy any record of the card if it has expired and has not been renewed.

(c) An identification card may be issued to a person in exchange for the person's driver's license which is surrendered to the department for either of the following reasons:

(1) The person has a physical or mental condition and requests cancellation of the driver's license.

(2) The department has revoked the person's driving privilege based on the person's physical or mental condition.

That card shall be issued without the payment of any additional fee.

(d) Notwithstanding subdivisions (a) and (b), the department may adjust the expiration date of any identification card issued pursuant to this code so that the date does not exceed the expiration date of a document submitted pursuant to subdivision (a) of Section 12801.5.



(e) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 9. Section 13002 is added to the Vehicle Code, to read:

13002. (a) Except as otherwise provided in subdivision (b), every identification card shall expire, unless canceled earlier, on the sixth birthday of the applicant following the date of application for the identification card. Renewal of any identification card, other than a senior citizen identification card, shall be made for a term which shall expire on the sixth birthday of the applicant following expiration of the identification card renewed, unless surrendered earlier. Any application for renewal received after 90 days after expiration of the identification card, including a senior citizen identification card, shall be considered the same as an application for an original identification card. The department shall, at the end of six years and six months after the issuance or renewal of an identification card, other than a senior citizen identification card, destroy any record of the card if it has expired and has not been renewed.

(b) Every senior citizen identification card issued pursuant to subdivision (b) of Section 13000 shall expire, unless canceled earlier, on the 8th birthday of the applicant following the date of application for the identification card. Renewal of any senior citizen identification card shall be made for a term which shall expire on the 8th birthday of the applicant following expiration of the senior citizen identification card renewed, unless surrendered earlier. The department shall, at the end of 8 years and six months after the issuance or renewal of a senior citizen identification card, destroy any record of the card if it has expired and has not been renewed.



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(c) An identification card may be issued to a person in exchange for the person's driver's license which is surrendered to the department for either of the following reasons:

(1) The person has a physical or mental condition and requests cancellation of the driver's license.

(2) The department has revoked the person's driving privilege based on the person's physical or mental condition.

That card shall be issued without the payment of any additional fee.

(d) Notwithstanding subdivisions (a) and (b), the department may adjust the expiration date of any identification card issued pursuant to this code so that the date does not exceed the expiration date of a document submitted pursuant to subdivision (a) of Section 12801.5.

(e) This section shall become operative on January 1, 2018.

SEC. 10. Section 13002.1 of the Vehicle Code is amended to read:

13002.1. (a) The director shall establish ~~by January 1, 2011~~, a program that permits the renewal of identification cards by mail or through the department's Internet Web site.

(b) The initial application for the identification card shall be pursuant to Section 13000. The first renewal for a person 62 years of age or older shall be for a 10-year period with a maximum of one renewal by mail or through the department's Internet Web site. All other renewals shall be for a six-year period with a maximum of two renewals by mail or through the department's Internet Web site.



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(c) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 11. Section 13002.1 is added to the Vehicle Code, to read:

13002.1. (a) The director shall establish a program that permits the renewal of identification cards by mail or through the department's Internet Web site.

(b) The initial application for the identification card shall be pursuant to Section 13000. After January 1, 2018, the first renewal for a person 62 years of age or older shall be for an 8-year period with a maximum of one renewal by mail or through the department's Internet Web site. All other renewals shall be for a six-year period with a maximum of two renewals by mail or through the department's Internet Web site.

(c) This section shall become operative on January 1, 2018.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Real ID Driver's licenses or identification cards.

Existing law authorizes the Department of Motor Vehicles to issue and renew driver's licenses and identification cards, including senior citizen identification cards. Existing law requires senior citizen identification cards to expire on the 10th birthday of the applicant for the card following the date of application. The existing federal Real ID Act requires specified security requirements to be met in order for a state's driver's licenses and identification cards to be accepted for certain official purposes.

This bill would, on and after January 1, 2018, prohibit the department from issuing a driver's license or identification card that is in compliance with the requirements of the Real ID Act to a person who possesses a driver's license or identification card in compliance with the Real ID Act. The bill would authorize the department to cancel a driver's license or identification card for the purpose of ensuring that a person does not have both a driver's license and identification card. The bill



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would additionally on and after January 1, 2018, require a senior citizen identification cards to expire on the 8th birthday of the applicant for the card following the date of application.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.



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