

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 59

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1  
2 RELATING TO ORGAN DONATION; AMENDING SECTION 49-315, IDAHO CODE, TO REVISE  
3 AN AGE REQUIREMENT AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SEC-  
4 TION 49-2444, IDAHO CODE, TO REVISE AN AGE REQUIREMENT AND TO MAKE TECH-  
5 NICAL CORRECTIONS.

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 49-315, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 49-315. LICENSES ISSUED TO DRIVERS. (1) The department shall issue  
10 to every qualifying applicant a distinguishing driver's license as applied  
11 for, which shall bear a distinguishing number assigned to the licensee, the  
12 full name, date of birth, Idaho residence address, sex, weight, height, eye  
13 color, hair color, color photograph, name of this state, date of issuance,  
14 date of expiration, license class, endorsements, restrictions, and the ap-  
15 plicant's signature. If an applicant has submitted an application pursuant  
16 to the provisions of chapter 58, title 19, Idaho Code, then the applicant's  
17 driver's license shall contain his or her alternative Idaho mailing address  
18 in place of his or her Idaho residence address. Driver's licenses for per-  
19 sons under eighteen (18) years of age shall include a notation "under 18  
20 until (month, day, year)," and driver's licenses for persons eighteen (18)  
21 years of age to twenty-one (21) years of age shall include a notation "under  
22 21 until (month, day, year)." No driver's license shall be valid until it has  
23 been signed on the signature line of the license by the licensee.

24 (2) Every driver's license shall bear a color photograph of the li-  
25 censee, which shall be taken by the examiner at the time the application is  
26 made. The photograph shall be taken without headgear or other clothing or  
27 device that disguises or otherwise conceals the face or head of the appli-  
28 cant. A waiver may be granted by the department allowing the applicant to  
29 wear headgear or other head covering for medical, religious or safety pur-  
30 poses ~~so~~ as long as the face is not disguised or otherwise concealed. At  
31 the request of the applicant, a driver's license may contain a statement or  
32 indication of the medical condition of the licensee.

33 (3) The department shall notify the commercial driver license infor-  
34 mation system that a class A, B or C driver's license has been issued as re-  
35 quired by 49 CFR parts 383 and 384.

36 (4) A licensee applying for a hazardous material endorsement on a  
37 driver's license shall have a security background records check and shall  
38 receive clearance from the federal transportation security administration  
39 before the endorsement can be issued, renewed or transferred as required  
40 by 49 CFR part 383, subject to procedures established by the federal trans-  
41 portation security administration.

1 (5) A licensee who desires to donate any or all organs or tissue in the  
2 event of death, and who has completed a document of gift pursuant to the pro-  
3 visions for donation of anatomical gifts as set forth in chapter 34, title  
4 39, Idaho Code, may, at the option of the donor, indicate this desire on the  
5 driver's license by the imprinting of the word "donor" on the license. The  
6 provisions of this subsection shall apply to licensees ~~sixteen~~ fifteen (165)  
7 years of age or older but less than eighteen (18) years of age if the require-  
8 ments provided in chapter 34, title 39, Idaho Code, have been complied with  
9 and the donor indicates this desire be placed on the license.

10 (6) A licensee who is a person with a permanent disability may request  
11 that the notation "permanently disabled" be imprinted on the driver's li-  
12 cense, provided the licensee presents written certification from a licensed  
13 physician verifying that the licensee's stated impairment qualifies as a  
14 permanent disability according to the provisions of section 49-117, Idaho  
15 Code.

16 (7) A licensee who is a veteran may request that his or her status as  
17 such be designated on the driver's license at no additional cost. Any such  
18 request shall be accompanied by proof of being a current or former member of  
19 the United States armed forces. Upon request and submission of satisfactory  
20 proof, the department shall indicate such person's status as a veteran on any  
21 class of driver's license issued pursuant to this section. Such designation  
22 shall be made upon original issuance or renewal of a driver's license. Des-  
23 ignation shall also be made on any duplicate driver's license issued, pro-  
24 vided that the fee for such duplicate driver's license is paid in accordance  
25 with section 49-306, Idaho Code.

26 Satisfactory proof of being a current or former member of the United  
27 States armed forces must be furnished by an applicant to the department  
28 before a designation of veteran status will be indicated on any class of  
29 driver's license. Acceptable proof shall be a copy of form DD214 or an equiv-  
30 alent document or statement from the department of veterans affairs that  
31 identifies a character of service upon separation as "honorable" or "general  
32 under honorable conditions."

33 SECTION 2. That Section 49-2444, Idaho Code, be, and the same is hereby  
34 amended to read as follows:

35 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)  
36 The department shall issue a distinguishing identification card that shall  
37 set forth the information contained in the application, in a form as pre-  
38 scribed by the department. All identification cards issued on or after Jan-  
39 uary 1, 1993, shall not contain the applicant's social security number. An  
40 applicant's social security number shall be exempt from disclosure except  
41 for inquiries from agencies or institutions authorized to obtain such infor-  
42 mation by federal law or regulation, from peace officers or from jury com-  
43 missioners. Each card shall have printed on it the applicant's full name,  
44 date of birth, Idaho residence address, sex, weight, height, eye color, hair  
45 color, and shall be issued a distinguishing number assigned to the appli-  
46 cant. If an applicant has submitted an application pursuant to the provi-  
47 sions of chapter 58, title 19, Idaho Code, then the applicant's identifica-  
48 tion card shall contain his or her alternative Idaho mailing address in place  
49 of his or her Idaho residence address. Each card shall also have printed on

1 it the name of this state, the date of issuance, and the date of expiration.  
2 An identification card shall not be valid until it has been signed on the sig-  
3 nature line by the applicant. Each card shall bear upon it a color photograph  
4 of the applicant which shall be taken by the examiner at the time of appli-  
5 cation. The photograph shall be taken without headgear or other clothing or  
6 device that disguises or otherwise conceals the face or head of the appli-  
7 cant. A waiver may be granted by the department allowing the applicant to  
8 wear headgear or other head covering for medical, religious or safety pur-  
9 poses ~~so~~ as long as the face is not disguised or otherwise concealed. At the  
10 request of the applicant, an identification card may contain a statement or  
11 indication of the medical condition of the applicant.

12 No person shall receive an identification card unless and until he sur-  
13 renders to the department all identification cards in his possession issued  
14 to him by Idaho or any other jurisdiction, or any driver's license issued by  
15 any other jurisdiction within the United States, or until he executes an af-  
16 fidavit that he does not possess an identification card or any driver's li-  
17 cense.

18 Identification cards issued to persons under eighteen (18) years of age  
19 shall include a notation "under 18 until (month, day, year)," and identifi-  
20 cation cards issued to persons eighteen (18) years of age to twenty-one (21)  
21 years of age shall include a notation "under 21 until (month, day, year)."  
22 The nonrefundable fee for a ~~four-~~ four (4) year identification card issued to  
23 persons twenty-one (21) years of age or older shall be ten dollars (\$10.00)  
24 of which five dollars (\$5.00) shall be retained by the county and credited  
25 to the current expense fund, and five dollars (\$5.00) shall be deposited in  
26 the state treasury to the credit of the highway distribution account. The  
27 nonrefundable fee for identification cards issued to persons under twenty-  
28 one (21) years of age shall be ten dollars (\$10.00), of which five dollars  
29 (\$5.00) shall be retained by the county and credited to the current expense  
30 fund, and five dollars (\$5.00) shall be deposited in the state treasury to  
31 the credit of the highway distribution account. The nonrefundable fee for an  
32 ~~eight-~~ eight (8) year identification card shall be twenty dollars (\$20.00)  
33 of which ten dollars (\$10.00) shall be retained by the county and credited to  
34 the current expense fund, and ten dollars (\$10.00) shall be deposited in the  
35 state treasury to the credit of the highway distribution account. At the op-  
36 tion of the applicant, the identification card issued to a person twenty-one  
37 (21) years of age or older shall expire either on the cardholder's birthday  
38 in the fourth year or the eighth year following issuance of the card, except  
39 as otherwise provided in subsection (3) of this section. Every identifica-  
40 tion card issued to a person under eighteen (18) years of age shall expire  
41 five (5) days after the person's eighteenth birthday, except as otherwise  
42 provided in subsection (3) of this section. Every identification card is-  
43 sued to a person eighteen (18) years of age but under twenty-one (21) years of  
44 age shall expire five (5) days after the person's twenty-first birthday, ex-  
45 cept as otherwise provided in subsection (3) of this section.

46 Individuals required to register in compliance with section 3 of the  
47 federal military selective service act, 50 U.S.C. App. 451 et seq., as  
48 amended, shall be provided an opportunity to fulfill such registration re-  
49 quirements in conjunction with an application for an identification card.

1 Any registration information so supplied shall be transmitted by the depart-  
2 ment to the selective service system.

3 (2) Every identification card, except those issued to persons under  
4 twenty-one (21) years of age, shall be renewable on or before its expiration,  
5 but not more than twenty-five (25) months before, and upon application and  
6 payment of the required fee.

7 (3) Every identification card issued to a person who is not a citizen or  
8 permanent legal resident of the United States shall have an expiration date  
9 that is the same date as the end of lawful stay in the United States as indi-  
10 cated on documents issued and verified by the department of homeland secu-  
11 rity, provided however, that the expiration date shall not extend beyond the  
12 expiration date for the same category of identification card issued to citi-  
13 zens. Persons whose department of homeland security documents do not state  
14 an expiration date shall be issued an identification card with an expiration  
15 date of one (1) year from the date of issuance.

16 (4) When an identification card has been expired for less than twenty-  
17 five (25) months, the renewal of the identification card shall start from  
18 the original date of expiration regardless of the year in which the applica-  
19 tion for renewal is made. If the identification card is expired for more than  
20 twenty-five (25) months, the application shall expire, at the option of the  
21 applicant, on the applicant's birthday in the fourth year or the eighth year  
22 following reissuance of the identification card, except as otherwise pro-  
23 vided in subsection (3) of this section.

24 (5) (a) If an Idaho identification card has expired or will expire and  
25 the identification cardholder is temporarily out of state except on ac-  
26 tive military duty, the identification cardholder may request in writ-  
27 ing on a form prescribed by the department an extension of the identifi-  
28 cation card. The request shall be accompanied by the fee fixed in sec-  
29 tion 49-306, Idaho Code, and the extension shall be no more than a twelve  
30 (12) month period. If the department determines that an extension of  
31 the identification card is necessary, it may issue an identification  
32 card showing the date to which the expired identification card is ex-  
33 tended. Identification card extensions are limited to two (2) consecu-  
34 tive extensions per identification cardholder.

35 (b) Upon returning to the state of Idaho, the identification cardholder  
36 shall, within ten (10) days, apply for a renewal of the expired iden-  
37 tification card and surrender the extended identification card and the  
38 expired identification card.

39 (6) An Idaho identification card issued to any person prior to serv-  
40 ing on active duty in the armed forces of the United States, or a member of  
41 the immediate family accompanying such a person, if valid and in full force  
42 and effect upon entering active duty, shall remain in full force and effect  
43 and shall, upon application, be extended for a period of four (4) years ~~so~~ as  
44 long as active duty continues, and the identification card shall remain in  
45 full force and effect sixty (60) days following the date the cardholder is  
46 released from active duty.

47 (7) A person possessing an identification card who desires to donate  
48 any or all organs or tissue in the event of death, and who has completed a  
49 document of gift pursuant to the provisions for donation of anatomical gifts  
50 as set forth in chapter 34, title 39, Idaho Code, may, at the option of the

1 donor, indicate this desire on the identification card by the imprinting of  
2 the word "donor" on the identification card. The provisions of this sub-  
3 section shall apply to persons possessing an identification card who are  
4 ~~sixteen~~ fifteen (16~~5~~) years of age or older but less than eighteen (18) years  
5 of age if the requirements provided in chapter 34, title 39, Idaho Code, have  
6 been complied with.

7 (8) A person possessing an identification card or an applicant for an  
8 identification card who is a person with a permanent disability may request  
9 that the notation "permanently disabled" be imprinted on the identification  
10 card, provided the person presents written certification from a licensed  
11 physician verifying that the person's stated impairment qualifies as a per-  
12 manent disability according to the provisions of section 49-117, Idaho Code.

13 (9) A person who is a veteran may request that his or her status as such  
14 be designated on an identification card at no additional cost. Any such re-  
15 quest shall be accompanied by proof of being a current or former member of  
16 the United States armed forces. Upon request and submission of satisfactory  
17 proof, the department shall indicate such person's status as a veteran on any  
18 identification card issued pursuant to the provisions of this section. Such  
19 designation shall be made upon original issuance or renewal of an identifi-  
20 cation card. Designation shall also be made on any duplicate identification  
21 card issued, provided that the fee for such duplicate card is paid in accor-  
22 dance with this section.

23 Satisfactory proof of being a current or former member of the United  
24 States armed forces must be furnished by an applicant to the department be-  
25 fore a designation of veteran status will be indicated on any identification  
26 card. Acceptable proof shall be a copy of form DD214 or an equivalent docu-  
27 ment or statement from the department of veterans affairs that identifies a  
28 character of service upon separation as "honorable" or "general under hon-  
29 orable conditions."

30 (10) In the case of a name change, the applicant shall provide legal doc-  
31 umentation to verify the change in accordance with department rules.

32 (11) Whenever any person, after applying for or receiving an identifi-  
33 cation card, shall move from the address shown on the application or on the  
34 identification card issued, that person shall, within thirty (30) days, no-  
35 tify the transportation department in writing of the old and new addresses.

36 (12) The department shall cancel any identification card upon determin-  
37 ing that the person was not entitled to the issuance of the identification  
38 card, or that the person failed to give the required and correct information  
39 in his application or committed fraud in making the application. Upon can-  
40 cellation, the person shall surrender the canceled identification card to  
41 the department.

42 (13) If any person shall fail to return to the department the identifi-  
43 cation card as required, the department may direct any peace officer to se-  
44 cure its possession and return the identification card to the department.

45 (14) The department may issue a no-fee identification card to an indi-  
46 vidual whose driver's license has been canceled and voluntarily surrendered  
47 as provided in section 49-322(5), Idaho Code. The identification card may be  
48 renewed at no cost to the applicant as long as the driver's license remains  
49 canceled.

1           (15) It is an infraction for any person to fail to notify the department  
2 of a change of address as required by the provisions of subsection (11) of  
3 this section.