

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 532

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO IDENTIFICATION CARDS; AMENDING SECTION 49-2444, IDAHO CODE, TO
2 REVISE A PROVISION REGARDING THE ISSUANCE OF CERTAIN IDENTIFICATION
3 CARDS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND
4 PROVIDING AN EFFECTIVE DATE.
5

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

7 SECTION 1. That Section 49-2444, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)
10 The department shall issue a distinguishing identification card that ~~shall~~
11 ~~set~~ sets forth the information contained in the application in a form as pre-
12 scribed by the department. All identification cards issued on or after Jan-
13 uary 1, 1993, shall not contain the applicant's social security number. An
14 applicant's social security number shall be exempt from disclosure except
15 for inquiries from agencies or institutions authorized to obtain such infor-
16 mation by federal law or regulation, from peace officers, or from jury com-
17 missioners. Each card shall have printed on it the applicant's full name,
18 date of birth, Idaho residence address, sex, weight, height, eye color, and
19 hair color and shall include a distinguishing number assigned to the appli-
20 cant. If an applicant has submitted an application pursuant to the provi-
21 sions of chapter 58, title 19, Idaho Code, then the applicant's identifica-
22 tion card shall contain his or her alternative Idaho mailing address in place
23 of his or her Idaho residence address. Each card shall also have printed
24 on it the name of this state, the date of issuance, and the date of expira-
25 tion. An identification card shall not be valid until it has been signed on
26 the signature line by the applicant. Each card shall ~~bear upon it~~ include
27 a color photograph of the applicant, which shall be taken by the examiner
28 at the time of application. The photograph shall be taken without headgear
29 or other clothing or device that disguises or otherwise conceals the face or
30 head of the applicant. A waiver may be granted by the department allowing the
31 applicant to wear headgear or other head covering for medical, religious or
32 safety purposes as long as the face is not disguised or otherwise concealed.
33 At the request of the applicant, an identification card may contain a state-
34 ment or indication of the medical condition of the applicant.

35 (2) No person shall receive an identification card unless and until he
36 surrenders to the department all identification cards in his possession is-
37 sued to him by Idaho or any other jurisdiction, or any driver's license is-
38 sued by any other jurisdiction within the United States, or until he executes
39 an affidavit that he does not possess an identification card or any driver's
40 license.

41 (3) Identification cards issued to persons under eighteen (18) years of
42 age shall include a notation "under 18 until (month, day, year)," and iden-

1 tification cards issued to persons eighteen (18) years of age to twenty-one
2 (21) years of age shall include a notation "under 21 until (month, day,
3 year)." The nonrefundable fee for a four (4) year identification card issued
4 to persons twenty-one (21) years of age or older shall be fifteen dollars
5 (\$15.00), of which ten dollars (\$10.00) shall be retained by the county
6 and credited to the current expense fund and five dollars (\$5.00) shall be
7 deposited in the state treasury to the credit of the highway distribution
8 account. The nonrefundable fee for identification cards issued to persons
9 under twenty-one (21) years of age shall be ten dollars (\$10.00), of which
10 five dollars (\$5.00) shall be retained by the authorized issuing agent or,
11 if issued by the county, shall be credited to the current expense fund and
12 five dollars (\$5.00) shall be deposited in the state treasury to the credit
13 of the highway distribution account. The nonrefundable fee for an eight (8)
14 year identification card shall be twenty-five dollars (\$25.00), of which
15 fifteen dollars (\$15.00) shall be retained by the authorized issuing agent
16 or, if issued by the county, shall be credited to the current expense fund and
17 ten dollars (\$10.00) shall be deposited in the state treasury to the credit
18 of the highway distribution account. At the option of the applicant, the
19 identification card issued to a person twenty-one (21) years of age or older
20 shall expire either on the card holder's birthday in the fourth year or the
21 eighth year following issuance of the card, except as otherwise provided
22 in subsection (7) of this section. Every identification card issued to a
23 person under eighteen (18) years of age shall expire five (5) days after the
24 person's eighteenth birthday, except as otherwise provided in subsection
25 (7) of this section. Every identification card issued to a person eighteen
26 (18) years of age but under twenty-one (21) years of age shall expire five (5)
27 days after the person's twenty-first birthday, except as otherwise provided
28 in subsection (7) of this section.

29 (4) Individuals required to register in compliance with section 3 of
30 the federal military selective service act, 50 U.S.C. App. 451 et seq., as
31 amended, shall be provided an opportunity to fulfill such registration re-
32 quirements in conjunction with an application for an identification card.
33 Any registration information so supplied shall be transmitted by the depart-
34 ment to the selective service system.

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

39 (6) The applicant for an identification card must submit proof of iden-
40 tity and citizenship status acceptable to the examiner or the department and
41 date of birth as set forth in a certified copy of his birth certificate. When
42 a certified copy of his birth certificate or a delayed birth certificate is
43 impossible to obtain from a vital statistics agency, another government-is-
44 sued document may be submitted that provides satisfactory evidence of a per-
45 son's full legal name and date of birth acceptable to the examiner or the de-
46 partment.

47 (7) Every identification card issued to a person who is a citizen of the
48 United States shall, where possible, include the notation "USA." Every iden-
49 tification card issued to a person who is not a citizen or permanent legal
50 resident of the United States shall have an expiration date that is the same

1 date as the end of lawful stay in the United States as indicated on documents
2 issued and verified by the department of homeland security, ~~provided~~; how-
3 ever, ~~that~~ the expiration date shall not extend beyond the expiration date
4 for the same category of identification card issued to citizens. Persons
5 whose department of homeland security documents do not state an expiration
6 date shall be issued an identification card with an expiration date of one
7 (1) year from the date of issuance.

8 (8) When an identification card has been expired for less than twenty-
9 five (25) months, the renewal of the identification card shall start from
10 the original date of expiration, regardless of the year in which the applica-
11 tion for renewal is made. If the identification card is expired for more than
12 twenty-five (25) months, the application shall expire, at the option of the
13 applicant, on the applicant's birthday in the fourth year or the eighth year
14 following reissuance of the identification card, except as otherwise pro-
15 vided in subsection (7) of this section.

16 (9) (a) If an Idaho identification card has expired or will expire and
17 the identification card holder is temporarily out of state, except
18 on active military duty, the identification card holder may request
19 in writing on a form prescribed by the department an extension of the
20 identification card. The request shall be accompanied by the fee
21 fixed in section 49-306, Idaho Code, and the extension shall be no more
22 than a twelve (12) month period. If the department determines that an
23 extension of the identification card is necessary, it may issue an iden-
24 tification card showing the date to which the expired identification
25 card is extended. Identification card extensions are limited to two (2)
26 consecutive extensions per identification card holder.

27 (b) Upon returning to the state of Idaho, the identification card
28 holder shall, within ten (10) days, apply for a renewal of the expired
29 identification card and surrender the extended identification card and
30 the expired identification card.

31 (10) An Idaho identification card issued to any person prior to serving
32 on active duty in the armed forces of the United States, or a member of the
33 immediate family accompanying such a person, if valid and in full force and
34 effect upon entering active duty, shall remain in full force and effect and
35 shall, upon application, be extended for a period of four (4) years as long
36 as active duty continues, and the identification card shall remain in full
37 force and effect sixty (60) days following the date the card holder is re-
38 leased from active duty.

39 (11) A person possessing an identification card who desires to donate
40 any or all organs or tissue in the event of death, and who has completed a
41 document of gift pursuant to the provisions for donation of anatomical gifts
42 as set forth in chapter 34, title 39, Idaho Code, may, at the option of the
43 donor, indicate this desire on the identification card by the imprinting of
44 the word "donor" on the identification card. The provisions of this subsec-
45 tion shall apply to persons possessing an identification card who are fif-
46 teen (15) years of age or older but less than eighteen (18) years of age if
47 the requirements provided in chapter 34, title 39, Idaho Code, have been com-
48 plied with.

49 (12) A person possessing an identification card or an applicant for an
50 identification card who is a person with a permanent disability may request

1 that the notation "permanently disabled" be imprinted on the identification
2 card, provided the person presents written certification from a licensed
3 physician verifying that the person's stated impairment qualifies as a per-
4 manent disability according to the provisions of section 49-117, Idaho Code.

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

15 (14) Satisfactory proof of being a current or former member of the
16 United States armed forces must be furnished by an applicant to the de-
17 partment before a designation of veteran status will be indicated on any
18 identification card. Acceptable proof shall be a copy of form DD214 or an
19 equivalent document or statement from the department of veterans affairs
20 that identifies a character of service upon separation as "honorable" or
21 "general under honorable conditions."

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

24 (16) Whenever any person, after applying for or receiving an identifi-
25 cation card, ~~shall move~~ moves from the address shown on the application or
26 on the identification card issued, that person shall, within thirty (30)
27 days, notify the transportation department in writing of the old and new
28 addresses.

29 (17) The department shall cancel any identification card upon determin-
30 ing that the person was not entitled to the issuance of the identification
31 card or that the person failed to give the required and correct information
32 in his application or committed fraud in making the application. Upon can-
33 cellation, the person shall surrender the canceled identification card to
34 the department.

35 (18) If any person shall fail to return to the department the identifi-
36 cation card as required, the department may direct any peace officer to se-
37 cure its possession and return the identification card to the department.

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

43 (20) It is an infraction for any person to fail to notify the department
44 of a change of address as required by the provisions of subsection (16) of
45 this section.

46 (21) The department may issue an initial four (4) year no-fee identifi-
47 cation card to an individual who is homeless. The department shall establish
48 a form for verification of homelessness pursuant to this section. Such form
49 shall require the signature of an outreach worker or service worker verify-
50 ing that the individual is homeless and attesting to the individual's resi-

1 dency at an Idaho relief agency or shelter. An applicant issued an identifi-
2 cation card under the provisions of this subsection shall be entitled to one
3 (1) free replacement. Subsequent replacements and renewals of this identi-
4 fication card will be subject to the fees imposed in this section.

5 (22) The department shall issue a four (4) year no-fee identification
6 card to any individual eighteen (18) years of age or older ~~who has not pos-~~
7 ~~sessed a current driver's license in the preceding six (6) months and who~~
8 indicates on the application that an identification card is needed to com-
9 ply with voter registration or voting requirements. An applicant issued an
10 identification card under this subsection shall be entitled to one (1) free
11 replacement. Such applicants are entitled to no-fee renewals as long as the
12 applicant meets the requirements of this subsection at the time of renewal.

13 SECTION 2. An emergency existing therefor, which emergency is hereby
14 declared to exist, this act shall be in full force and effect on and after
15 July 1, 2024.