

SECOND REGULAR SESSION

# SENATE BILL NO. 1510

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR TRENT.

5994S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 302.181, RSMo, and to enact in lieu thereof one new section relating to driver's and nondriver's licenses for United States citizens.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 302.181, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 302.181,  
3 to read as follows:

302.181. 1. The license issued pursuant to the  
2 provisions of sections 302.010 to 302.340 shall be in such  
3 form as the director shall prescribe, but the license shall  
4 be a card made of plastic or other comparable material. All  
5 licenses shall be manufactured of materials and processes  
6 that will prohibit, as nearly as possible, the ability to  
7 reproduce, alter, counterfeit, forge, or duplicate any  
8 license without ready detection. The license shall also  
9 bear the expiration date of the license, the classification  
10 of the license, the name, date of birth, residence address  
11 including the county of residence or a code number  
12 corresponding to such county established by the department,  
13 and brief description and colored digitized image of the  
14 licensee, and a facsimile of the signature of the licensee.  
15 The director shall provide by administrative rule the  
16 procedure and format for a licensee to indicate on the back  
17 of the license together with the designation for an  
18 anatomical gift as provided in section 194.240 the name and

19 address of the person designated pursuant to sections  
20 404.800 to 404.865 as the licensee's attorney in fact for  
21 the purposes of a durable power of attorney for health care  
22 decisions. No license shall be valid until it has been so  
23 signed by the licensee. If any portion of the license is  
24 prepared by a private firm, any contract with such firm  
25 shall be made in accordance with the competitive purchasing  
26 procedures as established by the state director of the  
27 division of purchasing.

28         2. All digital images produced for licenses shall  
29 become the property of the department of revenue.

30         3. The license issued shall be carried at all times by  
31 the holder thereof while driving a motor vehicle, and shall  
32 be displayed upon demand of any officer of the highway  
33 patrol, or any police officer or peace officer, or any other  
34 duly authorized person, for inspection when demand is made  
35 therefor. Failure of any operator of a motor vehicle to  
36 exhibit his or her license to any duly authorized officer  
37 shall be presumptive evidence that such person is not a duly  
38 licensed operator.

39         4. The director of revenue shall not issue a license  
40 without a facial digital image of the license applicant,  
41 except as provided pursuant to subsection 7 of this  
42 section. A digital image of the applicant's full facial  
43 features shall be taken in a manner prescribed by the  
44 director. No digital image shall be taken wearing anything  
45 which cloaks the facial features of the individual.

46         5. The department of revenue may issue a temporary  
47 license or a full license without the photograph or with the  
48 last photograph or digital image in the department's records  
49 to members of the Armed Forces, except that where such  
50 temporary license is issued it shall be valid only until the

51 applicant shall have had time to appear and have his or her  
52 picture taken and a license with his or her photograph  
53 issued.

54 6. The department of revenue shall issue upon request  
55 a nondriver's license card containing essentially the same  
56 information and photograph or digital image, except as  
57 provided pursuant to subsection 7 of this section, as the  
58 driver's license upon payment of six dollars. All  
59 nondriver's licenses shall expire on the applicant's  
60 birthday in the sixth year after issuance. A person who has  
61 passed his or her seventieth birthday shall upon application  
62 be issued a nonexpiring nondriver's license card.  
63 Notwithstanding any other provision of this chapter, a  
64 nondriver's license containing a concealed carry endorsement  
65 shall expire three years from the date the certificate of  
66 qualification was issued pursuant to section 571.101, as  
67 section 571.101 existed prior to August 28, 2013. The fee  
68 for nondriver's licenses issued for a period exceeding three  
69 years is six dollars or three dollars for nondriver's  
70 licenses issued for a period of three years or less. The  
71 nondriver's license card shall be used for identification  
72 purposes only and shall not be valid as a license.

73 7. If otherwise eligible, an applicant may receive a  
74 driver's license or nondriver's license without a photograph  
75 or digital image of the applicant's full facial features  
76 except that such applicant's photograph or digital image  
77 shall be taken and maintained by the director and not  
78 printed on such license. In order to qualify for a license  
79 without a photograph or digital image pursuant to this  
80 section the applicant must:

81 (1) Present a form provided by the department of  
82 revenue requesting the applicant's photograph be omitted

83 from the license or nondriver's license due to religious  
84 affiliations. The form shall be signed by the applicant and  
85 another member of the religious tenant verifying the  
86 photograph or digital image exemption on the license or  
87 nondriver's license is required as part of their religious  
88 affiliation. The required signatures on the prescribed form  
89 shall be properly notarized;

90 (2) Provide satisfactory proof to the director that  
91 the applicant has been a United States citizen for at least  
92 five years and a resident of this state for at least one  
93 year, except that an applicant moving to this state  
94 possessing a valid driver's license from another state  
95 without a photograph shall be exempt from the one-year state  
96 residency requirement. The director may establish rules  
97 necessary to determine satisfactory proof of citizenship and  
98 residency pursuant to this section;

99 (3) Applications for a driver's license or nondriver's  
100 license without a photograph or digital image must be made  
101 in person at a license office determined by the director.  
102 The director is authorized to limit the number of offices  
103 that may issue a driver's or nondriver's license without a  
104 photograph or digital image pursuant to this section.

105 8. The department of revenue shall make available, at  
106 one or more locations within the state, an opportunity for  
107 individuals to have their full facial photograph taken by an  
108 employee of the department of revenue, or their designee,  
109 who is of the same sex as the individual being photographed,  
110 in a segregated location.

111 9. Beginning July 1, 2005, the director shall not  
112 issue a driver's license or a nondriver's license for a  
113 period that exceeds an applicant's lawful presence in the  
114 United States. The director may, by rule or regulation,

115 establish procedures to verify the lawful presence of the  
116 applicant and establish the duration of any driver's license  
117 or nondriver's license issued under this section.

118       10. (1) Notwithstanding any biometric data  
119 restrictions contained in section 302.170, the department of  
120 revenue is hereby authorized to design and implement a  
121 secure digital driver's license program that allows  
122 applicants applying for a driver's license in accordance  
123 with this chapter to obtain a secure digital driver's  
124 license in addition to the physical card-based license  
125 specified in this section.

126       (2) A digital driver's license as described in this  
127 subsection shall be accepted for all purposes for which a  
128 license, as defined in section 302.010, is used.

129       (3) The department may contract with one or more  
130 entities to develop the secure digital driver's license  
131 system. The department or entity may develop a mobile  
132 software application capable of being utilized through a  
133 person's electronic device to access the person's secure  
134 digital driver's license.

135       (4) The department shall suspend, disable, or  
136 terminate a person's participation in the secure digital  
137 driver's license program if:

138       (a) The person's driving privilege is suspended,  
139 revoked, denied, withdrawn, or cancelled as provided in this  
140 chapter; or

141       (b) The person reports that the person's electronic  
142 device has been lost, stolen, or compromised.

143       11. **Beginning July 1, 2025, any driver's license or**  
144 **nondriver's license issued to a person who is a citizen of**  
145 **the United States, including naturalized citizens, shall**  
146 **have a distinguishing mark on the front of the license that**

147 specifies that the license holder is a citizen of the United  
148 States. The department of revenue shall coordinate with the  
149 United States Department of State to establish criteria for  
150 establishing citizen status and a procedure for verifying  
151 status. If the person meets the exemption requirements of  
152 subsection 9 or 11 of section 302.171 and provides  
153 satisfactory proof to the director that the applicant has  
154 been a United States citizen for at least five years and  
155 signs an affidavit to that effect, the applicant's driver's  
156 license or nondriver's license shall have a distinguishing  
157 mark on the front of the license and shall be readable and  
158 referenced by scanning on the back of the license that  
159 specifies that the license holder is a citizen of the United  
160 States.

161 12. The director of the department of revenue may  
162 promulgate rules as necessary for the implementation of this  
163 section. Any rule or portion of a rule, as that term is  
164 defined in section 536.010 that is created under the  
165 authority delegated in this section shall become effective  
166 only if it complies with and is subject to all of the  
167 provisions of chapter 536 and, if applicable, section  
168 536.028. This section and chapter 536 are nonseverable and  
169 if any of the powers vested with the general assembly  
170 pursuant to chapter 536 to review, to delay the effective  
171 date, or to disapprove and annul a rule are subsequently  
172 held unconstitutional, then the grant of rulemaking  
173 authority and any rule proposed or adopted after August 28,  
174 2020, shall be invalid and void.

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