



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-2489/1
ZDW&EVM:amn

2023 ASSEMBLY BILL 650

November 8, 2023 - Introduced by Representatives CALLAHAN, MOSES, MURSAU, NEDWESKI, ORTIZ-VELEZ, PENTERMAN, RETTINGER, ROZAR and SCHMIDT, cosponsored by Senators TESTIN and ROYS. Referred to Committee on Transportation.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to amend** 343.17 (6) and 343.35 (1); and **to create** 125.085 (1) (g), 134.66
2 (1) (c) 5., 343.17 (2m), 343.21 (1) (Lm), 343.50 (3m), 343.50 (5n) and 450.11 (1b)
3 (a) 2. f. of the statutes; **relating to:** issuance of an electronic credential by the
4 Department of Transportation and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Transportation to design an electronic credential to function as an extension of the physical operator's license or identification card issued by DOT. DOT must design the electronic credential to 1) be authenticated through the use of secure encrypted communication, 2) enable the holder to share only the electronic credential data elements that are required to complete the transaction for which that data is being requested, 3) enable validation of the electronic credential without the holder relinquishing possession of any device, and 4) display the words "Not valid for motor vehicle operation." DOT must issue an electronic credential to any person who is otherwise eligible to hold an operator's license or identification card, upon verification of the person's application and payment of any required fees.

The bill provides that a person may not use an electronic credential in lieu of displaying an operator's license or identification card when required, unless authorized by law. The bill specifically authorizes a person to use the electronic credential to establish identification for the purpose of buying alcohol beverages, tobacco products, and prescription drugs, if the person relying on the electronic credential to establish identification is able to verify the required credential data

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elements using secure encrypted communication as defined by DOT and in conformance with International Organization of Standardization or International Electrotechnical Commission standards.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 125.085 (1) (g) of the statutes is created to read:

2 125.085 (1) (g) An electronic credential issued under s. 343.17 (2m) or 343.50
3 (3m), if the licensee or permittee is able to verify the required credential data
4 elements using secure encrypted communication as defined by the department of
5 transportation and in conformance with International Organization of
6 Standardization or International Electrotechnical Commission standards.

7 **SECTION 2.** 134.66 (1) (c) 5. of the statutes is created to read:

8 134.66 (1) (c) 5. An electronic credential issued under s. 343.17 (2m) or 343.50
9 (3m), if the person relying on the electronic credential for proof of the holder's age is
10 able to verify the required credential data elements using secure encrypted
11 communication as defined by the department of transportation and in conformance
12 with International Organization of Standardization or International
13 Electrotechnical Commission standards.

14 **SECTION 3.** 343.17 (2m) of the statutes is created to read:

15 343.17 (2m) **ELECTRONIC CREDENTIAL.** (a) The department shall design an
16 electronic credential to function as an electronic extension of the physical credential
17 that conveys identity and driving privilege information in conformance with the
18 most recent International Organization of Standardization or International

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1 Electrotechnical Commission standard. The department shall design the electronic
2 credential to do all of the following:

3 1. Be authenticated through the use of secure encrypted communication in
4 conformance with the most recent International Organization of Standardization or
5 International Electrotechnical Commission standards.

6 2. Enable the holder to share only the electronic credential data elements that
7 are required to complete the transaction for which that data is being requested.

8 3. Enable validation of the electronic credential without the holder
9 relinquishing possession of any device.

10 4. Display the words “Not valid for motor vehicle operation.”

11 (b) The department shall issue an electronic credential to a person who is
12 otherwise eligible to hold an operator’s license under this subchapter, upon
13 verification of the person’s application and payment of any required fees.

14 (c) An electronic credential may not be used in lieu of displaying an operator’s
15 license when required, unless specifically authorized by law.

16 **SECTION 4.** 343.17 (6) of the statutes is amended to read:

17 343.17 (6) RULES. Subject to subs. (2) and (3), the department shall promulgate
18 rules setting the design and specifications for the license document and subsequent
19 changes thereto. The department may promulgate rules for the management and
20 operation of the electronic credential system under sub. (2m).

21 **SECTION 5.** 343.21 (1) (Lm) of the statutes is created to read:

22 343.21 (1) (Lm) For an electronic credential under s. 343.17 (2m), \$10.

23 **SECTION 6.** 343.35 (1) of the statutes is amended to read:

24 343.35 (1) The department may order any person whose operating privilege
25 has been canceled, revoked, or suspended to surrender his or her license or licenses

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1 to the department and may delete any electronic credential or otherwise mark the
2 electronic credential as cancelled, revoked, or suspended. The department may
3 order any person who is in possession of a canceled, revoked or suspended license of
4 another to surrender the license to the department.

5 **SECTION 7.** 343.50 (3m) of the statutes is created to read:

6 343.50 **(3m)** ELECTRONIC CREDENTIAL. (a) The department shall design an
7 electronic credential to function as an electronic extension of the physical credential
8 that conveys identity information in conformance with the most recent International
9 Organization of Standardization or International Electrotechnical Commission
10 standard. The department shall design the electronic credential to do all of the
11 following:

12 1. Be authenticated through the use of secure encrypted communication in
13 conformance with the most recent International Organization of Standardization or
14 International Electrotechnical Commission standards.

15 2. Enable the holder to share only the electronic credential data elements that
16 are required to complete the transaction for which that data is being requested.

17 3. Enable validation of the electronic credential without the holder
18 relinquishing possession of any device.

19 4. Display the words "Not valid for motor vehicle operation."

20 (b) The department shall issue an electronic credential to a person who is
21 otherwise eligible to hold an identification card under this subchapter, upon
22 verification of the person's application and payment of any required fees.

23 (c) An electronic credential may not be used in lieu of displaying an
24 identification card when required, unless specifically authorized by law.

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1 (d) The department may promulgate rules for the management and operation
2 of the electronic credential system under this subsection.

3 **SECTION 8.** 343.50 (5n) of the statutes is created to read:

4 343.50 **(5n)** ELECTRONIC CREDENTIAL FEE. In addition to any other fee under this
5 section, for the issuance of an electronic credential under sub. (3m), a fee of \$10 shall
6 be paid to the department.

7 **SECTION 9.** 450.11 (1b) (a) 2. f. of the statutes is created to read:

8 450.11 **(1b)** (a) 2. f. An electronic credential issued under s. 343.17 (2m) or
9 343.50 (3m), if the pharmacist, pharmacy technician, or other person dispensing or
10 delivering a drug is able to verify the required credential data elements using secure
11 encrypted communication as defined by the department of transportation and in
12 conformance with International Organization of Standardization or International
13 Electrotechnical Commission standards.

14 **SECTION 10. Effective date.**

15 (1) This act takes effect on first day of the 13th month beginning after
16 publication.

17 (END)