

(To Resolve Conflicts)

B-Engrossed Senate Bill 374

Ordered by the House July 4
Including Senate Amendments dated April 18 and House Amendments
dated July 4 to resolve conflicts

Sponsored by Senators HANSELL, STEINER HAYWARD; Representative BARRETO (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Authorizes Department of Transportation to issue driver licenses, driver permits and identification cards that meet requirements of federal Real ID Act of 2005. Real ID compliant documents shall be known as Real IDs.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Real ID Act of 2005; creating new provisions; amending ORS 807.021, 807.022,
3 807.024, 807.040, 807.050, 807.110, 807.115, 807.130, 807.400 and 807.730; repealing ORS 801.060,
4 801.063 and 801.066; and declaring an emergency.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1. ORS 801.060, 801.063 and 801.066 are repealed.**

7 **SECTION 2. Sections 3 to 10 of this 2017 Act are added to and made a part of the Oregon**
8 **Vehicle Code.**

9 **SECTION 3. Real ID definition.** "Real ID" means a driver license, driver permit or iden-
10 tification card that complies with the Real ID Act of 2005, P.L. 109-13, that is issued by this
11 state and marked with a distinguishing feature.

12 **SECTION 4. Real ID issuance, replacement and renewal; requirements.** (1) The Depart-
13 ment of Transportation shall issue a Real ID to any person who:

14 (a) Meets the requirements for a driver license, driver permit or identification card as
15 described in the vehicle code;

16 (b) Submits proof, as required by rule by the department, establishing the person's:

17 (A) Identity;

18 (B) Date of birth;

19 (C) Social Security number, or proof that the person is not eligible for a Social Security
20 number; and

21 (D) Lawful status in the United States;

22 (e) Pays the fee described in section 5 of this 2017 Act; and

23 (d) Surrenders any Real ID previously issued to the person by this state or another ju-
24 risdiction.

25 (2) If there is any change to the applicant's name, date of birth or Social Security number

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 after the department issues a Real ID to the applicant, the department may not replace or
2 renew the Real ID unless the applicant appears in person and submits proof of the change,
3 as required by rule by the department.

4 **SECTION 5. Real ID fee.** In addition to any fee imposed under ORS 807.370, 807.410 or
5 807.375, the Department of Transportation shall impose a fee for each Real ID issued, re-
6 newed or replaced, for the purpose of covering the additional costs to the department related
7 to the issuance of Real IDs.

8 **SECTION 6. Document retention.** For the purpose of issuing Real IDs only, the Depart-
9 ment of Transportation shall:

10 (1) Capture digital images of identity source documents and retain the images in a
11 transferable format.

12 (2) Retain digital images of identity source documents for a minimum of 10 years.

13 **SECTION 7. Disclosure of identity source documents.** (1) Except as provided in sub-
14 section (2) of this section, an officer, employee or contractor of the Department of Trans-
15 portation may not knowingly disclose, or otherwise make available to any person copies of,
16 identity source documents submitted to the department in connection with an application for
17 a driver license, driver permit or identification card.

18 (2) An officer, employee or contractor of the department may make information or copies
19 described in subsection (1) of this section available to the agency that issued the identity
20 source document for the purpose of verifying the identity source document.

21 **SECTION 8. Fingerprint requirements.** (1) The Department of Transportation may re-
22 quire all employees, volunteers or contractors with access to systems that enable them to
23 affect the information that appears on driver licenses, driver permits or identification cards
24 to be fingerprinted.

25 (2) Fingerprints acquired under this section may be used for the purpose of requesting
26 state or nationwide criminal records checks under ORS 181A.195.

27 **SECTION 9. Real ID; verification of lawful status in the United States.** (1) The Depart-
28 ment of Transportation shall verify an applicant's Social Security number before issuing an
29 original or renewal Real ID.

30 (2) The department shall verify the applicant's lawful status in the United States before
31 issuing an original Real ID.

32 (3) The department shall verify the lawful status in the United States of an applicant who
33 is not a citizen of the United States when the applicant is applying to renew a Real ID.

34 (4) Notwithstanding the requirements of subsections (2) and (3) of this section, the de-
35 partment may verify the lawful status in the United States of any applicant applying for re-
36 newal or replacement of a Real ID, as determined by the department by rule.

37 **SECTION 10. Public information program.** The Department of Transportation shall de-
38 velop a public information program to educate driver license, driver permit and identification
39 card applicants and the general public about:

40 (1) The differences between Real IDs and driver licenses, driver permits or identification
41 cards that are not Real IDs, including but not limited to information about cost, document
42 storage and function.

43 (2) Alternatives to obtaining a Real ID to access federal facilities and board federally
44 regulated commercial aircraft.

45 **SECTION 11.** ORS 807.021 is amended to read:

1 807.021. (1) Except as provided in ORS 807.310 (5) and 807.405 (4), prior to issuing, renewing or
2 replacing *[any]* a driver license, driver permit or identification card **that is not a Real ID**, the
3 Department of Transportation shall require a person to provide the Social Security number assigned
4 to the person by the United States Social Security Administration and proof of legal presence in the
5 United States or, if the person is not eligible for a Social Security number, proof of legal presence
6 in the United States and proof that the person is not eligible for a Social Security number.

7 (2) For the purposes of subsection (1) of this section:

8 (a) A person provides proof of legal presence in the United States by submitting valid doc-
9 umentation, as defined by the department by rule, that the person is a citizen or permanent legal
10 resident of the United States or is otherwise legally present in the United States in accordance with
11 federal immigration laws.

12 (b) A member of a federally recognized tribe located in Oregon or with an Oregon affiliation
13 may submit a tribal identification card as proof of legal presence in the United States if the de-
14 partment determines that the procedures used in issuing the card are sufficient to prove that a
15 member is legally present in the United States.

16 (c) If a person is not eligible for a Social Security number, the person shall provide proof, as
17 defined by the department by rule, that the person is not eligible for a Social Security number.

18 (3) The department may issue, renew or replace a driver license, driver permit or identification
19 card **that is not a Real ID** for an applicant who has submitted a Social Security number only after
20 the department verifies the Social Security number with the United States Social Security Admin-
21 istration. In order to verify the person's Social Security number, the department may require the
22 person to provide proof, as defined by rule, of the person's Social Security number.

23 (4) This section does not apply if the department previously verified the Social Security number
24 as required by subsection (3) of this section and the person applying for the driver license, driver
25 permit or identification card is a citizen or permanent legal resident of the United States.

26 **SECTION 12.** ORS 807.022 is amended to read:

27 807.022. (1) *[Prior to]* **Before** issuing, renewing or replacing a driver license, driver permit or
28 identification card, the Department of Transportation may verify with the issuing agency the valid-
29 ity and completeness of each identity source document presented by the applicant.

30 (2) **The department may require a person who holds a driver license, driver permit or**
31 **identification card issued by this state who previously presented an identity source document**
32 **that was not retained by the department as a digital image to present an identity source**
33 **document for the purpose of capturing and retaining a digital copy of the identity source**
34 **document. This subsection applies only to a person who elects to hold a Real ID.**

35 **SECTION 13.** ORS 807.024 is amended to read:

36 807.024. (1) A person who applies for issuance, renewal or replacement of a driver license, driver
37 permit or identification card shall submit to collection of biometric data by the Department of
38 Transportation for the purpose of establishing the person's identity. Submitting to collection of
39 biometric data under this section does not excuse a person from responsibility for complying with
40 requirements for proof of identity, *[age or residence]* **date of birth or address** pursuant to ORS
41 *[807.050]* **807.040.**

42 (2) Notwithstanding subsection (1) of this section and ORS 807.040 (1)(c), the department, by
43 rule, may provide for issuance, renewal or replacement of a valid driver license or driver permit
44 without the collection of biometric data.

45 (3) For purposes of this section, a person's identity is established if:

1 (a) The department finds that the biometric data collected as required under subsection (1) of
2 this section match the biometric data that are already in the department's records for that person;
3 or

4 (b) The department finds that the biometric data collected as required under subsection (1) of
5 this section do not match biometric data in the department's records for any other person and the
6 department does not otherwise have reason to believe that the person is not who the person claims
7 to be.

8 (4) If a person's identity is established as described in subsection (3) of this section, the de-
9 partment shall mail the driver license, driver permit or identification card to the address provided
10 by the person when the person applied for the issuance, renewal or replacement of the license,
11 permit or identification card.

12 (5) If a person's identity is not established as described in subsection (3) of this section, the
13 department shall:

14 (a) Inform the person who submitted to collection of biometric data that the person's identity
15 was not established; and

16 (b) Provide the person with the opportunity to establish the person's identity by an alternative
17 method approved by the department by rule.

18 (6) If a person's identity was not established as described in subsection (3) of this section and
19 the department has reason to believe that the crime of identity theft, as described in ORS 165.800,
20 was committed by the person currently submitting to collection of biometric data or by a person
21 who previously submitted to collection of biometric data under the identity of the person currently
22 submitting to collection of biometric data, the department shall notify a law enforcement agency
23 that has jurisdiction over the crime.

24 (7) The department by rule shall establish procedures for providing expedited processing of
25 driver licenses, driver permits or identification cards.

26 (8) The department and employees of the department are immune from liability for any damages
27 resulting from the issuance, renewal or replacement of a driver license, driver permit or identifica-
28 tion card under another person's identity if the employee who processed the biometric data for a
29 license, permit or identification card established the applicant's identity as described in subsection
30 (3) of this section.

31 **SECTION 14.** ORS 807.040 is amended to read:

32 807.040. (1) The Department of Transportation shall issue a driver license to any person who
33 complies with all of the following requirements:

34 (a) The person must complete an application for a license under ORS 807.050.

35 (b) As required by ORS 807.021 and 807.730, the person must provide the Social Security number
36 assigned to the person by the United States Social Security Administration and proof of legal pres-
37 ence in the United States or, if the person is not eligible for a Social Security number, proof of legal
38 presence in the United States and proof that the person is not eligible for a Social Security number.

39 (c) The person must submit to collection of biometric data by the department that establish the
40 identity of the person as described in ORS 807.024.

41 (d) The person must not be ineligible for the license under ORS 807.060 and must be eligible for
42 the license under ORS 807.062.

43 (e) The person must successfully pass all examination requirements under ORS 807.070 for the
44 class of license sought.

45 (f) The person must pay the appropriate license fee under ORS 807.370 for the class of license

1 sought.

2 (g) The person must pay the Student Driver Training Fund eligibility fee.

3 (h) If the application is for a commercial driver license, the person must be the holder of a Class
4 C license or any higher class of license.

5 (i) If the application is for a commercial driver license, the person must submit to the depart-
6 ment, in a form approved by the department, the report of a medical examination that establishes
7 that the person meets the medical requirements for the particular class of license. The department,
8 by rule, shall establish medical requirements for purposes of this paragraph. The medical require-
9 ments established under this paragraph may include any requirements the department determines
10 are necessary for the safe operation of vehicles permitted to be operated under the class of license
11 for which the requirements are established.

12 (j) If the application is for a commercial driver license, the person must:

13 (A) Have at least one year's driving experience, including relevant experience obtained in the
14 military;

15 (B) Not be subject to a lifetime suspension of commercial driving privileges under ORS 809.520;

16 (C) Not be otherwise ineligible to hold a commercial driver license;

17 (D) Hold a commercial learner driver permit if the person must complete a skills demonstration
18 under ORS 807.070 (3); and

19 (E) In addition to meeting the requirement of providing proof of legal presence under ORS
20 807.021 and this section, the person must submit valid documentation, as defined by the department
21 by rule, that the person is a citizen or permanent legal resident of the United States.

22 **(k) The person must present acceptable documents to prove identity, date of birth and**
23 **address. The department shall determine by rule which documents are acceptable to prove**
24 **identity, date of birth and address.**

25 **(L) If the application is for a Real ID, the person must comply with the requirements**
26 **under the vehicle code for issuance of Real IDs.**

27 (2) The department shall work with other agencies and organizations to attempt to improve the
28 issuance system for driver licenses.

29 **SECTION 15.** ORS 807.050, as amended by section 2, chapter 306, Oregon Laws 2017 (Enrolled
30 Senate Bill 36), is amended to read:

31 807.050. An application for a **driver** license shall be in a form approved by the [*Oregon*] De-
32 partment of Transportation. An application must contain all the following:

33 (1) The applicant's full legal name, [*age,*] sex, **date of birth**, residence address, except as oth-
34 erwise provided for corrections officers in ORS 802.253, eligible employees in ORS 802.250 or Ad-
35 dress Confidentiality Program participants in ORS 192.846, and post-office address other than
36 general delivery. The department may provide by rule for acceptance of something other than an
37 actual residence or post-office address if the department determines that the applicant does not have
38 an actual address. The department shall require proof to verify the address in addition to anything
39 else the department may require of the applicant. The department shall adopt rules to identify what
40 constitutes proof of address for purposes of this subsection. [*Verification of*] Proof of address may
41 include, but is not limited to, providing a utility bill, a tax return, a record from a financial insti-
42 tution, a proof of insurance card or a health benefits card, a selective service card, a mortgage
43 document or a lease agreement. The applicant may provide the proof of address by submitting proof
44 in the form of an original document or a copy of a document, use an electronic device to display
45 proof of address, or provide proof through the use of a third party address verification system.

1 (2) The class of **driver** license sought.

2 (3) The Social Security number of the applicant or other number or identifying information de-
3 termined appropriate by the Secretary of the United States Department of Transportation, if the
4 application is for a commercial driver license or a commercial learner driver permit or if the Oregon
5 Department of Transportation by rule requires the Social Security number on the application.

6 (4) Whether or not the applicant wants to make an anatomical gift, as defined in ORS 97.953.

7 (5) Any other information the department deems necessary to assist the department in deter-
8 mining whether the applicant is qualified or eligible to be licensed.

9 **(6) The signature of the applicant.**

10 **SECTION 16.** ORS 807.110 is amended to read:

11 807.110. (1) A **driver** license issued by the Department of Transportation shall contain all of the
12 following:

13 (a) The distinguishing number assigned to the person issued the **driver** license by the depart-
14 ment.

15 (b) For the purpose of identification, a brief description of the person to whom the **driver** license
16 is issued.

17 (c) The full legal name of the person to whom the **driver** license is issued, except that the de-
18 partment may limit the number of characters displayed on the **driver** license.

19 (d) The date of birth **and sex** of the person to whom the **driver** license is issued.

20 (e) Except as provided for corrections officers in ORS 802.253, eligible employees in ORS 802.250
21 or Address Confidentiality Program participants in ORS 192.846, the residence address of the person
22 to whom the **driver** license is issued.

23 (f) Upon request of the person to whom the **driver** license is issued, the fact that the person is
24 an anatomical donor.

25 (g) Upon request of the person to whom the **driver** license is issued and presentation of proof,
26 as determined by the department, the fact that the person is a veteran, as defined in ORS 408.225.

27 (h) Upon order of the juvenile court, the fact that the person to whom the **driver** license is is-
28 sued is an emancipated minor.

29 (i) Except as otherwise provided in subsection (2) of this section, a photograph described in this
30 paragraph. A photograph required under this paragraph shall:

31 (A) Be a full-faced, color photograph of the person to whom the **driver** license is issued;

32 (B) Be of a size approved by the department; and

33 (C) Be taken at the time of application for issuance of the **driver** license whether the application
34 is for an original **driver** license, replacement of a **driver** license under ORS 807.160 or [for] renewal
35 of a **driver** license under ORS 807.150, except that the department, by rule, may allow the applicant
36 to use a photograph already on file with the department.

37 (j) The class of **driver** license issued and any endorsements granted. If the **driver** license is a
38 commercial driver license, the words “commercial driver license” or the letters “CDL” shall appear
39 on the **driver** license.

40 (k) The signature of the person to whom the **driver** license is issued.

41 **(L) If the driver license is not a Real ID, a design differentiating it from a Real ID.**

42 (2) The department may issue a valid **driver** license without a photograph to an applicant:

43 (a) Who objects on religious grounds;

44 (b) Who objects because of the applicant’s facial disfigurement; or

45 (c) Who is stationed outside of this state while serving in the active military service in the

1 Armed Forces of the United States or the National Guard, and the department does not have an
2 acceptable photograph of the applicant, as determined by the department by rule. This paragraph
3 applies to an applicant who is renewing or replacing a **driver** license.

4 (3) A limited term driver license issued under ORS 807.730 shall indicate:

5 (a) That it is a limited term driver license; and

6 (b) The date on which the limited term driver license expires.

7 (4) The department shall use security procedures, processes and materials in the preparation,
8 manufacture and issuance of any **driver** license that prohibit as nearly as possible anyone's ability
9 to alter, counterfeit, duplicate or modify the **driver** license without ready detection. The security
10 features used in the production of the **driver** licenses shall provide for:

11 (a) The authentication of a genuine document in a reasonable time; and

12 (b) The production of the **driver** license only by equipment that requires verification of the
13 identity of the operator of the equipment before a **driver** license may be produced.

14 **SECTION 16a. If Senate Bill 37 becomes law, section 16 of this 2017 Act (amending ORS**
15 **807.110) is repealed and ORS 807.110, as amended by section 11, chapter 190, Oregon Laws 2017**
16 **(Enrolled Senate Bill 37), is amended to read:**

17 807.110. (1) A **driver** license issued by the Department of Transportation shall contain all of the
18 following:

19 (a) The distinguishing number assigned to the person issued the **driver** license by the depart-
20 ment.

21 (b) For the purpose of identification, a brief description of the person to whom the **driver** license
22 is issued.

23 (c) The full legal name of the person to whom the **driver** license is issued, except that the de-
24 partment may limit the number of characters displayed on the **driver** license.

25 (d) The date of birth **and sex** of the person to whom the **driver** license is issued.

26 (e) Except as provided for corrections officers in ORS 802.253, eligible employees in ORS 802.250
27 or Address Confidentiality Program participants in ORS 192.846, the residence address of the person
28 to whom the **driver** license is issued.

29 (f) Upon request of the person to whom the **driver** license is issued, the fact that the person is
30 an anatomical donor.

31 (g) Upon request of the person to whom the **driver** license is issued and presentation of proof,
32 as determined by the department, the fact that the person is a veteran, as defined in ORS 408.225.

33 (h) Upon order of the juvenile court, the fact that the person to whom the **driver** license is is-
34 sued is an emancipated minor.

35 (i) Except as otherwise provided in subsection (2) of this section, a photograph described in this
36 paragraph. A photograph required under this paragraph shall:

37 (A) Be a full-faced, color photograph of the person to whom the **driver** license is issued;

38 (B) Be of a size approved by the department; and

39 (C) Be taken at the time of application for issuance of the **driver** license whether the application
40 is for an original **driver** license, replacement of a **driver** license under ORS 807.160 or [for] renewal
41 of a **driver** license under ORS 807.150, except that the department, by rule, may allow the applicant
42 to use a photograph already on file with the department.

43 (j) The class of **driver** license issued and any endorsements granted.

44 (k) The signature of the person to whom the **driver** license is issued.

45 **(L) If the driver license is not a Real ID, a design differentiating it from a Real ID.**

1 (2) The department may issue a valid **driver** license, other than a commercial driver license,
2 without a photograph to an applicant:

3 (a) Who objects on religious grounds;

4 (b) Who objects because of the applicant's facial disfigurement; or

5 (c) Who is stationed outside of this state while serving in the active military service in the
6 Armed Forces of the United States or the National Guard, and the department does not have an
7 acceptable photograph of the applicant, as determined by the department by rule. This paragraph
8 applies to an applicant who is renewing or replacing a **driver** license.

9 (3) A limited term driver license issued under ORS 807.730 shall indicate:

10 (a) That it is a limited term driver license; and

11 (b) The date on which the limited term driver license expires.

12 (4) The department shall use security procedures, processes and materials in the preparation,
13 manufacture and issuance of any **driver** license that prohibit as nearly as possible anyone's ability
14 to alter, counterfeit, duplicate or modify the **driver** license without ready detection. The security
15 features used in the production of the **driver** licenses shall provide for:

16 (a) The authentication of a genuine document in a reasonable time; and

17 (b) The production of the **driver** license only by equipment that requires verification of the
18 identity of the operator of the equipment before a **driver** license may be produced.

19 **SECTION 17.** ORS 807.115 is amended to read:

20 807.115. (1) The Department of Transportation shall retain a [*duplicate*] **digital** image of each
21 photograph [*used*] **and signature shown** on a driver license under the provisions of ORS 807.110
22 or an identification card under ORS 807.400.

23 (2) The [*duplicates*] **digital images of photographs** may not be made available to anyone other
24 than law enforcement officials and employees of the department acting in an official capacity.

25 **SECTION 18.** ORS 807.400 is amended to read:

26 807.400. (1) The Department of Transportation shall issue an identification card to any person
27 who:

28 (a) Is domiciled in or is a resident of this state, as described in ORS 807.062;

29 (b) As required by ORS 807.021 and 807.730, provides the Social Security number assigned to the
30 person by the United States Social Security Administration and proof of legal presence in the United
31 States or, if the person is not eligible for a Social Security number, proof of legal presence in the
32 United States and proof that the person is not eligible for a Social Security number;

33 (c) Does not have a current, valid driver license;

34 (d) Furnishes evidence of the person's full legal name[, *age and identity as the department may*
35 *require*] **and date of birth**; and

36 (e) Submits to collection of biometric data by the department that establish the identity of the
37 person as provided in ORS 807.024.

38 (2) The department shall work with other agencies and organizations to attempt to improve the
39 issuance system for identification cards.

40 (3) Every original application for an identification card must be signed by the applicant. The
41 department shall require proof to verify the address of an applicant for issuance of an identification
42 card in addition to other documents the department may require of the applicant. If the address of
43 an applicant has changed since the last time an identification card was issued to or renewed for the
44 applicant, the department shall require proof to verify the address of the applicant for renewal of
45 an identification card, in addition to anything else the department may require. The department

1 shall adopt rules to identify what constitutes proof of address for purposes of this subsection.
2 [*Verification of*] Proof of address may include, but is not limited to, providing a utility bill, a tax
3 return, a record from a financial institution, a proof of insurance card or a health benefits card, a
4 selective service card, a mortgage document or a lease agreement. The applicant may provide the
5 proof of address by submitting proof in the form of an original document or a copy of a document,
6 use an electronic device to display proof of address, or provide proof through the use of a third
7 party address verification system.

8 (4) Every identification card shall be issued upon the standard **driver** license form described
9 under ORS 807.110 and shall bear a statement to the effect that the identification card is not a
10 **driver** license or any other grant of driving privileges to operate a motor vehicle and is to be used
11 for identification purposes only. The department shall use the same security procedures, processes,
12 materials and features for an identification card as are required for a **driver** license under ORS
13 807.110. The identification card is not required to contain the residence address of persons listed in
14 ORS 807.110 (1)(e).

15 (5) If the identification card is a limited term identification card issued under ORS 807.730, the
16 limited term identification card shall indicate:

17 (a) That it is a limited term identification card; and

18 (b) The date on which the limited term identification card expires.

19 (6) Upon order of the juvenile court, the department shall include on the card the fact that the
20 person issued the identification card is an emancipated minor.

21 (7) Upon request of the person to whom the identification card is issued and presentation of
22 proof, as determined by the department by rule, that the person is a veteran, as defined in ORS
23 408.225, the department shall include on the card the fact that the person is a veteran.

24 (8) Each original identification card shall expire on a date consistent with the expiration dates
25 of licenses as set forth in ORS 807.130.

26 (9) Identification cards shall be renewed under the terms for renewal of licenses as set forth in
27 ORS 807.150.

28 (10) The fee for an original identification card or a renewal thereof shall be the fee established
29 under ORS 807.410.

30 (11) An identification card becomes invalid if the holder of the card changes the holder's resi-
31 dence address from that shown on the identification card and does not provide the department with
32 notice of the change as required under ORS 807.420.

33 (12) If a person to whom an identification card was issued and who changes the person's resi-
34 dence address appears in person at a department office that issues identification cards, the depart-
35 ment may do any of the following:

36 (a) Issue a replacement identification card containing the new address upon receipt of the old
37 identification card and payment of the fee established for issuing a replacement identification card
38 with a changed address under ORS 807.410. Except as otherwise provided in subsection (14) of this
39 section, the replacement identification card shall bear the same distinguishing number as the card
40 being replaced.

41 (b) Note the new address on the old identification card in a manner to be determined by the
42 department by rule.

43 (13) An identification card becomes invalid if the holder of the card changes the holder's name
44 from that shown on the card, including a change of name by marriage, without providing the de-
45 partment with notice of the change as required under ORS 807.420. Upon receiving such notice and

1 the old identification card, the department shall issue a replacement identification card upon pay-
2 ment of the fee required under ORS 807.410.

3 (14) In the event that, for a reason identified by the department by rule, a person needs a re-
4 placement identification card that bears a distinguishing number different from the number on the
5 card being replaced, the person to whom the card was issued may obtain a replacement card from
6 the department upon furnishing proof satisfactory to the department of the need for such replace-
7 ment and payment of the replacement fee under ORS 807.410.

8 (15) If a person furnishes proof that the person is a veteran, as defined in ORS 408.225, and the
9 person's identification card does not include the fact that the person is a veteran, the department
10 shall issue a replacement identification card that includes the fact that the person is a veteran.

11 (16) The department may establish by rule reasons for issuing replacement identification cards
12 that are in addition to the reasons identified in subsections (12) to (15) of this section. The fee for
13 a replacement identification card is provided under ORS 807.410.

14 (17) Upon cancellation of an identification card, the card is terminated and must be surrendered
15 to the department. An identification card may be canceled for any of the reasons that driving priv-
16 ileges or a driver license may be canceled under ORS 809.310. The department may reissue an
17 identification card canceled under this subsection when the applicant has satisfied all requirements
18 for the identification card.

19 (18) Notwithstanding any other provision of this section, the department may issue an identifi-
20 cation card to a person under this subsection without charge when the person surrenders the
21 person's driver license or driver permit to the department for reasons described in this subsection.
22 If the department issues an identification card under this subsection, the identification card shall
23 expire at the same time as the surrendered driver license or driver permit would have expired. An
24 identification card issued under this subsection is subject to the same requirements and fees for
25 renewal or upon expiration as any other identification card issued under this section. The depart-
26 ment may issue identification cards under this subsection for any of the following reasons:

27 (a) The person voluntarily surrenders the person's driver license or driver permit to the de-
28 partment based upon the person's recognition that the person is no longer competent to drive.

29 (b) The person's driving privileges are suspended under ORS 809.419 (1). This paragraph only
30 applies if the person voluntarily surrenders the person's driver license or driver permit to the de-
31 partment as provided under ORS 809.500.

32 **(19) If a person is applying for an identification card that is a Real ID, the person must**
33 **comply with the requirements under the vehicle code for issuance of Real IDs.**

34 **SECTION 19.** ORS 807.730, as amended by section 6, chapter 306, Oregon Laws 2017 (Enrolled
35 Senate Bill 36), is amended to read:

36 807.730. (1) The Department of Transportation may issue or replace a limited term driver li-
37 cense, limited term commercial driver license, limited term driver permit, limited term commercial
38 learner driver permit or limited term identification card only for a person who provides proof, as
39 determined by the department by rule, that the person is legally present in the United States on a
40 temporary basis.

41 (2) A limited term driver license, limited term commercial driver license or limited term iden-
42 tification card is valid:

43 (a) During the applicant's authorized stay in the United States, but no longer than eight years
44 from the date of issuance; or

45 (b) If there is no definite end to the authorized stay, for a period of one year.

1 (3) A limited term driver permit or a limited term commercial learner driver permit is valid:

2 (a) During the applicant's authorized stay in the United States, but no longer than the period
3 of time for which a driver permit of the same type is issued by the department.

4 (b) If there is no definite end to the authorized stay, for a period of one year but no longer than
5 the period of time for which a driver permit of the same type is issued by the department.

6 (4) A limited term driver license, limited term commercial driver license, limited term driver
7 permit, limited term commercial learner driver permit or limited term identification card may be
8 renewed only upon presentation of valid documentation, as determined by the department by rule,
9 that the status by which the applicant qualified for the limited term driver license, limited term
10 commercial driver license, limited term driver permit, limited term commercial learner driver permit
11 or limited term identification card has been extended or is still in effect.

12 (5) A limited term driver license or limited term driver permit grants the same privileges as a
13 driver license or driver permit.

14 (6) A limited term identification card shall bear a statement to the effect that the limited term
15 identification card is not a license or any other grant of driving privileges to operate a motor ve-
16 hicle and is to be used for identification purposes only.

17 (7) A limited term commercial driver license or limited term commercial learner driver permit
18 grants the same privileges as a commercial driver license or commercial learner driver permit.

19 (8) The department may issue a limited term commercial driver license or limited term com-
20 mercial learner driver permit if the applicant is otherwise eligible for commercial driving privileges.
21 The department may adopt rules describing eligibility requirements for limited term commercial
22 driver licenses and limited term commercial learner driver permits.

23 **(9) A limited term driver license, limited term commercial driver license or limited term**
24 **identification card shall clearly indicate that it is a limited term driver license, limited term**
25 **commercial driver license or limited term identification card and indicate the date on which**
26 **it expires.**

27 **SECTION 20.** ORS 807.130 is amended to read:

28 807.130. (1) A license that is issued as an original license and not as a license that is renewed
29 expires on the anniversary of the licensee's birthday in the eighth calendar year after the year of
30 issuance.

31 (2) A license that is renewed under ORS 807.150 expires eight years from the specified expira-
32 tion date of the immediately preceding license.

33 (3) Notwithstanding subsections (1) and (2) of this section, a license that is issued to a person
34 who is not a citizen or permanent legal resident of the United States expires on the date the
35 licensee is no longer authorized to stay in the United States, as indicated by the documentation the
36 person presented to the Department of Transportation to provide proof of legal presence in the
37 United States as required by ORS 807.021 and 807.730[,] **or proof of lawful status in the United**
38 **States as required by section 4 of this 2017 Act**, but no longer than eight years from the date
39 of issuance or, if there is no definite end to the authorized stay, after a period of one year.

40 (4) Subsection (3) of this section does not apply to a person who is a citizen of a country with
41 a Compact of Free Association with the United States and who provides proof of legal presence in
42 the United States as defined by the department by rule.

43 **(5) Notwithstanding subsection (4) of this section, a Real ID issued to a person who is a**
44 **citizen of a country with a Compact of Free Association with the United States expires on**
45 **the date the licensee is no longer authorized to stay in the United States, as indicated by the**

1 **documentation the person presented to the department or, if there is no definite end to the**
2 **authorized stay, after a period of one year.**

3 [(5)] (6) A license that has expired does not grant driving privileges and is not valid evidence
4 of driving privileges.

5 **SECTION 21. (1) Sections 3 to 10 of this 2017 Act and the amendments to ORS 807.021,**
6 **807.022, 807.024, 807.040, 807.050, 807.110, 807.115, 807.130, 807.400 and 807.730 by sections 11 to**
7 **20 of this 2017 Act become operative July 1, 2020.**

8 (2) The Department of Transportation may take any action before the operative date
9 specified in subsection (1) of this section that is necessary to enable the department to ex-
10 ercise, on and after the operative date specified in subsection (1) of this section, all the du-
11 ties, powers and functions conferred on the department by sections 3 to 10 of this 2017 Act
12 and the amendments to ORS 807.021, 807.022, 807.024, 807.040, 807.050, 807.110, 807.115, 807.130,
13 807.400 and 807.730 by sections 11 to 20 of this 2017 Act.

14 **SECTION 22. The section captions used in this 2017 Act are provided only for the con-**
15 **venience of the reader and do not become part of the statutory law of this state or express**
16 **any legislative intent in the enactment of this 2017 Act.**

17 **SECTION 23. This 2017 Act being necessary for the immediate preservation of the public**
18 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
19 **on its passage.**

20