

# Enrolled Senate Bill 374

Sponsored by Senators HANSELL, STEINER HAYWARD; Representative BARRETO (Pre-session filed.)

CHAPTER .....

AN ACT

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

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

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 ORS 801.060, 801.063 and 801.066 are repealed.**

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

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

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

- (a) Meets the requirements for a driver license, driver permit or identification card as described in the vehicle code;
- (b) Submits proof, as required by rule by the department, establishing the person’s:
  - (A) Identity;
  - (B) Date of birth;
  - (C) Social Security number, or proof that the person is not eligible for a Social Security number; and
  - (D) Lawful status in the United States;
- (c) Pays the fee described in section 5 of this 2017 Act; and
- (d) Surrenders any Real ID previously issued to the person by this state or another jurisdiction.

(2) If there is any change to the applicant’s name, date of birth or Social Security number after the department issues a Real ID to the applicant, the department may not replace or renew the Real ID unless the applicant appears in person and submits proof of the change, as required by rule by the department.

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

**SECTION 6. Document retention. For the purpose of issuing Real IDs only, the Department of Transportation shall:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(6) If a person's identity was not established as described in subsection (3) of this section and the department has reason to believe that the crime of identity theft, as described in ORS 165.800, was committed by the person currently submitting to collection of biometric data or by a person who previously submitted to collection of biometric data under the identity of the person currently

submitting to collection of biometric data, the department shall notify a law enforcement agency that has jurisdiction over the crime.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) Any other information the department deems necessary to assist the department in determining whether the applicant is qualified or eligible to be licensed.

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

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

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

(a) The distinguishing number assigned to the person issued the **driver** license by the department.

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

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

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

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

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

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

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

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

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

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

(C) Be taken at the time of application for issuance of the **driver** license whether the application is for an original **driver** license, replacement of a **driver** license under ORS 807.160 or [for]

renewal of a **driver** license under ORS 807.150, except that the department, by rule, may allow the applicant to use a photograph already on file with the department.

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

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

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

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

(a) Who objects on religious grounds;

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

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

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

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

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

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

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

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

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

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

(a) The distinguishing number assigned to the person issued the **driver** license by the department.

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

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

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

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

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

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

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

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

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

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

(C) Be taken at the time of application for issuance of the **driver** license whether the application is for an original **driver** license, replacement of a **driver** license under ORS 807.160 or [for]

renewal of a **driver** license under ORS 807.150, except that the department, by rule, may allow the applicant to use a photograph already on file with the department.

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

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

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

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

(a) Who objects on religious grounds;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) Every original application for an identification card must be signed by the applicant. The department shall require proof to verify the address of an applicant for issuance of an identification card in addition to other documents the department may require of the applicant. If the address of an applicant has changed since the last time an identification card was issued to or renewed for the applicant, the department shall require proof to verify the address of the applicant for renewal of an identification card, in addition to anything else the department may require. The department shall adopt rules to identify what constitutes proof of address for purposes of this subsection. [*Verification of*] Proof of address may include, but is not limited to, providing a utility bill, a tax

return, a record from a financial institution, a proof of insurance card or a health benefits card, a selective service card, a mortgage document or a lease agreement. The applicant may provide the proof of address by submitting proof in the form of an original document or a copy of a document, use an electronic device to display proof of address, or provide proof through the use of a third party address verification system.

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

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

- (a) That it is a limited term identification card; and
- (b) The date on which the limited term identification card expires.

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

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

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

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

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

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

(12) If a person to whom an identification card was issued and who changes the person's residence address appears in person at a department office that issues identification cards, the department may do any of the following:

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

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

(13) An identification card becomes invalid if the holder of the card changes the holder's name from that shown on the card, including a change of name by marriage, without providing the department with notice of the change as required under ORS 807.420. Upon receiving such notice and the old identification card, the department shall issue a replacement identification card upon payment of the fee required under ORS 807.410.

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



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

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

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

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

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

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

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

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

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

(2) A limited term driver license, limited term commercial driver license or limited term identification card is valid:

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) A license that is renewed under ORS 807.150 expires eight years from the specified expiration date of the immediately preceding license.

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

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

**(5) Notwithstanding subsection (4) of this section, a Real ID issued to a person who is a citizen of a country with a Compact of Free Association with the United States expires on the date the licensee is no longer authorized to stay in the United States, as indicated by the documentation the person presented to the department or, if there is no definite end to the authorized stay, after a period of one year.**

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

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

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

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

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

**Passed by Senate June 26, 2017**

**Repassed by Senate July 6, 2017**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House July 6, 2017**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M,....., 2017

**Approved:**

.....M,....., 2017

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2017

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Dennis Richardson, Secretary of State