

# Senate Bill 374

Sponsored by Senator HANSELL; Representative BARRETO (Pre-session 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 **as introduced**.

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 Star 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 802.179, 807.022,  
3 807.024, 807.040, 807.050, 807.110, 807.115, 807.400 and 807.730; repealing ORS 801.060, 801.063  
4 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 ORS 801.060, 801.063 and 801.066 are repealed.**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. Star ID definition.** "Star ID" means a driver license, driver permit or iden-  
10 tification card that is compliant with the Real ID Act of 2005, P.L. 109-13, and marked with  
11 a distinguishing feature.

12 **SECTION 4. Star ID issuance, replacement and renewal; requirements.** (1) The Depart-  
13 ment of Transportation shall issue a Star 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 documentation, as required by rule by the department, establishing the  
17 person's:

18 (A) Identity;

19 (B) Date of birth;

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

22 (D) Lawful status in the United States; and

23 (c) Pays the fee described in section 5 of this 2017 Act.

24 (2) If an applicant changes the applicant's name, date of birth or Social Security number  
25 after the department issues a Star ID to the applicant, the department may not replace or  
26 renew the Star ID using the previous photograph unless the applicant submits documenta-  
27 tion of the change, as required by rule by the department.

28 **SECTION 5. Star ID; fee.** (1) In addition to any fee imposed under ORS 807.370, 807.410  
29 or 807.375, the Department of Transportation may impose a fee for each Star ID issued, re-  
30 newed or replaced, for the purpose of covering the costs of purchasing equipment and es-

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 **ublishing and maintaining a database used for collecting and verifying documents presented**  
2 **by the applicant pursuant to section 4 of this 2017 Act.**

3 **(2) A fee imposed under this section may not be more than \$\_\_\_\_\_.**

4 **SECTION 6. Document retention. For the purpose of issuing, renewing or replacing Star**  
5 **IDs only, the Department of Transportation shall:**

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

8 **(2) Retain paper copies of identity source documents for a minimum of seven years or**  
9 **digital images of identity source documents for a minimum of 10 years.**

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

15 **(2) An officer, employee or contractor of the department may make information or copies**  
16 **described in subsection (1) of this section available to law enforcement officials, motor vehi-**  
17 **cle agencies from other states and employees of the department acting in an official capacity.**

18 **SECTION 8. Fingerprint requirements. (1) The Department of Transportation may re-**  
19 **quire all employees or contractors authorized to manufacture or produce driver licenses,**  
20 **driver permits or identification cards to be fingerprinted.**

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

23 **SECTION 9. Comprehensive security plan. The Department of Transportation shall de-**  
24 **velop and implement a comprehensive security plan to ensure the security and integrity of**  
25 **the department's employees, facilities and storage systems, the production of driver licenses,**  
26 **driver permits and identification cards and the collection and retention of personal informa-**  
27 **tion and identity source documents.**

28 **SECTION 10. Recognition of fraudulent documents. The Department of Transportation**  
29 **shall require that all employees engaged in the issuing of driver licenses, driver permits and**  
30 **identification cards are trained to recognize fraudulent documents.**

31 **SECTION 11. ORS 802.179 is amended to read:**

32 **802.179. (1) The Department of Transportation, upon request or as required by law, shall disclose**  
33 **personal information from a motor vehicle record to a government agency for use in carrying out**  
34 **its governmental functions.**

35 **(2) The department shall disclose personal information from a motor vehicle record for use in**  
36 **connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor**  
37 **vehicle product alterations, recalls or advisories, performance monitoring of motor vehicles and**  
38 **dealers by motor vehicle manufacturers, and removal of nonowner records from the original owner**  
39 **records of motor vehicle manufacturers to carry out the purposes of any of the following federal**  
40 **Acts:**

- 41 **(a) The Automobile Information Disclosure Act.**  
42 **(b) The Motor Vehicle Information and Cost Saving Act.**  
43 **(c) The National Traffic and Motor Vehicle Safety Act of 1966.**  
44 **(d) The Anti-Car Theft Act of 1992.**  
45 **(e) The Clean Air Act.**

1       **(f) The Real ID Act of 2005.**

2       (3)(a) If the department determines that a business is a legitimate business, the department shall  
3 disclose personal information to the business for use in the normal course of business in:

4       (A) Verifying the accuracy of personal information submitted to the business; or

5       (B) Correcting personal information submitted to the business, but only in order to:

6       (i) Prevent fraud;

7       (ii) Pursue legal remedies against the individual who submitted the personal information; or

8       (iii) Recover a debt from, or satisfy a security interest against, the individual.

9       (b) The department shall adopt rules specifying the kind of information that the department will  
10 accept as evidence that a business is a legitimate business.

11       (4) The department shall disclose personal information to:

12       (a) An attorney, a financial institution as defined in ORS chapter 706 or a collection agency  
13 registered under ORS 697.031 for use in connection with a civil, criminal, administrative or arbi-  
14 tration proceeding in any court, government agency or self-regulatory body. Permissible uses of  
15 personal information under this paragraph include, but are not limited to, service of process, inves-  
16 tigation in anticipation of litigation and the execution and enforcement of judgments and orders.

17       (b) A process server acting as an agent for an individual for use in serving documents in con-  
18 nection with an existing civil, criminal, administrative or arbitration proceeding, or a judgment, in  
19 any court, government agency or self-regulatory body. Nothing in this paragraph limits the activities  
20 of a process server when acting as an agent for an attorney, collection agency or like person or for  
21 a government agency.

22       (5) The department shall disclose personal information other than names to a researcher for use  
23 in researching health and educational questions and providing statistical reports, as long as the  
24 personal information is not published, redisclosed or used to contact individuals. The department  
25 may disclose information under this subsection only for research sponsored by an educational insti-  
26 tution or a health research institution.

27       (6) The department shall disclose personal information to an insurer, an insurance support or-  
28 ganization or a self-insured entity in connection with claims investigation activities, antifraud ac-  
29 tivities, underwriting or rating.

30       (7) The department shall disclose personal information regarding ownership or other financial  
31 interests in a vehicle to a person who is required by the state or federal Constitution, a statute or  
32 an ordinance to give notice to another person concerning the vehicle. Personal information disclosed  
33 under this subsection may be used only for giving the required notice. Persons authorized to receive  
34 personal information under this subsection include, but are not limited to:

35       (a) Tow companies;

36       (b) Persons who have or are entitled to have liens on the vehicle; and

37       (c) Persons taking an action that could affect ownership rights to the vehicle.

38       (8) The department shall disclose personal information to any private security professional cer-  
39 tified under ORS 181A.870, to be used for the purpose of determining ownership of vehicles parked  
40 in a place over which the private security professional, acting within the scope of the professional's  
41 employment, exercises control.

42       (9) The department shall disclose personal information to the employer of an individual who  
43 holds commercial driving privileges, or the insurer of the employer, to obtain or verify information  
44 about the individual.

45       (10) The department shall disclose personal information to the operator of a private toll facility

1 for use in collecting tolls.

2 (11) The department may not disclose personal information for bulk distributors of surveys,  
3 marketing materials or solicitations except as provided in this subsection. The department shall  
4 implement methods and procedures to ensure:

5 (a) That individuals are offered an opportunity to request that personal information about  
6 themselves be disclosed to bulk distributors; and

7 (b) That the personal information provided by the department will be used, rented or sold solely  
8 for bulk distribution of surveys, marketing materials and solicitations.

9 (12) The department shall disclose personal information to a person who requests the informa-  
10 tion if the requester provides the department with written permission from the individual whose  
11 personal information is requested. The written permission from the individual must be notarized.

12 (13) The department shall disclose personal information to a person who is in the business of  
13 disseminating such information under the following conditions:

14 (a) In addition to any other requirements under the contract executed pursuant to paragraph (b)  
15 of this subsection, the person requesting the information must file a performance bond with the de-  
16 partment in the amount of \$25,000. The bond must be executed in favor of the State of Oregon and  
17 its form is subject to approval by the Attorney General.

18 (b) The disseminator shall enter into a contract with the department. A contract under this  
19 paragraph shall contain at least the following provisions:

20 (A) That the disseminator will not reproduce or distribute the personal information in bulk but  
21 only in response to an individual record inquiry.

22 (B) That the disseminator will provide the personal information only to a person or government  
23 agency authorized to receive the information under this section and only if the person or govern-  
24 ment agency has been authorized by the department to receive the information.

25 (C) That the disseminator will have a method of ensuring that the disseminator can delay for a  
26 period of up to two days the giving of personal information to a requester who is not a subscriber.

27 (14) The department shall disclose personal information to representatives of the news media for  
28 the gathering or dissemination of information related to the operation of a motor vehicle or to public  
29 safety.

30 (15) The department shall disclose personal information as provided in ORS 802.220 (5).

31 (16) The department shall adopt rules providing for the release of personal information from  
32 motor vehicle records to a person who has a financial interest in the vehicle. Rules adopted under  
33 this subsection may include, but need not be limited to, rules establishing procedures for the de-  
34 partment to verify the financial interest of the person making the request for personal information.

35 (17) The department shall adopt rules providing for the release of personal information from  
36 motor vehicle records to a person who is injured by the unsafe operation of a vehicle or who owns  
37 property that is damaged because of the unsafe operation of a vehicle.

38 (18) The department shall disclose personal information to a private investigator licensed by any  
39 licensing authority within the State of Oregon, to be used for any purpose permitted under this  
40 section. A licensed private investigator requesting information must prove to the department that  
41 the person has a corporate surety bond, an irrevocable letter of credit issued by an insured insti-  
42 tution as defined in ORS 706.008 or such other security as the Department of Public Safety Stan-  
43 dards and Training may prescribe by rule in the minimum amount of \$5,000 or errors and omissions  
44 insurance in the minimum amount of \$5,000.

45 (19) The department shall disclose personal information to a procurement organization as de-

1 fined in ORS 97.953 for the purpose of facilitating the making of anatomical gifts under the pro-  
2 visions of ORS 97.955.

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

4 807.022. (1) [Prior to] **Before** issuing, renewing or replacing a driver license, driver permit or  
5 identification card, the Department of Transportation may verify with the issuing agency the valid-  
6 ity and completeness of each identity source document presented by the applicant.

7 **(2) The department may require a person who is the holder of a current, valid driver li-**  
8 **cence, driver permit or identification card who previously presented an identity source doc-**  
9 **ument that was not retained by the department as a digital image to present an identity**  
10 **source document for the purpose of capturing and retaining a digital copy of the identity**  
11 **source document. This subsection applies only to a person who elects to hold a Star ID.**

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

13 807.024. (1) A person who applies for issuance, renewal or replacement of a driver license, driver  
14 permit or identification card shall submit to collection of biometric data by the Department of  
15 Transportation for the purpose of establishing the person's identity. Submitting to collection of  
16 biometric data under this section does not excuse a person from responsibility for complying with  
17 requirements for proof of identity, [*age or residence*] **date of birth or address** pursuant to ORS  
18 [807.050] **807.040 or proof of legal presence under ORS 807.021.**

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

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

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

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

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

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

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

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

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

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

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

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

9 807.040. (1) The Department of Transportation shall issue a driver license to any person who  
10 complies with all of the following requirements:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41 (E) In addition to meeting the requirement of providing proof of legal presence under ORS  
42 807.021 and this section, the person must submit valid documentation, as defined by the department  
43 by rule, that the person is a citizen or permanent legal resident of the United States.

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

1 **identity, date of birth and address.**

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

4 **SECTION 15.** ORS 807.050 is amended to read:

5 807.050. An application for a **driver** license shall be in a form approved by the [*Oregon*] De-  
6 partment of Transportation. An application must contain all the following:

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

21 (2) Whether or not the applicant has ever been issued any driver license or driver permit. If the  
22 applicant has been issued any **driver** license or driver permit:

23 (a) When the **driver** license or driver permit was granted;

24 (b) What jurisdiction granted the **driver** license or driver permit;

25 (c) Whether or not the driving privileges under the **driver** license or driver permit are currently  
26 suspended or revoked; and

27 (d) If the driving privileges are revoked or suspended, the date and reason for the suspension  
28 or revocation.

29 (3) The class of **driver** license sought.

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

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

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

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

38 807.110. (1) A **driver** license issued by the Department of Transportation shall contain all of the  
39 following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (a) Who objects on religious grounds;

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

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

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

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

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

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

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

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

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

41 807.115. (1) The Department of Transportation shall retain a [*duplicate*] **digital** image of each  
42 photograph [*used*] **and signature shown** on a driver license under the provisions of ORS 807.110  
43 or an identification card under ORS 807.400.

44 (2) The [*duplicates*] **digital images of photographs and signatures** may not be made available  
45 to anyone other than law enforcement officials, **motor vehicle agencies from other states** and



1 employees of the department acting in an official capacity.

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

3 807.400. (1) The Department of Transportation shall issue an identification card to any person  
4 who:

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

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

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

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

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

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

17 (3) Every original application for an identification card must be signed by the applicant. The  
18 department shall require proof to verify the address of an applicant for issuance of an identification  
19 card in addition to other documents the department may require of the applicant. If the address of  
20 an applicant has changed since the last time an identification card was issued to or renewed for the  
21 applicant, the department shall require proof to verify the address of the applicant for renewal of  
22 an identification card, in addition to anything else the department may require. The department  
23 shall adopt rules to identify what constitutes proof of address for purposes of this subsection. Ver-  
24 ification of proof of address may include, but is not limited to, providing a utility bill, a tax return,  
25 a record from a financial institution, a proof of insurance card or a health benefits card, a selective  
26 service card, a mortgage document or a lease agreement. The applicant may provide the proof of  
27 address by submitting proof in the form of an original document or a copy of a document, use an  
28 electronic device to display proof of address, or provide proof through the use of a third party ad-  
29 dress verification system.

30 (4) Every identification card shall be issued upon the standard **driver** license form described  
31 under ORS 807.110 and shall bear a statement to the effect that the identification card is not a  
32 **driver** license or any other grant of driving privileges to operate a motor vehicle and is to be used  
33 for identification purposes only. The department shall use the same security procedures, processes,  
34 materials and features for an identification card as are required for a **driver** license under ORS  
35 807.110. The identification card is not required to contain the residence address of persons listed in  
36 ORS 807.110 (1)(e).

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

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

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

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

43 (7) Upon request of the person to whom the identification card is issued and presentation of  
44 proof, as determined by the department by rule, that the person is a veteran, as defined in ORS  
45 408.225, the department shall include on the card the fact that the person is a veteran.

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

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

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

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

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

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

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

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

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

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

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

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

41 (18) Notwithstanding any other provision of this section, the department may issue an identifi-  
42 cation card to a person under this subsection without charge when the person surrenders the  
43 person's driver license or driver permit to the department for reasons described in this subsection.  
44 If the department issues an identification card under this subsection, the identification card shall  
45 expire at the same time as the surrendered driver license or driver permit would have expired. An

1 identification card issued under this subsection is subject to the same requirements and fees for  
 2 renewal or upon expiration as any other identification card issued under this section. The depart-  
 3 ment may issue identification cards under this subsection for any of the following reasons:

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

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

9 **SECTION 19.** ORS 807.730 is amended to read:

10 807.730. (1) The Department of Transportation may issue or replace a limited term driver li-  
 11 cense, limited term driver permit or limited term identification card only for a person who provides  
 12 proof, as determined by the department by rule, that the person is legally present in the United  
 13 States on a temporary basis.

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

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

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

18 (3) A limited term driver permit is valid:

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

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

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

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

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

32 **(7) A limited term driver license or limited term identification card shall clearly indicate**  
 33 **that it is a limited term driver license or limited term identification card and indicate the**  
 34 **date on which it expires.**

35 **SECTION 20.** (1) Sections 3 to 10 of this 2017 Act and the amendments to ORS 802.179,  
 36 807.022, 807.024, 807.040, 807.050, 807.110, 807.115, 807.400 and 807.730 by sections 11 to 19 of this  
 37 2017 Act become operative July 1, 2018.

38 **(2) The Department of Transportation may take any action before the operative date**  
 39 **specified in subsection (1) of this section that is necessary to enable the department to ex-**  
 40 **ercise, on and after the operative date specified in subsection (1) of this section, all the du-**  
 41 **ties, powers and functions conferred on the department by sections 3 to 10 of this 2017 Act**  
 42 **and the amendments to ORS 802.179, 807.022, 807.024, 807.040, 807.050, 807.110, 807.115, 807.400**  
 43 **and 807.730 by sections 11 to 19 of this 2017 Act.**

44 **SECTION 21.** This 2017 Act being necessary for the immediate preservation of the public  
 45 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect

1 **on its passage.**

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