

SECOND REGULAR SESSION

HOUSE BILL NO. 1119

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SCHLOTTACH (Sponsor), SMITH (14), SUTHERLAND, LeVOTA, EMERY, GOODMAN, MAYER, TAYLOR, WILDBERGER, KUESSNER, KRATKY, DETHROW, McKENNA, HILGEMANN, WAGNER, SALVA, DOUGHERTY, WALSH, HENKE, RUESTMAN, CRAWFORD, HOBBS, WILSON (42), RANSDALL, JONES, LEMBKE, DUSENBERG AND NIEVES (Co-sponsors).

Read 1st time January 15, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3435L.011

AN ACT

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

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

Section A. Section 302.181, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 302.181, to read as follows:

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge or duplicate any license without ready detection. All licenses shall bear the licensee's Social Security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a Social Security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 of this section. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored photograph **or digitized image** of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240, RSMo, the

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

15 name and address of the person designated pursuant to sections 404.800 to 404.865, RSMo, as
16 the licensee's attorney in fact for the purposes of a durable power of attorney for health care
17 decisions. No license shall be valid until it has been so signed by the licensee. If any portion of
18 the license is prepared by a private firm, any contract with such firm shall be made in accordance
19 with the competitive purchasing procedures as established by the state director of the division
20 of purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social
21 Security number shall serve as the applicant's license number. Where the licensee has no Social
22 Security number, or where the licensee is issued a license without a Social Security number in
23 accordance with subsection 4 of this section, the director shall issue a license number for the
24 licensee and such number shall also include an indicator showing that the number is not a Social
25 Security number.

26 2. All film involved in the production of photographs for licenses shall become the
27 property of the department of revenue.

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

34 4. The director of revenue shall issue a commercial or noncommercial driver's license
35 without a Social Security number to an applicant therefor, who is otherwise qualified to be
36 licensed, upon presentation to the director of a certified statement that the applicant objects to
37 the display of the Social Security number on the license. The director shall assign an
38 identification number, that is not based on a Social Security number, to the applicant which shall
39 be displayed on the license in lieu of the Social Security number.

40 5. The director of revenue shall **not** issue a license without [the] **a facial** photograph [to
41 an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director
42 of a statement on forms prescribed and made available by the department of revenue which states
43 that the applicant is a member of a specified religious denomination which prohibits photographs
44 of members as being contrary to its religious tenets. The license shall state thereon that no
45 photograph is required because of the religious affiliation of the licensee. The director of
46 revenue shall establish guidelines and furnish to each circuit court such forms as the director
47 deems necessary to comply with this subsection] **or digital image of the license applicant**. The
48 circuit court shall not charge or receive any fee or court cost for the performance of any duty or
49 act pursuant to this subsection. **A photograph or digital image of the applicant's full facial**
50 **features shall be taken in a manner prescribed by the director. No photograph or digital**

51 **image will be taken wearing anything which cloaks the facial features of the individual.**

52 6. The department of revenue may issue a temporary license without the photograph **or**
53 **with the last photograph or digital image in the department's records** to [out-of-state
54 applicants and] members of the armed forces, except that where such temporary license is issued
55 it shall be valid only until the applicant shall have had time to appear and have his or her picture
56 taken and a license with his or her photograph issued.

57 7. The department of revenue shall issue upon request a nondriver's license card
58 containing essentially the same information **and photograph or digital image** as the driver's
59 license upon payment of six dollars [if the applicant is under the age of sixty-five. An applicant
60 who is sixty-five years of age or older may purchase a nondriver's license card without a
61 photograph for one dollar or a nondriver's license card with a photograph for six dollars]. All
62 nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A
63 person who has passed his or her seventieth birthday shall upon application be issued a
64 nonexpiring nondriver's license card. The nondriver's license card shall be used for identification
65 purposes only and shall not be valid as a license.

66 8. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall
67 become effective unless it is promulgated pursuant to the provisions of chapter 536, RSMo.