

FIRST REGULAR SESSION

HOUSE BILL NO. 918

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES FRANZ (Sponsor), DETHROW, WETER, SCHLOTTACH,
WELLS, MAY, RECTOR AND EMERY (Co-sponsors).

Read 1st time March 31, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2212L.011

AN ACT

To repeal section 302.181, and to enact in lieu thereof one new section relating to registered sex offender designations on 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Section A. Section 302.181, RSMo, is repealed and one new section enacted in lieu
2 thereof, to be known as section 302.181, RSMo, to read as follows:

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340
2 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic
3 or other comparable material. All licenses shall be manufactured of materials and processes that
4 will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate
5 any license without ready detection. All licenses shall bear the licensee's Social Security number,
6 if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that
7 the licensee does not possess a Social Security number, or, if applicable, a certified statement
8 must be submitted as provided in subsection 4 of this section. The license shall also bear the
9 expiration date of the license, the classification of the license, the name, date of birth, residence
10 address including the county of residence or a code number corresponding to such county
11 established by the department, and brief description and colored photograph or digitized image
12 of the licensee, and a facsimile of the signature of the licensee. **The license shall also bear the**
13 **words "SEX OFFENDER" printed or stamped across the top of the license if the licensee**
14 **is a registered sex offender pursuant to section 589.400, RSMo, whose name appears on the**
15 **sex offender list supplied to the department of revenue by the Missouri state highway**

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

16 **patrol pursuant to section 589.410, RSMo.** The director shall provide by administrative rule
17 the procedure and format for a licensee to indicate on the back of the license together with the
18 designation for an anatomical gift as provided in section 194.240, RSMo, the name and address
19 of the person designated pursuant to sections 404.800 to 404.865, RSMo, as the licensee's
20 attorney in fact for the purposes of a durable power of attorney for health care decisions. No
21 license shall be valid until it has been so signed by the licensee. If any portion of the license is
22 prepared by a private firm, any contract with such firm shall be made in accordance with the
23 competitive purchasing procedures as established by the state director of the division of
24 purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social
25 Security number shall serve as the applicant's license number. Where the licensee has no Social
26 Security number, or where the licensee is issued a license without a Social Security number in
27 accordance with subsection 4 of this section, the director shall issue a license number for the
28 licensee and such number shall also include an indicator showing that the number is not a Social
29 Security number.

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

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

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

44 5. The director of revenue shall not issue a license without a facial photograph or digital
45 image of the license applicant, except as provided pursuant to subsection 8 of this section. A
46 photograph or digital image of the applicant's full facial features shall be taken in a manner
47 prescribed by the director. No photograph or digital image will be taken wearing anything which
48 cloaks the facial features of the individual.

49 6. The department of revenue may issue a temporary license or a full license without the
50 photograph or with the last photograph or digital image in the department's records to members
51 of the armed forces, except that where such temporary license is issued it shall be valid only until

52 the applicant shall have had time to appear and have his or her picture taken and a license with
53 his or her photograph issued.

54 7. The department of revenue shall issue upon request a nondriver's license card
55 containing essentially the same information and photograph or digital image, except as provided
56 pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All
57 nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A
58 person who has passed his or her seventieth birthday shall upon application be issued a
59 nonexpiring nondriver's license card. The nondriver's license card shall be used for identification
60 purposes only and shall not be valid as a license.

61 8. If otherwise eligible, an applicant may receive a driver's license or nondriver's license
62 without a photograph or digital image of the applicant's full facial features except that such
63 applicant's photograph or digital image shall be taken and maintained by the director and not
64 printed on such license. In order to qualify for a license without a photograph or digital image
65 pursuant to this section the applicant must:

66 (1) Present a form provided by the department of revenue requesting the applicant's
67 photograph be omitted from the license or nondriver's license due to religious affiliations. The
68 form shall be signed by the applicant and another member of the religious tenant verifying the
69 photograph or digital image exemption on the license or nondriver's license is required as part
70 of their religious affiliation. The required signatures on the prescribed form shall be properly
71 notarized;

72 (2) Provide satisfactory proof to the director that the applicant has been a U.S. citizen
73 for at least five years and a resident of this state for at least one year, except that an applicant
74 moving to this state possessing a valid driver's license from another state without a photograph,
75 shall be exempt from the one-year state residency requirement. The director may establish rules
76 necessary to determine satisfactory proof of citizenship and residency pursuant to this section;

77 (3) Applications for a driver's license or nondriver's license without a photograph or
78 digital image must be made in person at a license office determined by the director. The director
79 is authorized to limit the number of offices that may issue a driver's or nondriver's license
80 without a photograph or digital image pursuant to this section.

81 9. The department of revenue shall make available, at one or more locations within the
82 state, an opportunity for individuals to have their full facial photograph taken by an employee
83 of the department of revenue, or their designee, who is of the same sex as the individual being
84 photographed, in a segregated location.

85 10. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's
86 license for a period that exceeds an applicant's lawful presence in the United States. The director

87 may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and
88 establish the duration of any driver's license or nondriver's license issued under this section.

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