

SECOND REGULAR SESSION

HOUSE BILL NO. 2509

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOLAN.

6175H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 302.171, 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Section A. Section 302.171, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 302.171, to read as follows:

302.171. 1. The director shall verify that an applicant for a driver's license is a Missouri resident or national of the United States or a noncitizen with a lawful immigration status, and a Missouri resident before accepting the application. The director shall not issue a driver's license for a period that exceeds the duration of an applicant's lawful immigration status in the United States. The director may establish procedures to verify the Missouri residency or United States naturalization or lawful immigration status and Missouri residency of the applicant and establish the duration of any driver's license issued under this section. An application for a license shall be made upon an approved form furnished by the director. Every application shall state the full name, Social Security number, age, height, weight, color of eyes, sex, residence, mailing address of the applicant, and the classification for which the applicant has been licensed, and, if so, when and by what state, and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation or disqualification and whether the applicant is making a one or more dollar donation to promote an organ donation program as prescribed in subsection 2 of this section, to promote a blindness education, screening and treatment program as prescribed in subsection 3 of this section, or the Missouri medal of honor recipients fund prescribed in subsection 4 of this section. A driver's license,

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.

18 nondriver's license, or instruction permit issued under this chapter shall contain the applicant's
19 legal name as it appears on a birth certificate or as legally changed through marriage or court
20 order. No name change by common usage based on common law shall be permitted. **The**
21 **application shall also include the option for the applicant to voluntarily identify the**
22 **race, ethnicity, or national origin of the applicant; provided, however, that such**
23 **information shall not be printed on the license, as defined in section 302.010, and shall**
24 **only be provided to other branches or agencies of state government for use in research**
25 **activities and producing statistical reports, pursuant to a written memorandum of**
26 **understanding, so long as the information is aggregated or anonymized.** The application
27 shall also contain such information as the director may require to enable the director to
28 determine the applicant's qualification for driving a motor vehicle; and shall state whether or
29 not the applicant has been convicted in this or any other state for violating the laws of this or
30 any other state or any ordinance of any municipality, relating to driving without a license,
31 careless driving, or driving while intoxicated, or failing to stop after an accident and
32 disclosing the applicant's identity, or driving a motor vehicle without the owner's consent.
33 The application shall contain a certification by the applicant as to the truth of the facts stated
34 therein. Every person who applies for a license to operate a motor vehicle who is less than
35 twenty-one years of age shall be provided with educational materials relating to the hazards of
36 driving while intoxicated, including information on penalties imposed by law for violation of
37 the intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is
38 less than eighteen years of age, the applicant must comply with all requirements for the
39 issuance of an intermediate driver's license pursuant to section 302.178. For persons
40 mobilized and deployed with the United States Armed Forces, an application under this
41 subsection shall be considered satisfactory by the department of revenue if it is signed by a
42 person who holds general power of attorney executed by the person deployed, provided the
43 applicant meets all other requirements set by the director.

44 2. An applicant for a license may make a donation of an amount not less than one
45 dollar to promote an organ donor program. The director of revenue shall collect the donations
46 and deposit all such donations in the state treasury to the credit of the organ donor program
47 fund established in sections 194.297 to 194.304. Moneys in the organ donor program fund
48 shall be used solely for the purposes established in sections 194.297 to 194.304 except that
49 the department of revenue shall retain no more than one percent for its administrative costs.
50 The donation prescribed in this subsection is voluntary and may be refused by the applicant
51 for the license at the time of issuance or renewal of the license. The director shall make
52 available an informational booklet or other informational sources on the importance of organ
53 and tissue donations to applicants for licensure as designed by the organ donation advisory
54 committee established in sections 194.297 to 194.304. The director shall inquire of each

55 applicant at the time the licensee presents the completed application to the director whether
56 the applicant is interested in making the one or more dollar donation prescribed in this
57 subsection and whether the applicant is interested in inclusion in the organ donor registry and
58 shall also specifically inform the licensee of the ability to consent to organ donation by
59 placing a donor symbol sticker authorized and issued by the department of health and senior
60 services on the back of his or her driver's license or identification card as prescribed by
61 subdivision (1) of subsection 1 of section 194.225. A symbol may be placed on the front of
62 the license or identification card indicating the applicant's desire to be listed in the registry at
63 the applicant's request at the time of his or her application for a driver's license or
64 identification card, or the applicant may instead request an organ donor sticker from the
65 department of health and senior services by application on the department of health and senior
66 services' website. Upon receipt of an organ donor sticker sent by the department of health and
67 senior services, the applicant shall place the sticker on the back of his or her driver's license or
68 identification card to indicate that he or she has made an anatomical gift. The director shall
69 notify the department of health and senior services of information obtained from applicants
70 who indicate to the director that they are interested in registry participation, and the
71 department of health and senior services shall enter the complete name, address, date of birth,
72 race, gender and a unique personal identifier in the registry established in subsection 1 of
73 section 194.304.

74 3. An applicant for a license may make a donation of one dollar to promote a
75 blindness education, screening and treatment program. The director of revenue shall collect
76 the donations and deposit all such donations in the state treasury to the credit of the blindness
77 education, screening and treatment program fund established in section 209.015. Moneys in
78 the blindness education, screening and treatment program fund shall be used solely for the
79 purposes established in section 209.015; except that the department of revenue shall retain no
80 more than one percent for its administrative costs. The donation prescribed in this subsection
81 is voluntary and may be refused by the applicant for the license at the time of issuance or
82 renewal of the license. The director shall inquire of each applicant at the time the licensee
83 presents the completed application to the director whether the applicant is interested in
84 making the one dollar donation prescribed in this subsection.

85 4. An applicant for registration may make a donation of one dollar to the Missouri
86 medal of honor recipients fund. The director of revenue shall collect the donations and
87 deposit all such donations in the state treasury to the credit of the Missouri medal of honor
88 recipients fund as established in section 226.925. Moneys in the medal of honor recipients
89 fund shall be used solely for the purposes established in section 226.925, except that the
90 department of revenue shall retain no more than one percent for its administrative costs. The
91 donation prescribed in this subsection is voluntary and may be refused by the applicant for

92 registration at the time of issuance or renewal. The director shall inquire of each applicant at
93 the time the applicant presents the completed application to the director whether the applicant
94 is interested in making the one dollar donation prescribed in this subsection.

95 5. Beginning July 1, 2005, the director shall deny the driving privilege of any person
96 who commits fraud or deception during the examination process or who makes application
97 for an instruction permit, driver's license, or nondriver's license which contains or is
98 substantiated with false or fraudulent information or documentation, or who knowingly
99 conceals a material fact or otherwise commits a fraud in any such application. The period of
100 denial shall be one year from the effective date of the denial notice sent by the director. The
101 denial shall become effective ten days after the date the denial notice is mailed to the person.
102 The notice shall be mailed to the person at the last known address shown on the person's
103 driving record. The notice shall be deemed received three days after mailing unless returned
104 by the postal authorities. No such individual shall reapply for a driver's examination,
105 instruction permit, driver's license, or nondriver's license until the period of denial is
106 completed. No individual who is denied the driving privilege under this section shall be
107 eligible for a limited driving privilege issued under section 302.309.

108 6. All appeals of denials under this section shall be made as required by section
109 302.311.

110 7. The period of limitation for criminal prosecution under this section shall be
111 extended under subdivision (1) of subsection 3 of section 556.036.

112 8. The director may promulgate rules and regulations necessary to administer and
113 enforce this section. No rule or portion of a rule promulgated pursuant to the authority of this
114 section shall become effective unless it has been promulgated pursuant to chapter 536.

115 9. Notwithstanding any provision of this chapter that requires an applicant to provide
116 proof of Missouri residency for renewal of a noncommercial driver's license, noncommercial
117 instruction permit, or nondriver's license, an applicant who is sixty-five years and older and
118 who was previously issued a Missouri noncommercial driver's license, noncommercial
119 instruction permit, or Missouri nondriver's license is exempt from showing proof of Missouri
120 residency.

121 10. Notwithstanding any provision of this chapter, for the renewal of a
122 noncommercial driver's license, noncommercial instruction permit, or nondriver's license, a
123 photocopy of an applicant's United States birth certificate along with another form of
124 identification approved by the department of revenue, including, but not limited to, United
125 States military identification or United States military discharge papers, shall constitute
126 sufficient proof of Missouri citizenship.

127 11. Notwithstanding any other provision of this chapter, if an applicant does not meet
128 the requirements of subsection 9 of this section and does not have the required documents to

129 prove Missouri residency, United States naturalization, or lawful immigration status, the
130 department may issue a one-year driver's license renewal. This one-time renewal shall only
131 be issued to an applicant who previously has held a Missouri noncommercial driver's license,
132 noncommercial instruction permit, or nondriver's license for a period of fifteen years or more
133 and who does not have the required documents to prove Missouri residency, United States
134 naturalization, or lawful immigration status. After the expiration of the one-year period, no
135 further renewal shall be provided without the applicant producing proof of Missouri
136 residency, United States naturalization, or lawful immigration status.

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