

GENERAL ASSEMBLY OF NORTH CAROLINA  
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SENATE DRS15208-MDxf-35 (01/29)

Short Title: Drivers Licenses for ITIN Holders. (Public)

Sponsors: Senators McKissick and Bingham (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE INDIVIDUALS WITH AN INDIVIDUAL TAXPAYER  
3 IDENTIFICATION NUMBER TO OBTAIN A DRIVERS LICENSE; AND TO IMPOSE  
4 A FEE FOR A DRIVERS LICENSE OBTAINED BY SUCH AN APPLICANT.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 20-7 reads as rewritten:  
7 "§ 20-7. (See notes) Issuance and renewal of drivers licenses.

8 ...  
9 (b1) Application. – To obtain an identification card, learners permit, or drivers license  
10 from the Division, a person shall complete an application form provided by the Division,  
11 present at least two forms of identification approved by the Commissioner, be a resident of this  
12 State, and, except for an identification card, demonstrate his or her physical and mental ability  
13 to drive safely a motor vehicle included in the class of license for which the person has applied.  
14 At least one of the forms of identification shall indicate the applicant's residence address. The  
15 Division may copy the identification presented or hold it for a brief period of time to verify its  
16 authenticity. To obtain an endorsement, a person shall demonstrate his or her physical and  
17 mental ability to drive safely the type of motor vehicle for which the endorsement is required.

18 The application form shall request all of the following information, and it shall contain the  
19 disclosures concerning the request for an applicant's social security number required by section  
20 7 of the federal Privacy Act of 1974, Pub. L. No. 93-579:

- 21 (1) The applicant's full name.
- 22 (2) The applicant's mailing address and residence address.
- 23 (3) A physical description of the applicant, including the applicant's sex, height,  
24 eye color, and hair color.
- 25 (4) The applicant's date of birth.
- 26 (5) The applicant's valid social security number.
- 27 (6) The applicant's signature.

28 If an applicant does not have a valid social security number and is ineligible to obtain one,  
29 the applicant shall swear to or affirm that fact under penalty of perjury. In such case, the  
30 applicant may provide a valid Individual Taxpayer Identification Number issued by the Internal  
31 Revenue Service to that person.

32 The Division shall not issue an identification card, learners permit, or drivers license to an  
33 applicant who fails to provide either the applicant's valid social security number or, if  
34 applicable, the applicant's valid Individual Taxpayer Identification Number.  
35 ...



1 (f) Duration and Renewal of Licenses. – Drivers licenses shall be issued and renewed  
 2 pursuant to the provisions of this subsection:

3 ...  
 4 (3) Duration of license for certain other drivers. – The durations listed in  
 5 subdivisions (1), (2) and (2a) of this subsection are valid unless the Division  
 6 determines that a license of shorter duration should be issued when either:

7 a. ~~the~~The applicant holds valid documentation issued by, or under the  
 8 authority of, the United States government that demonstrates the  
 9 applicant's legal presence of limited duration in the United States. In  
 10 no event shall a license of limited duration expire later than the  
 11 expiration of the authorization for the applicant's legal presence in  
 12 the United States.

13 b. Pursuant to subsection (b1) of this section, the applicant provides a  
 14 valid Individual Taxpayer Identification Number rather than a valid  
 15 social security number. In no event shall a license issued to such an  
 16 individual expire later than four years from the date of issuance.

17 ...  
 18 (i) Fees. – The fee for a regular drivers license is the amount set in the following table  
 19 multiplied by the number of years in the period for which the license is issued:

<u>Class of Regular License</u>	<u>Fee for Each Year</u>
Class A	\$4.00
Class B	\$4.00
Class C	\$4.00

24 The fee for a motorcycle endorsement is one dollar and seventy-five cents (\$1.75) for each year  
 25 of the period for which the endorsement is issued. If pursuant to subsection (b1) of this section,  
 26 the applicant provides a valid Individual Taxpayer Identification Number rather than a valid  
 27 social security number, then the fee for a regular drivers license is fifty dollars (\$50.00),  
 28 multiplied by the number of years in the period for which the license is issued. The appropriate  
 29 fee shall be paid before a person receives a regular drivers license or an endorsement.

30 ...  
 31 (s) Notwithstanding the requirements of subsection (b1) of this section that an applicant  
 32 present a valid social security ~~number,~~number or a valid Individual Taxpayer Identification  
 33 Number, the Division shall issue a drivers license of limited duration, under subsection (f) of  
 34 this section, to an applicant present in the United States who holds valid documentation issued  
 35 by, or under the authority of, the United States government that demonstrates the applicant's  
 36 legal presence of limited duration in the United States if the applicant presents that valid  
 37 documentation and meets all other requirements for a license of limited duration.  
 38 Notwithstanding the requirements of subsection (n) of this section addressing background  
 39 colors and borders, a drivers license of limited duration issued under this section shall bear a  
 40 distinguishing mark or other designation on the face of the license clearly denoting the limited  
 41 duration of the license."

42 **SECTION 2.** This act becomes effective October 1, 2013.