

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 622

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

Sponsors: Senators McKissick (Primary Sponsor); and Bryant.

Referred to: Rules and Operations of the Senate.

April 4, 2013

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.