



March 9, 2011

ENGROSSED HOUSE BILL No. 1109

DIGEST OF HB 1109 (Updated March 8, 2011 10:39 am - DI 103)

Citations Affected: IC 9-13; IC 9-24.

Synopsis: Military service information on BMV documents. Requires the bureau of motor vehicles (BMV) to put an indication of an individual's status as a veteran of the armed forces of the United States on an individual's license, permit, or identification card if the individual wishes to have the indication put on the license, permit, or identification card and provides proof of discharge from the armed forces. Makes technical corrections.

Effective: July 1, 2011.

Gutwein, Soliday, Reske
(SENATE SPONSORS — WYSS, PAUL, ZAKAS)

January 6, 2011, read first time and referred to Committee on Roads and Transportation.
January 13, 2011, amended, reported — Do Pass.
January 18, 2011, read second time, ordered engrossed. Engrossed.
January 20, 2011, read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 17, 2011, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.
March 8, 2011, reported favorably — Do Pass.

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EH 1109—LS 7242/DI 96+



March 9, 2011

First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1109

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-138.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2011]: **Sec. 138.5. "Proof of discharge"**
4 **means a document that:**

- 5 (1) **is issued by the United States Department of Defense; and**
- 6 (2) **confirms a veteran's discharge from the armed forces of**
7 **the United States.**

8 **The term includes a DD-214 form.**

9 SECTION 2. IC 9-24-9-2, AS AMENDED BY P.L.184-2007,
10 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2011]: Sec. 2. (a) Before January 1, 2008, each application for
12 a license or permit under this chapter must require the following
13 information:

- 14 (1) The name, date of birth, sex, Social Security number, and
15 mailing address, and, if different from the mailing address, the
16 residence address of the applicant. The applicant shall indicate to
17 the bureau:

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- 1 (A) which address the license or permit shall contain; and
- 2 (B) whether the Social Security number or another
- 3 distinguishing number shall be the distinctive identification
- 4 number used on the license or permit.
- 5 (2) Whether the applicant has been licensed as an operator, a
- 6 chauffeur, or a public passenger chauffeur or has been the holder
- 7 of a learner's permit, and if so, when and by what state.
- 8 (3) Whether the applicant's license or permit has ever been
- 9 suspended or revoked, and if so, the date of and the reason for the
- 10 suspension or revocation.
- 11 (4) Whether the applicant has been convicted of a crime
- 12 punishable as a felony under Indiana motor vehicle law or any
- 13 other felony in the commission of which a motor vehicle was
- 14 used.
- 15 (5) Whether the applicant has a physical or mental disability, and
- 16 if so, the nature of the disability and other information the bureau
- 17 directs.
- 18 The bureau shall maintain records of the information provided under
- 19 subdivisions (1) through (5).
- 20 (b) Except as provided in subsection (c), after December 31, 2007,
- 21 each application for a license or permit under this chapter must require
- 22 the following information:
- 23 (1) The full legal name of the applicant.
- 24 (2) The applicant's date of birth.
- 25 (3) The gender of the applicant.
- 26 (4) The applicant's height, weight, hair color, and eye color.
- 27 (5) The principal address and mailing address of the applicant.
- 28 (6) A:
- 29 (A) valid Social Security number; or
- 30 (B) verification of an applicant's:
- 31 (i) ineligibility to be issued a Social Security number; and
- 32 (ii) identity and lawful status.
- 33 (7) Whether the applicant has been subject to fainting spells or
- 34 seizures.
- 35 (8) Whether the applicant has been licensed as an operator, a
- 36 chauffeur, or a public passenger chauffeur or has been the holder
- 37 of a learner's permit, and if so, when and by what state.
- 38 (9) Whether the applicant's license or permit has ever been
- 39 suspended or revoked, and if so, the date of and the reason for the
- 40 suspension or revocation.
- 41 (10) Whether the applicant has been convicted of a crime
- 42 punishable as a felony under Indiana motor vehicle law or any

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1 other felony in the commission of which a motor vehicle was
2 used.

3 (11) Whether the applicant has a physical or mental disability,
4 and if so, the nature of the disability and other information the
5 bureau directs.

6 (12) The signature of the applicant.

7 The bureau shall maintain records of the information provided under
8 subdivisions (1) through (12).

9 (c) For purposes of subsection (b), an individual certified as a
10 program participant in the address confidentiality program under
11 IC 5-26.5 is not required to provide the individual's principal address
12 and mailing address, but may provide an address designated by the
13 office of the attorney general under IC 5-26.5 as the individual's
14 principal address and mailing address.

15 **(d) In addition to the information required under subsection (b),
16 an application for a license or permit to be issued under this
17 chapter must enable the applicant to indicate that the applicant is
18 a veteran of the armed forces of the United States and wishes to
19 have an indication of the applicant's veteran status appear on the
20 license or permit. An applicant who wishes to have an indication of
21 the applicant's veteran status appear on a license or permit must:**

- 22 **(1) indicate on the application that the applicant:**
 - 23 **(A) is a veteran of the armed forces of the United States;**
 - 24 **and**
 - 25 **(B) wishes to have an indication of the applicant's veteran**
 - 26 **status appear on the license or permit; and**
- 27 **(2) verify the applicant's veteran status by providing proof of**
- 28 **discharge.**

29 **The bureau shall maintain records of the information provided**
30 **under this subsection.**

31 SECTION 3. IC 9-24-11-5.5 IS ADDED TO THE INDIANA CODE
32 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
33 1, 2011]: **Sec. 5.5. If a permittee or licensee has under**
34 **IC 9-24-9-2(d):**

- 35 **(1) indicated on the application that the permittee or licensee**
- 36 **is a veteran of the armed forces of the United States and**
- 37 **wishes to have an indication of the permittee's or licensee's**
- 38 **veteran status appear on the license or permit; and**
- 39 **(2) provided proof of discharge;**
- 40 **an indication of the permittee's or licensee's veteran status shall be**
- 41 **shown on the license or permit.**

42 SECTION 4. IC 9-24-16-2, AS AMENDED BY P.L.184-2007,

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1 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2011]: Sec. 2. (a) Before January 1, 2008, an application for
3 an identification card issued under this chapter must meet the following
4 conditions:

5 (1) **Be** made upon an approved form provided by the bureau,
6 which shall include the mailing address, and if different from the
7 mailing address, the residence address of the applicant.

8 (2) **Be** verified by the applicant before a person authorized to
9 administer oaths and affirmations.

10 (b) Except as provided in subsection (e), after December 31, 2007,
11 an application for an identification card issued under this chapter must
12 require the following information concerning an applicant:

- 13 (1) The full legal name of the applicant.
- 14 (2) The applicant's date of birth.
- 15 (3) The gender of the applicant.
- 16 (4) The applicant's height, weight, hair color, and eye color.
- 17 (5) The principal address and mailing address of the applicant.
- 18 (6) A:
 - 19 (A) valid Social Security number; or
 - 20 (B) verification of an applicant's:
 - 21 (i) ineligibility to be issued a Social Security number; and
 - 22 (ii) identity and lawful status.

23 The bureau shall maintain records of the information provided under
24 subdivisions (1) through (6).

25 (c) The bureau may temporarily invalidate an identification card that
26 ~~it~~ **the bureau** believes to have been issued as a result of fraudulent
27 documentation.

28 (d) The bureau:

- 29 (1) shall adopt rules under IC 4-22-2 to establish a procedure to
30 verify an applicant's identity and lawful status; and
- 31 (2) may adopt rules to establish a procedure to temporarily
32 invalidate an identification card that it believes to have been
33 issued based on fraudulent documentation.

34 (e) For purposes of subsection (b), an individual certified as a
35 program participant in the address confidentiality program under
36 IC 5-26.5 is not required to provide the individual's principal address
37 and mailing address, but may provide an address designated by the
38 office of the attorney general under IC 5-26.5 as the individual's
39 principal address and mailing address.

40 **(f) In addition to the information required under subsection (b),**
41 **an application for an identification card to be issued under this**
42 **chapter must enable the applicant to indicate that the applicant is**

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1 a veteran of the armed forces of the United States and wishes to
2 have an indication of the applicant's veteran status appear on the
3 identification card. An applicant who wishes to have an indication
4 of the applicant's veteran status appear on the identification card
5 must:

- 6 (1) indicate on the application that the applicant:
 - 7 (A) is a veteran of the armed forces of the United States;
 - 8 and
 - 9 (B) wishes to have an indication of the applicant's veteran
10 status appear on the identification card; and
- 11 (2) verify the applicant's veteran status by providing proof of
12 discharge.

13 **The bureau shall maintain records of the information provided**
14 **under this subsection.**

15 SECTION 5. IC 9-24-16-3, AS AMENDED BY P.L.162-2009,
16 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2011]: Sec. 3. (a) An identification card must have the same
18 dimensions and shape as a driver's license, but the card must have
19 markings sufficient to distinguish the card from a driver's license.

20 (b) Except as provided in subsection ~~(g)~~; **(h)**, the front side of an
21 identification card must contain the expiration date of the identification
22 card and the following information about the individual to whom the
23 card is being issued:

- 24 (1) Full legal name.
- 25 (2) The address of the principal residence.
- 26 (3) Date of birth.
- 27 (4) Date of issue and date of expiration.
- 28 (5) Unique identification number.
- 29 (6) Gender.
- 30 (7) Weight.
- 31 (8) Height.
- 32 (9) Color of eyes and hair.
- 33 (10) Reproduction of the signature of the individual identified.
- 34 (11) Whether the individual is blind (as defined in
35 IC 12-7-2-21(1)).
- 36 (12) If the individual is less than eighteen (18) years of age at the
37 time of issuance, the dates on which the individual will become:
 - 38 (A) eighteen (18) years of age; and
 - 39 (B) twenty-one (21) years of age.
- 40 (13) If the individual is at least eighteen (18) years of age but less
41 than twenty-one (21) years of age at the time of issuance, the date
42 on which the individual will become twenty-one (21) years of age.

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1 (14) Digital photograph of the individual.
 2 (c) The information contained on the identification card as required
 3 by subsection (b)(12) or (b)(13) for an individual who is less than
 4 twenty-one (21) years of age at the time of issuance shall be printed
 5 prominently on the permit or license.
 6 **(d) If the individual:**
 7 **(1) has indicated on the application that the individual is a**
 8 **veteran of the armed forces of the United States and wishes to**
 9 **have an indication of the applicant's veteran status appear on**
 10 **the identification card; and**
 11 **(2) has provided proof of discharge;**
 12 **an indication of the individual's veteran status shall be shown on**
 13 **the identification card.**
 14 ~~(d)~~ **(e)** If the applicant for an identification card submits information
 15 to the bureau concerning the applicant's medical condition, the bureau
 16 shall place an identifying symbol on the face of the identification card
 17 to indicate that the applicant has a medical condition of note. The
 18 bureau shall include information on the identification card that briefly
 19 describes the medical condition of the holder of the card. The
 20 information must be printed in a manner that alerts a person reading the
 21 card to the existence of the medical condition. The applicant for an
 22 identification card is responsible for the accuracy of the information
 23 concerning the medical condition submitted under this subsection. The
 24 bureau shall inform an applicant that submission of information under
 25 this subsection is voluntary.
 26 ~~(e)~~ **(f)** An identification card issued by the state that does not require
 27 a digital photograph must include a statement that the identification
 28 card may not be accepted by any federal agency for federal
 29 identification or any other federal purpose.
 30 ~~(f)~~ **(g)** An identification card issued by the state to an individual
 31 who:
 32 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
 33 visa status for entry in the United States;
 34 (2) has a pending application for asylum in the United States;
 35 (3) has a pending or approved application for temporary protected
 36 status in the United States;
 37 (4) has approved deferred action status; or
 38 (5) has a pending application for adjustment of status to that of an
 39 alien lawfully admitted for permanent residence in the United
 40 States or conditional permanent residence status in the United
 41 States;
 42 must be clearly identified as a temporary identification card. A

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1 temporary identification card issued under this subsection may not be
2 renewed without the presentation of valid documentary evidence
3 proving that the holder of the identification card's temporary status has
4 been extended.
5 ~~(g)~~ **(h)** For purposes of subsection (b), an individual certified as a
6 program participant in the address confidentiality program under
7 IC 5-26.5 is not required to provide the address of the individual's
8 principal residence, but may provide an address designated by the
9 office of the attorney general under IC 5-26.5 as the address of the
10 individual's principal residence.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1109, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 41, delete "the reverse side of".

Page 6, line 13, delete "the reverse side of".

and when so amended that said bill do pass.

(Reference is to HB 1109 as introduced.)

SOLIDAY, Chair

Committee Vote: yeas 12, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred House Bill No. 1109, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1109 as printed January 14, 2011.)

WYSS, Chairperson

Committee Vote: Yeas 7, Nays 0.

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