

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.

## HOUSE ENROLLED ACT No. 1109

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AN ACT to amend the Indiana Code concerning motor vehicles.

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

SECTION 1. IC 3-5-2-40.5, AS ADDED BY P.L.109-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 40.5. **(a) Except as provided in subsection (b), "proof of identification" refers to a document that satisfies all the following:**

- (1) The document shows the name of the individual to whom the document was issued, and the name conforms to the name in the individual's voter registration record.
- (2) The document shows a photograph of the individual to whom the document was issued.
- (3) The document includes an expiration date, and the document:
  - (A) is not expired; or
  - (B) expired after the date of the most recent general election.
- (4) The document was issued by the United States or the state of Indiana.

**(b) Notwithstanding subsection (a)(3), a document issued by the United States Department of Defense, a branch of the uniformed services, the Merchant Marine, or the Indiana National Guard that:**

- (1) otherwise complies with the requirements of subsection (a); and**
- (2) has no expiration date or states that the document has an**

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**indefinite expiration date;  
is sufficient proof of identification for purposes of this title.**

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

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

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

SECTION 3. IC 9-24-9-2, AS AMENDED BY P.L.184-2007, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 2. (a)** Before January 1, 2008, each application for a license or permit under this chapter must require the following information:

- (1) The name, date of birth, sex, Social Security number, and mailing address, and, if different from the mailing address, the residence address of the applicant. The applicant shall indicate to the bureau:
  - (A) which address the license or permit shall contain; and
  - (B) whether the Social Security number or another distinguishing number shall be the distinctive identification number used on the license or permit.
- (2) Whether the applicant has been licensed as an operator, a chauffeur, or a public passenger chauffeur or has been the holder of a learner's permit, and if so, when and by what state.
- (3) Whether the applicant's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.
- (4) Whether the applicant has been convicted of a crime punishable as a felony under Indiana motor vehicle law or any other felony in the commission of which a motor vehicle was used.
- (5) Whether the applicant has a physical or mental disability, and if so, the nature of the disability and other information the bureau directs.

The bureau shall maintain records of the information provided under subdivisions (1) through (5).

(b) Except as provided in subsection (c), after December 31, 2007, each application for a license or permit under this chapter must require the following information:

- (1) The full legal name of the applicant.

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- (2) The applicant's date of birth.
- (3) The gender of the applicant.
- (4) The applicant's height, weight, hair color, and eye color.
- (5) The principal address and mailing address of the applicant.
- (6) A:
  - (A) valid Social Security number; or
  - (B) verification of an applicant's:
    - (i) ineligibility to be issued a Social Security number; and
    - (ii) identity and lawful status.
- (7) Whether the applicant has been subject to fainting spells or seizures.
- (8) Whether the applicant has been licensed as an operator, a chauffeur, or a public passenger chauffeur or has been the holder of a learner's permit, and if so, when and by what state.
- (9) Whether the applicant's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.
- (10) Whether the applicant has been convicted of a crime punishable as a felony under Indiana motor vehicle law or any other felony in the commission of which a motor vehicle was used.
- (11) Whether the applicant has a physical or mental disability, and if so, the nature of the disability and other information the bureau directs.
- (12) The signature of the applicant.

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

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

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

- (1) indicate on the application that the applicant:**
  - (A) is a veteran of the armed forces of the United States;**

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- and**
- (B) wishes to have an indication of the applicant's veteran status appear on the license or permit; and**
- (2) verify the applicant's veteran status by providing proof of discharge.**

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

SECTION 4. IC 9-24-11-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 5.5. If a permittee or licensee has under IC 9-24-9-2(d):**

- (1) indicated on the application that the permittee or licensee is a veteran of the armed forces of the United States and wishes to have an indication of the permittee's or licensee's veteran status appear on the license or permit; and**
- (2) provided proof of discharge;**

**an indication of the permittee's or licensee's veteran status shall be shown on the license or permit.**

SECTION 5. IC 9-24-16-2, AS AMENDED BY P.L.184-2007, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 2. (a) Before January 1, 2008, an application for an identification card issued under this chapter must meet the following conditions:**

- (1) Be made upon an approved form provided by the bureau, which shall include the mailing address, and if different from the mailing address, the residence address of the applicant.**
- (2) Be verified by the applicant before a person authorized to administer oaths and affirmations.**

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

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

The bureau shall maintain records of the information provided under

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subdivisions (1) through (6).

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

(d) The bureau:

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

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

**(f) In addition to the information required under subsection (b), an application for an identification card to be issued under this chapter must enable the applicant to indicate that the applicant is a veteran of the armed forces of the United States and wishes to have an indication of the applicant's veteran status appear on the identification card. An applicant who wishes to have an indication of the applicant's veteran status appear on the identification card must:**

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

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

SECTION 6. IC 9-24-16-3, AS AMENDED BY P.L.162-2009, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) An identification card must have the same dimensions and shape as a driver's license, but the card must have markings sufficient to distinguish the card from a driver's license.

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

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- (1) Full legal name.
- (2) The address of the principal residence.
- (3) Date of birth.
- (4) Date of issue and date of expiration.
- (5) Unique identification number.
- (6) Gender.
- (7) Weight.
- (8) Height.
- (9) Color of eyes and hair.
- (10) Reproduction of the signature of the individual identified.
- (11) Whether the individual is blind (as defined in IC 12-7-2-21(1)).
- (12) If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual will become:
  - (A) eighteen (18) years of age; and
  - (B) twenty-one (21) years of age.
- (13) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age.
- (14) Digital photograph of the individual.

(c) The information contained on the identification card as required by subsection (b)(12) or (b)(13) for an individual who is less than twenty-one (21) years of age at the time of issuance shall be printed prominently on the permit or license.

**(d) If the individual:**

- (1) has indicated on the application that the individual is a veteran of the armed forces of the United States and wishes to have an indication of the applicant's veteran status appear on the identification card; and**
  - (2) has provided proof of discharge;**
- an indication of the individual's veteran status shall be shown on the identification card.**

~~(d)~~ (e) If the applicant for an identification card submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the identification card to indicate that the applicant has a medical condition of note. The bureau shall include information on the identification card that briefly describes the medical condition of the holder of the card. The information must be printed in a manner that alerts a person reading the card to the existence of the medical condition. The applicant for an identification card is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The

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bureau shall inform an applicant that submission of information under this subsection is voluntary.

~~(e)~~ (f) An identification card issued by the state that does not require a digital photograph must include a statement that the identification card may not be accepted by any federal agency for federal identification or any other federal purpose.

~~(f)~~ (g) An identification card issued by the state to an individual who:

- (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;
- (2) has a pending application for asylum in the United States;
- (3) has a pending or approved application for temporary protected status in the United States;
- (4) has approved deferred action status; or
- (5) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;

must be clearly identified as a temporary identification card. A temporary identification card issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the holder of the identification card's temporary status has been extended.

~~(g)~~ (h) For purposes of subsection (b), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence.

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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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