

ASSEMBLY BILL

No. 125

Introduced by Assembly Member Leach

January 22, 2001

An act to amend Sections 12815 and 13000 of the Vehicle Code, relating to the Department of Motor Vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 125, as introduced, Leach. Driver's license: identification card.

Existing law provides for the replacement of a driver's license by the Department of Motor Vehicles upon application if, among other things, the original license was lost, destroyed, or mutilated.

This bill would require the department, if the original license is lost, destroyed, or mutilated, prior to issuing a permanent duplicate driver's license, to compare all photographs and information on file with the department to the likeness and information obtained from the person requesting the duplicate license.

Existing law directs the department to issue identification cards to persons attesting to certain information. Existing law provides, if that card is lost, destroyed, mutilated, or a new true full name is acquired, the person may make application for a new card.

This bill would provide that if an application for a duplicate identification card based on the loss, destruction, or mutilation of a previously issued card is made, that application shall be made in person and the department, prior to the issuance of the duplicate card, shall compare all photographs and information on file with the department, with the likeness and information obtained from the application requesting the duplicate.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12815 of the Vehicle Code is amended
2 to read:

3 12815. (a) If a driver’s license issued under this code is lost,
4 destroyed or mutilated, or a new true, full name is acquired, the
5 person to whom it was issued shall obtain a duplicate upon
6 furnishing to the department ~~(1) satisfactory~~ *the following:*

7 (1) *Satisfactory* proof of that loss, destruction, or mutilation
8 ~~and (2) if.~~

9 (2) *If* the licensee is a minor, evidence of permission to obtain
10 a duplicate secured from the parents, guardian, or person having
11 custody of the minor. ~~Any~~

12 (b) *If the original license is lost, destroyed, or mutilated, the*
13 *department, prior to issuing a permanent duplicate driver’s*
14 *license, shall compare all photographs and information on file*
15 *with the department to the likeness and information obtained from*
16 *the person requesting the duplicate license.*

17 (c) *Any* person who loses a driver’s license and who, after
18 obtaining a duplicate, finds the original license shall immediately
19 destroy the original license.

20 ~~(b)~~

21 (d) A person in possession of a valid driver’s license who has
22 been informed either by the department or by a law enforcement
23 agency that the document is mutilated shall surrender the license
24 to the department not later than 10 days after that notification.

25 ~~(e)~~

26 (e) For purposes of this section, a mutilated license is one that
27 has been damaged sufficiently to render any or all of the elements
28 of identity set forth in Sections 12800.5 and 12811 unreadable or
29 unidentifiable through visual, mechanical, or electronic means.

30 SEC. 2. Section 13000 of the Vehicle Code is amended to
31 read:

32 13000. (a) The department may issue an identification card
33 to any person attesting to the true full name, correct age, and other
34 identifying data as certified by the applicant for ~~such~~ *the*
35 identification card.



1 (b) Any person 62 years of age or older may apply for, and the
2 department upon receipt of a proper application therefor shall
3 issue, an identification card bearing the notation “Senior Citizen”.

4 (c) Every application for an identification card shall be signed
5 and verified by the applicant before a person authorized to
6 administer oaths and shall be supported by bona fide documentary
7 evidence of the age and identity of the applicant as the department
8 may require, and shall include a legible print of the thumb or finger
9 of the applicant.

10 (d) *Every application for a duplicate identification card, based*
11 *on the loss, destruction, or mutilation of an identification card*
12 *previously issued under this section, shall be made in person and*
13 *the department, prior to the issuance of the duplicate identification*
14 *card, shall compare all photographs and information on file with*
15 *the department to the likeness and information obtained from the*
16 *applicant requesting the duplicate card.*

17 (e) Any person 62 years of age or older, and any other qualified
18 person, may apply for, or possess, an identification card under the
19 provisions of either subdivision (a) or (b), but not under both of
20 those provisions.

