

ASSEMBLY BILL

No. 1661

Introduced by Assembly Member Cook
(Principal coauthor: Assembly Member Maze)
(Coauthors: Assembly Members Arambula, Parra, and Villines)
(Coauthors: Senators Correa and Runner)

February 23, 2007

An act to amend Section 1653.5 of, and to add Section 1680 to, the Vehicle Code, relating to driver's licenses and identification cards.

LEGISLATIVE COUNSEL'S DIGEST

AB 1661, as introduced, Cook. Driver's licenses and identification cards: Selective Service System registration.

Existing federal law requires every male citizen of the United States, and every other male person residing in the United States, who is between the ages of 18 and 26 years, to register with the Selective Service System.

This bill would make findings and declarations concerning compliance with the Military Selective Service Act. The bill would require the Department of Motor Vehicles to forward the personal information of male applicants for an original driver's license or identification card under 26 years of age to the Selective Service System in an electronic format if the applicant indicates his agreement to be registered with the system. This bill would provide that the information may include the applicant's social security number. The department would be required to provide a notice on the application form regarding registration requirements and the penalties imposed for a failure to register.

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. The Legislature hereby finds and declares that
 2 California has one of the lowest Selective Service System
 3 registration compliance rates in the nation. Many males, ages 18
 4 to 25 years, inclusive, have failed to register with the Selective
 5 Service System as required by federal law and they face possible
 6 federal penalties and loss of federal benefits, including student
 7 financial assistance. In at least 17 other states, registration with
 8 the Selective Service System occurs for eligible males upon
 9 application for a driver’s license or state identification card.
 10 Therefore, the Legislature declares that to promote compliance
 11 with federal law, the driver’s license application process should
 12 be revised so that every male applicant for an original driver’s
 13 license or identification card who is under the age of 26 years has
 14 the option to register with the Selective Service System if so
 15 required by federal law.

16 SEC. 2. Section 1653.5 of the Vehicle Code is amended to
 17 read:

18 1653.5. (a) Every form prescribed by the department for use
 19 by an applicant for the issuance or renewal by the department of
 20 a driver’s license or identification card pursuant to Division 6
 21 (commencing with Section 12500) shall contain a section for the
 22 applicant’s social security account number.

23 (b) Every form prescribed by the department for use by an
 24 applicant for the issuance, renewal, or transfer of the registration
 25 or certificate of title to a vehicle shall contain a section for the
 26 applicant’s driver’s license or identification card number.

27 (c) A person who submits to the department a form that, pursuant
 28 to subdivision (a), contains a section for the applicant’s social
 29 security account number, or pursuant to subdivision (b), the
 30 applicant’s driver’s license or identification card number, if any,
 31 shall furnish the appropriate number in the space provided.

32 (d) The department shall not complete an application that does
 33 not include the applicant’s social security account number or
 34 driver’s license or identification card number as required under
 35 subdivision (c).

36 (e) An applicant’s social security account number shall not be
 37 included by the department on a driver’s license, identification

1 card, registration, certificate of title, or any other document issued
2 by the department.

3 (f) Notwithstanding any other provision of law, information
4 regarding an applicant's social security account number, obtained
5 by the department pursuant to this section, is not a public record
6 and ~~may~~ shall not be disclosed by the department except for any
7 of the following purposes:

8 (1) Responding to a request for information from an agency
9 operating pursuant to, and carrying out the provisions of, Part A
10 (Aid to Families with Dependent Children), or Part D (Child
11 Support and Establishment of Paternity), of Subchapter IV of
12 Chapter 7 of Title 42 of the United States Code.

13 (2) Implementation of Section 12419.10 of the Government
14 Code.

15 (3) Responding to information requests from the Franchise Tax
16 Board for the purpose of tax administration.

17 (4) *Registration with the federal Selective Service System in*
18 *compliance with the Military Selective Service Act (50 U.S.C.*
19 *Appx. Sec. 451 et seq.).*

20 SEC. 3. Section 1680 is added to the Vehicle Code, to read:

21 1680. (a) Notwithstanding any other provision of law, a male
22 citizen of the United States or immigrant under 26 years of age,
23 who applies for an original driver's license or identification card,
24 shall be afforded the opportunity to register in compliance with
25 the requirements of the federal Military Selective Service Act (50
26 U.S.C. Appx. Sec. 451 et seq.) when required by that act. This
27 section shall not apply to a state identification card applicant who
28 is under 15 years of age.

29 (b) The department shall include with the driver's license or
30 identification card application a notice to an applicant described
31 in subdivision (a), as follows:

32 (1) On the front of the application form, in a place deemed
33 appropriate by the department, the following statement shall
34 appear: "I agree to register with the Selective Service System, if
35 so required by federal law. If I am under 18 years of age, I
36 understand that I will be registered when I attain 18 years of age
37 if I agree to registration with this application. Penalties for failure
38 to register are explained on the back of this form. Consent to
39 register with the Selective Service System is not necessary in order

1 to be granted a driver’s license.” There shall be a place by the
2 statement for the applicant’s signature.

3 (2) On the back of the application form in a place deemed
4 appropriate by the department, the following statement shall
5 appear:

6
7 “Selective Service Registration

8
9 Males, ages 18 through 26 years of age, are required by federal
10 law to register with the Selective Service System. Failure to register
11 will result in ineligibility for federal student loans and grants, Cal
12 Grants, federal job training benefits, federal employment, state
13 and local law enforcement employment, and United States
14 citizenship for male immigrants seeking citizenship. Failure to
15 register is also punishable by up to five years imprisonment and
16 a \$250,000 fine.”

17 (c) The department shall post in its field offices a notice
18 provided by the Selective Service System regarding the registration
19 process, the consequences for not registering, and how one may
20 contact the system.

21 (d) If an applicant signs his name on the application form
22 indicating his agreement to be registered with the Selective Service
23 System, the department shall forward the personal information of
24 an applicant meeting the criteria of subdivision (a) to the Selective
25 Service System in an electronic format.