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**Introduced by Senator Simitian**

December 4, 2006

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An act to add and repeal Section 1672.7 of the Vehicle Code, relating to the Department of Motor Vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 28, as introduced, Simitian. Department of Motor Vehicles: personal information.

Existing law requires the Department of Motor Vehicles, upon proper application, to issue an original driver's license or identification card, or a renewal, duplicate, or replacement driver's license or identification card.

This bill would prohibit the department from issuing, renewing, duplicating, or replacing a driver's license or identification card, if the license or card uses radio waves to either transmit personal information remotely or to enable personal information to be read from the license or card remotely.

This bill would provide that its provisions shall remain in effect only until January 1, 2011, and as of that date would be repealed.

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

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

- 1 SECTION 1. Section 1672.7 is added to the Vehicle Code, to  
2 read:  
3 1672.7. 1672.7. (a) The department shall not issue an original  
4 driver's license, issue an original identification card pursuant to  
5 Section 13000, or issue a renewal, duplicate, or replacement

1 driver’s license or identification card, if the license or card uses  
2 radio waves either to transmit personal information remotely or  
3 to enable personal information to be read from the license or card  
4 remotely.

5 (b) For purposes of this section, the following definitions apply:

6 (1) “Personal information” includes, but is not limited to, an  
7 individual’s name, address, telephone number, e-mail address,  
8 date of birth, religion, ethnicity, photograph, fingerprint or other  
9 biometric identification, driver’s license number, California  
10 Identification Card number, social security account number, or  
11 other unique identifier.

12 (2) “Reader” means a scanning device that is capable of using  
13 radio waves to communicate with a driver’s license or identification  
14 card and read the personal information broadcast or transmitted  
15 by that license or card.

16 (3) “Remotely” means that physical contact between the driver’s  
17 license or identification card and a reader is not necessary in order  
18 to transmit personal information.

19 (c) This section shall remain in effect only until January 1, 2011,  
20 and as of that date is repealed, unless a later enacted statute, that  
21 is enacted before January 1, 2011, deletes or extends that date.