

**Introduced by Senator Correa**

February 10, 2011

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An act to add Section 12801.3 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 251, as amended, Correa. Vehicles: driver's license: selective service.

Existing law establishes the practices and procedures for the issuance of an original or a renewal of a driver's license.

The federal Military Selective Service Act (federal act) requires specified persons to register with the federal Selective Service System.

This bill would ~~provide that, by submitting an~~ *require the Department of Motor Vehicles to revise the application for an original or a renewal of a driver's license; to include a specified statement that would allow a person who is required to register pursuant to the federal act is consenting to consent to that person's registration with the federal Selective Service System. The bill would require the department to forward to the federal Selective Service System, in an electronic format, the necessary personal information for the registration of that person in compliance with the federal act for a person who consents to registration. The bill would prohibit the department from forwarding to the federal Selective Service System for the purpose of registering a person, the personal information of that person who did not consent to registration.*

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 finds and declares all of the  
2 following:

3 (a) California has one of the lowest Selective Service System  
4 registration compliance rates in the nation.

5 (b) Males who are between 18 and 26 years of age who fail to  
6 register with the Selective Service System, as required by federal  
7 law, face possible federal penalties and loss of federal benefits,  
8 including student financial assistance, federal employment, such  
9 as employment with the United States Postal Service, job training  
10 under the Workforce Investment Act (28 U.S.C. Sec. 2801 et seq.),  
11 and citizenship for immigrants.

12 (c) The failure of young men to register with the Selective  
13 Service System has resulted in the lifetime loss of over  
14 \$100,000,000 in potential benefits over the last three years for  
15 young men in California.

16 (d) At least 37 states, three territories, and the District of  
17 Columbia have enacted legislation related to the issuance of a  
18 driver's license in support of the Selective Service System  
19 registration.

20 (e) To promote the fairness and equity of any future draft, to  
21 ensure that important benefits associated with the registration  
22 requirement are not lost, and to promote compliance with federal  
23 law, the driver's license application process should be revised so  
24 that every male applicant for an original driver's license or renewal  
25 who is between 18 and 26 years of age consents to his registration  
26 with the Selective Service System, as required by federal law.

27 SEC. 2. Section 12801.3 is added to the Vehicle Code, to read:

28 ~~12801.3.—(a) Notwithstanding any other law, a person who is~~

29 *12801.3. (a) On the application for an original or a renewal*  
30 *of a driver's license, in a place deemed appropriate by the*  
31 *department, the department shall include a statement that allows*  
32 *an applicant to register with the federal Selective Service System*  
33 *and a place by the statement for the applicant's signature. The*  
34 *statement shall read as follows:*

35

36 *“I am a man between 18 and 25 years of age and I consent to*  
37 *register with the Selective Service System. Consent to register with*

1 *the Selective Service System is not necessary in order to be granted*  
2 *a driver's license."*

3  
4 *(b) Notwithstanding any other law, a person who is required to*  
5 *be registered with the federal Selective Service System pursuant*  
6 *to the federal Military Selective Service Act (50 U.S.C. App. Sec.*  
7 *451 et seq.) and who submits an application for an original or a*  
8 *renewal of a driver's license is deemed to have App. Sec. 451 et*  
9 *seq.) and who consents to registration with the federal Selective*  
10 *Service System on an application for an original or renewal of a*  
11 *driver's license is deemed to have consented to registration with*  
12 *the federal Selective Service System.*

13 ~~(b) The submission of an application for an original or a renewal~~  
14 ~~of a driver's license by a person specified in subdivision (a) shall~~  
15 ~~establish a conclusive presumption that the person has done either~~  
16 ~~of the following:~~

17 ~~(1) Registered with the federal Selective Service System in~~  
18 ~~compliance with the federal Military Selective Service Act.~~

19 ~~(2) Authorized the department to forward to the federal Selective~~

20 *(c) The submission of an application for an original or a renewal*  
21 *of a driver's license on which a person consents to registration*  
22 *pursuant to subdivision (a) shall establish a conclusive presumption*  
23 *that the person has authorized the department to forward to the*  
24 *federal Selective Service System the necessary information for the*  
25 *Selective Service System registration when that person is required*  
26 *to register under the federal Military Selective Service Act.*

27 ~~(e) The department shall require an application for an original~~  
28 ~~or a renewal of a driver's license to include a notice indicating the~~  
29 ~~following:~~

30  
31 ~~"By submitting this application, I am consenting to registration~~  
32 ~~with the Selective Service System, if required by federal law. If I~~  
33 ~~am under 18 years of age, I understand that I will be registered~~  
34 ~~upon reaching 18 years of age."~~

35  
36 *(d) The department shall forward to the federal Selective Service*  
37 *System, in an electronic format, the necessary personal information*  
38 *required for the registration of a person specified in who consents*  
39 *to registration pursuant to subdivision (a).*

1     *(e) The department shall not forward to the federal Selective*  
2     *Service System personal information of a person who did not*  
3     *consent to registration pursuant to subdivision (a), except that the*  
4     *department may provide to the federal Selective Service System*  
5     *that personal information as provided in accordance with a*  
6     *memorandum of understanding between the department and the*  
7     *federal Selective Service System for the purpose of the*  
8     *memorandum of understanding.*

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