

**ASSEMBLY BILL**

**No. 1946**

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**Introduced by Assembly Member Hadley**

February 12, 2016

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An act to amend Section 12811 of the Vehicle Code, relating to driver's licenses.

LEGISLATIVE COUNSEL'S DIGEST

AB 1946, as introduced, Hadley. Driver's licenses.

Existing law requires the Department of Motor Vehicles to issue a driver's license to an applicant when the department determines that the applicant is lawfully entitled to a license.

This bill would make a technical, nonsubstantive change to those provisions.

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 12811 of the Vehicle Code is amended  
2     to read:  
3     12811. (a) (1) (A) When the department determines that the  
4     applicant is lawfully entitled to a license, ~~it~~ *the department* shall  
5     issue to the person a driver's license as applied for. The license  
6     shall state the class of license for which the licensee has qualified  
7     and shall contain the distinguishing number assigned to the  
8     applicant, the date of expiration, the true full name, age, and  
9     mailing address of the licensee, a brief description and engraved

1 picture or photograph of the licensee for the purpose of  
2 identification, and space for the signature of the licensee.

3 (B) Each license shall also contain a space for the endorsement  
4 of a record of each suspension or revocation of the license.

5 (C) The department shall use whatever process or processes, in  
6 the issuance of engraved or colored licenses, that prohibit, as near  
7 as possible, the ability to alter or reproduce the license, or prohibit  
8 the ability to superimpose a picture or photograph on the license  
9 without ready detection.

10 (2) In addition to the requirements of paragraph (1), a license  
11 issued to a person under 18 years of age shall display the words  
12 “provisional until age 18.”

13 (b) (1) On and after July 1, 2011, an application for an original  
14 or renewal driver’s license or identification card shall contain a  
15 space for the applicant to enroll in the Donate Life California Organ  
16 and Tissue Donor Registry. The application shall include check  
17 boxes for an applicant to mark either (A) Yes, add my name to the  
18 donor registry or (B) I do not wish to register at this time.

19 (2) The department shall inquire verbally of an applicant  
20 applying in person for an original or renewal driver’s license or  
21 identification card at a department office as to whether the applicant  
22 wishes to enroll in the Donate Life California Organ and Tissue  
23 Donor Registry. Failure or refusal to answer this question or check  
24 a box on the application form shall not be a basis for the department  
25 to deny an applicant a driver’s license or identification card.

26 (3) The following language shall be included with the question  
27 required by paragraph (1):

28  
29 “Marking ‘Yes’ adds your name to the Donate Life California  
30 Organ and Tissue Donor Registry and a pink ‘donor’ dot will  
31 appear on your license. If you wish to remove your name from the  
32 registry you must contact Donate Life California (see back); DMV  
33 can remove the pink dot from your licenses but cannot remove  
34 you from the registry.”

35  
36 (4) The back of the application shall contain the following  
37 statement:

38  
39 “If, on the front of this form, you marked ‘Yes’ to register as an  
40 organ and tissue donor you are legally authorizing the recovery of

1 organs and tissues in the event of your death. Registering as a  
2 donor will not affect your medical treatment in any way. As  
3 outlined in the California Anatomical Gift Act, your authorization  
4 is legally binding and, unless the donor is under 18 years of age,  
5 your decision does not require the consent of any other person.  
6 For registered donors under 18 years of age, the legal guardian  
7 shall make the final donation decision. You may limit your  
8 donation to specific organs or tissues, place usage restrictions, for  
9 example transplantation or research, obtain more information about  
10 donation, or remove your name from the registry on the Internet  
11 Web site of Donate Life California:  
12 [www.donateLIFecalifornia.org](http://www.donateLIFecalifornia.org).”  
13

14 (5) Notwithstanding any other law, a person under 18 years of  
15 age may register as a donor. However, the legal guardian of that  
16 person shall make the final decision regarding the donation.

17 (6) The department shall collect donor designation information  
18 on all applications for an original or renewal driver’s license or  
19 identification card.

20 (7) The department shall print the word “DONOR” or another  
21 appropriate designation on the face of a driver’s license or  
22 identification card to a person who has indicated on the application  
23 his or her intent to enroll in the organ donation program pursuant  
24 to this section.

25 (8) On a weekly basis, the department shall electronically  
26 transmit to Donate Life California, a nonprofit organization  
27 established and designated as the California Organ and Tissue  
28 Donor Registrar pursuant to Section 7150.90 of the Health and  
29 Safety Code, all of the following information from every  
30 application that indicates the applicant’s decision to enroll in the  
31 organ donation program:

- 32 (A) His or her true full name.  
33 (B) His or her residence or mailing address.  
34 (C) His or her year of birth.  
35 (D) His or her California driver’s license number or  
36 identification card number.

37 (9) (A) A person who applies for an original or renewal driver’s  
38 license or identification card may designate a voluntary  
39 contribution of two dollars (\$2) for the purpose of promoting and  
40 supporting organ and tissue donation. This contribution shall be

1 collected by the department, and treated as a voluntary contribution  
2 to Donate Life California and not as a fee for the issuance of a  
3 driver's license or identification card.

4 (B) The department may use the donations collected pursuant  
5 to this paragraph to cover its actual administrative costs incurred  
6 pursuant to paragraphs (6) to (8), inclusive. The department shall  
7 deposit all revenue derived pursuant to this paragraph and  
8 remaining after the department's deduction for administrative costs  
9 in the Donate Life California Trust Subaccount, that is hereby  
10 created in the Motor Vehicle Account in the State Transportation  
11 Fund. Notwithstanding Section 13340 of the Government Code,  
12 all revenue in this subaccount is continuously appropriated, without  
13 regard to fiscal years, to the Controller for allocation to Donate  
14 Life California and shall be expended for the purpose of increasing  
15 participation in organ donation programs.

16 (C) The department shall transmit to the Donate Life California  
17 Organ and Tissue Donor Registry and the appropriate policy and  
18 fiscal committees of the Legislature an annual report, and shall  
19 make available quarterly updates, detailing funds collected through  
20 voluntary contributions as well as a summary of applicants,  
21 including all of the following nonidentifiable information:

- 22 (i) Date of application.
- 23 (ii) Method of application (field office, online, or mail).
- 24 (iii) Donor registration status.
- 25 (iv) ZIP Code.
- 26 (v) Gender.
- 27 (vi) Year of birth.

28 (D) (i) The annual report to be submitted to the appropriate  
29 policy and fiscal committees of the Legislature pursuant to  
30 subparagraph (C) shall be submitted in compliance with Section  
31 9795 of the Government Code.

32 (ii) Pursuant to Section 10231.5 of the Government Code, the  
33 requirement for submitting the annual report to the appropriate  
34 policy and fiscal committees of the Legislature imposed under  
35 subparagraph (C) is inoperative four years after the date the first  
36 annual report is due.

37 (10) The enrollment form shall be posted on the Internet Web  
38 sites for the department and the California Health and Human  
39 Services Agency.

1 (11) The enrollment shall constitute a legal document pursuant  
2 to the Uniform Anatomical Gift Act (Chapter 3.5 (commencing  
3 with Section 7150) of Part 1 of Division 7 of the Health and Safety  
4 Code) and shall remain binding after the donor's death despite any  
5 express desires of next of kin opposed to the donation. Except as  
6 provided in paragraph (5) of subdivision (b), the donation does  
7 not require the consent of any other person.

8 (12) Donate Life California shall ensure that all additions and  
9 deletions to the California Organ and Tissue Donor Registry,  
10 established pursuant to Section 7150.90 of the Health and Safety  
11 Code, shall occur within 30 days of receipt.

12 (13) Information obtained by Donate Life California for the  
13 purposes of this subdivision shall be used for these purposes only  
14 and shall not be disseminated further by Donate Life California.

15 (c) (1) All applications for a driver's license or identification  
16 card shall contain a space for an applicant to indicate whether he  
17 or she has served in the Armed Forces of the United States and to  
18 give his or her consent to be contacted regarding eligibility to  
19 receive state or federal veterans benefits. The application shall  
20 contain the following statement:

21  
22 "By marking the veteran box on this application, I certify that I  
23 am a veteran of the United States Armed Forces and that I want  
24 to receive veterans benefits information from the California  
25 Department of Veterans Affairs. By marking the veteran box on  
26 this application, I also consent to DMV transmitting my name and  
27 mailing address to the California Department of Veterans Affairs  
28 for this purpose only, and I certify that I have been notified that  
29 this transmittal will occur."  
30

31 (2) The department shall collect the information obtained  
32 pursuant to paragraph (1).

33 (3) As mutually agreed between the department and the  
34 Department of Veterans Affairs, the department shall electronically  
35 transmit to the Department of Veterans Affairs the following  
36 information on each applicant who has identified that he or she  
37 has served in the Armed Forces of the United States since the last  
38 data transfer and has consented to be contacted about veterans  
39 benefits:

40 (A) His or her true full name.

1 (B) His or her mailing address.

2 (4) Information obtained by the Department of Veterans Affairs  
3 for the purposes of this subdivision shall be used for the purpose  
4 of assisting individuals to access veterans benefits and shall not  
5 be disseminated except as needed for this purpose.

6 (5) Commencing November 11, 2015, an in-person application  
7 for a driver's license or identification card shall allow an applicant  
8 to request the word "VETERAN" be printed on the face of the  
9 driver's license or identification card. A verification form shall be  
10 developed by the Department of Veterans Affairs in consultation  
11 with the Department of Motor Vehicles and the California  
12 Association of County Veterans Service Officers to acknowledge  
13 verification of veteran status. A county veterans service office  
14 shall verify the veteran's status as a veteran, sign the verification  
15 form, and return it to the veteran. The Department of Motor  
16 Vehicles shall accept the signed verification form as proof of  
17 veteran status. Upon payment of the fee required pursuant to  
18 Section 14901.1, the word "VETERAN" shall be printed on the  
19 face of a driver's license or identification card, in a location  
20 determined by the department, and issued to a person who makes  
21 this request and presents the verification form to the department.

22 (d) A public entity or employee shall not be liable for loss,  
23 detriment, or injury resulting directly or indirectly from false or  
24 inaccurate information contained in the form provided pursuant  
25 to subdivision (b).

26 (e) A contract shall not be awarded to a nongovernmental entity  
27 for the processing of driver's licenses, unless the contract conforms  
28 to all applicable state contracting laws and all applicable procedures  
29 set forth in the State Contracting Manual.