

AMENDED IN SENATE AUGUST 16, 1999

AMENDED IN ASSEMBLY APRIL 15, 1999

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1463**

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**Introduced by Assembly Member Cedillo**  
**(Coauthors: Assembly Members Aroner, Calderon, and**  
**Firebaugh)**  
*(Coauthor: Senator Murray)*

February 26, 1999

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An act to amend Sections 1653.5 ~~and 12800~~, 12800, and 12801 of, to add Section 15250.1 to, and to repeal Sections ~~12801~~, 12801.5, 12801.7, and 12801.8 of, the Vehicle Code, relating to the Department of Motor Vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1463, as amended, Cedillo. Vehicles: social security number: driver's licenses: identification cards.

(1) Under existing law, every form prescribed by the Department of Motor Vehicles for use by an applicant for the issuance or renewal by the department of a driver's license or identification card is required to contain a section for the applicant's social security account number.

This bill would delete this requirement and would make related changes to reflect this deletion.

(2) Existing law requires the department to require every application for a driver's license to contain the applicant's

social security number and any other number or identifier determined to be appropriate by the department.

This bill would ~~repeal that requirement~~ *revise these provisions to specify that if an individual does not possess a social security number, the department shall require a taxpayer identification number, or identifier determined to be appropriate by the department, unless the applicant attests, in an affidavit signed under penalty of perjury, that he or she does not have a social security or taxpayer identification number. Because the bill would expand the scope of the crime of perjury, the bill would impose a state-mandated local program.*

*The bill also would require the department to require every applicant for an original driver's license or identification card to establish his or her lawful immigration status or show, by documentation as specified, that an application or petition for lawful immigration status has been initiated on the applicant's behalf, or for another person whereby the applicant would be a derivative beneficiary.*

(3) Existing law requires the department to require every applicant for an original driver's license or identification card to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law, and prohibits the issuance of an original driver's license or identification card to any person who does not submit satisfactory proof that his or her presence in the United States is authorized under federal law. Existing law imposes related duties on the department regarding the issuance and cancellation of driver's licenses and identification cards of persons who are to be deported under federal law.

This bill would repeal these provisions.

(4) In the case of a legal, nonimmigrant driver's license applicant, existing law requires the department to issue a temporary driver's license, valid for 90 days, under specified conditions, and provides for the adjustment of the expiration date.

This bill would repeal this provision.

(5) Existing law provides for the issuance of a commercial driver's license by the department.



This bill would require an applicant for that license to include in the application the applicant's social security number to the extent that the inclusion of that number is required in order to be in compliance with a specified federal regulation.

*(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

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

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

1 SECTION 1. Section 1653.5 of the Vehicle Code is  
2 amended to read:

3 1653.5. (a) Every form prescribed by the  
4 department for use by an applicant for the issuance,  
5 renewal, or transfer of the registration or certificate of  
6 title to a vehicle shall contain a section for the applicant's  
7 driver's license or identification card number.

8 (b) Any person who submits to the department a form  
9 that, pursuant to subdivision (a), contains a section for the  
10 applicant's driver's license or identification card number  
11 shall furnish the appropriate number in the space  
12 provided.

13 (c) The department shall not complete any  
14 application that does not include the applicant's driver's  
15 license or identification card number as required by  
16 subdivision (b).

17 SEC. 2. Section 12800 of the Vehicle Code is amended  
18 to read:

19 12800. Every application for an original or a renewal  
20 of, a driver's license shall contain all of the following  
21 information:

22 (a) The applicant's true full name, age, sex, mailing  
23 address, and residence address.



1 (b) A brief description of the applicant for the purpose  
2 of identification.

3 (c) A legible print of the thumb or finger of the  
4 applicant.

5 (d) The type of motor vehicle or combination of  
6 vehicles the applicant desires to operate.

7 (e) Whether the applicant has ever previously been  
8 licensed as a driver and, if so, when and in what state or  
9 country and whether or not the license has been  
10 suspended or revoked and, if so, the date of and reason for  
11 the suspension or revocation.

12 (f) Whether the applicant has ever previously been  
13 refused a driver's license in this state and, if so, the date  
14 of and the reason for the refusal.

15 (g) Whether the applicant, within the last three years,  
16 has experienced, on one or more occasions, either a lapse  
17 of consciousness or an episode of marked confusion  
18 caused by any condition which may bring about  
19 recurrent lapses, or whether the applicant has any  
20 disease, disorder, or disability which affects ability to  
21 exercise reasonable and ordinary control in operating a  
22 motor vehicle upon a highway.

23 (h) Whether the applicant understands traffic signs  
24 and signals.

25 (i) Whether the applicant has ever previously been  
26 issued an identification card by the department.

27 (j) Any other information necessary to enable the  
28 department to determine whether the applicant is  
29 entitled to a license under this code.

30 ~~SEC. 3. Section 12801 of the Vehicle Code is repealed.~~

31

32 *SEC. 3. Section 12801 of the Vehicle Code is amended*  
33 *to read:*

34 12801. (a) Notwithstanding any other provision of  
35 law, the department shall require every application for a  
36 driver's license to contain the applicant's social security  
37 number ~~and any other number or identifier determined~~  
38 ~~to be appropriate by the department.~~ *If an applicant does*  
39 *not possess a social security number, the department shall*  
40 *require a taxpayer identification number, or identifier*



1 *determined to be appropriate by the department, unless*  
2 *the applicant attests, in an affidavit signed under penalty*  
3 *of perjury, that he or she does not have a social security*  
4 *or taxpayer identification number.*

5 (b) Notwithstanding any other law, ~~the social security~~  
6 ~~number~~ *no information relating to social security*  
7 *numbers collected on a driver's license application shall*  
8 ~~not~~ *be displayed on the driver's license, including, but not*  
9 *limited to, inclusion on any magnetic tape or strip used to*  
10 *store data on the license.*

11 (c) (1) *The department also shall require every*  
12 *applicant for an original driver's license or identification*  
13 *card to do any of the following:*

14 (A) *Establish his or her lawful immigration status.*

15 (B) *Show by documentation that an application or*  
16 *petition for lawful immigration status has been initiated*  
17 *by the applicant or by another person on the applicant's*  
18 *behalf. For these purposes, the applicant may produce*  
19 *evidence to the department that an application or*  
20 *petition for lawful immigration status has been initiated*  
21 *for another person whereby the applicant would be a*  
22 *derivative beneficiary.*

23 (2) *For purposes of subparagraph (B) of paragraph*  
24 *(1), documentation that an application or petition has*  
25 *been initiated for lawful immigration status may include,*  
26 *but is not limited to, any of the following:*

27 (A) *A copy of the application or petition.*

28 (B) *Evidence from the United States Immigration and*  
29 *Naturalization Service, or other governmental agency,*  
30 *including correspondence, indicating that the applicant*  
31 *is in the process of seeking immigration status.*

32 (C) *An affidavit from an attorney representing the*  
33 *applicant that the applicant is in the process of seeking*  
34 *immigration status.*

35 (d) *Notwithstanding any other provision of law,*  
36 *neither the department, nor its agents or employees, shall*  
37 *disclose any information about an applicant's social*  
38 *security number, absence of a social security number, or*  
39 *any other information collected pursuant to this section,*  
40 *to any public or private entity, except as specifically*



1 *required by federal or state law, nor shall the department,*  
2 *or its agents or employees, differentiate in any manner,*  
3 *other than for identification purposes, between*  
4 *applicants who do or do not have a social security number.*

5 SEC. 4. Section 12801.5 of the Vehicle Code is  
6 repealed.

7 SEC. 5. Section 12801.7 of the Vehicle Code is  
8 repealed.

9 SEC. 6. Section 12801.8 of the Vehicle Code is  
10 repealed.

11 SEC. 7. Section 15250.1 is added to the Vehicle Code,  
12 to read:

13 15250.1. A commercial driver’s license applicant shall  
14 include in the application the applicant’s social security  
15 number to the extent that the inclusion of that number  
16 is required in order to be in compliance with Section  
17 383.153 of Subpart J of Part 383 of Title 49 of the Code of  
18 Federal Regulations.

19 *SEC. 8. No reimbursement is required by this act*  
20 *pursuant to Section 6 of Article XIII B of the California*  
21 *Constitution because the only costs that may be incurred*  
22 *by a local agency or school district will be incurred*  
23 *because this act creates a new crime or infraction,*  
24 *eliminates a crime or infraction, or changes the penalty*  
25 *for a crime or infraction, within the meaning of Section*  
26 *17556 of the Government Code, or changes the definition*  
27 *of a crime within the meaning of Section 6 of Article*  
28 *XIII B of the California Constitution.*

