

AMENDED IN SENATE AUGUST 25, 2000
AMENDED IN SENATE AUGUST 14, 2000
AMENDED IN SENATE JUNE 21, 2000
AMENDED IN SENATE JUNE 13, 2000
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

Introduced by Assembly Member Cedillo
(Coauthors: Assembly Members Aroner, ~~Calderon,~~ and
~~Firebaugh~~) Bock, Calderon, Firebaugh, and Villaraigosa)
(~~Coauthor: Senator Murray~~)
(Coauthors: Senators Murray and Polanco)

February 26, 1999

An act to amend Sections 1653.5, 12800, and 12801 of, to add Section 15250.1 to, and to repeal Sections 12801.5 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 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 applicant submits a document described below, a taxpayer identification number, and an affidavit signed under penalty of perjury, that he or she does not have a social security or taxpayer identification number, the submission of these documents shall be deemed the equivalent to the submission of a social security 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, as specified, or show, by documentation, as specified, that an application or petition for lawful immigration status, as specified, has been initiated on the applicant's behalf, or for another person whereby the applicant would be a derivative beneficiary.

The bill would require the department to issue a driver's license or identification card having a duration of 3 years to an applicant who does not have a social security number or is in the process of obtaining lawful immigration status from the United States Immigration and Naturalization Service.

(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.

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: 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



1 shall furnish the appropriate number in the space
2 provided.

3 (c) The department shall not complete any
4 application that does not include the applicant's driver's
5 license or identification card number as required by
6 subdivision (b).

7 SEC. 2. Section 12800 of the Vehicle Code is amended
8 to read:

9 12800. Every application for an original or a renewal
10 of, a driver's license shall contain all of the following
11 information:

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

14 (b) A brief description of the applicant for the purpose
15 of identification.

16 (c) A legible print of the thumb or finger of the
17 applicant.

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

20 (e) Whether the applicant has ever previously been
21 licensed as a driver and, if so, when and in what state or
22 country and whether or not the license has been
23 suspended or revoked and, if so, the date of and reason for
24 the suspension or revocation.

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

28 (g) Whether the applicant, within the last three years,
29 has experienced, on one or more occasions, either a lapse
30 of consciousness or an episode of marked confusion
31 caused by any condition which may bring about
32 recurrent lapses, or whether the applicant has any
33 disease, disorder, or disability which affects ability to
34 exercise reasonable and ordinary control in operating a
35 motor vehicle upon a highway.

36 (h) Whether the applicant understands traffic signs
37 and signals.

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



1 (j) Any other information necessary to enable the
2 department to determine whether the applicant is
3 entitled to a license under this code.

4 SEC. 3. Section 12801 of the Vehicle Code is amended
5 to read:

6 12801. (a) (1) Notwithstanding any other provision
7 of law, the department shall require every application for
8 a driver's license to contain the applicant's social security
9 number. ~~If an applicant does not possess a social security
10 number, the department shall require a taxpayer
11 identification number, or identifier determined to be
12 appropriate by the department. number.~~

13 (2) *If an applicant submits all of the following
14 documents, the submission of those documents shall be
15 deemed the equivalent, under this subdivision, to the
16 submission of a social security number:*

17 (A) *A document listed in paragraph (3) of subdivision
18 (c).*

19 (B) *A taxpayer identification number.*

20 (C) *An affidavit signed under penalty of perjury that
21 he or she does not have a social security number.*

22 (b) Notwithstanding any other law, no information
23 relating to social security numbers collected on a driver's
24 license application shall be displayed on the driver's
25 license, including, but not limited to, inclusion on any
26 magnetic tape or strip used to store data on the license.

27 (c) (1) The department also shall require every
28 applicant for an original driver's license or identification
29 card to do either of the following:

30 (A) Establish his or her lawful immigration status.

31 (B) Show by documentation that an application or
32 petition for lawful immigration status has been initiated
33 by the applicant or by another person on the applicant's
34 behalf. For these purposes, the applicant may produce
35 evidence to the department that an application or
36 petition for lawful immigration status has been initiated
37 for another person whereby the applicant would be a
38 derivative beneficiary.

39 (2) For purposes of subparagraph (B) of paragraph
40 (1), documentation that an application or petition has



1 been initiated for lawful immigration status may include
2 either of the following:
3 (A) A receipt from the United States Immigration and
4 Naturalization Service stating that an application or
5 petition has been submitted.
6 (B) An approval notice from the United States
7 Immigration and Naturalization Service stating that an
8 application or petition has been received.
9 (3) The following documents are acceptable
10 applications or petitions for purposes of subparagraphs
11 (A) and (B) of paragraph (2):
12 (A) Petition for Alien Relative (I-130).
13 (B) Immigrant Petition for Alien Worker (I-140).
14 (C) Petition for Amerasian, Widow(er), or Special
15 Immigrant (I-360).
16 (D) Application to Register Permanent Residence or
17 to Adjust Status.
18 (E) Immigrant Petition By Alien Entrepreneur
19 (I-526).
20 (F) Application for Asylum (I-589).
21 (G) Registration for Classification as a Refugee
22 (I-590).
23 (H) Application to Adjust Status from Temporary to
24 Permanent Resident (I-698).
25 (I) Application for Voluntary Departure Under the
26 Family Unity Program (I-817).
27 (J) Application for Temporary Protected Status
28 (I-821).
29 (K) Nicaraguan and Central American Relief
30 Act-Suspension of Deportation or Application for Special
31 Rule Cancellation of Removal (I-881).
32 (d) Notwithstanding Sections 12814, 12814.5, and
33 13002 or any other provision of law, an applicant who does
34 not have a social security number or is in the process of
35 obtaining lawful immigration status from the United
36 States Immigration and Naturalization Service shall be
37 issued a driver's license or identification card having a
38 duration of three years.
39 (e) Notwithstanding any other provision of law,
40 neither the department, nor its agents or employees, shall



1 disclose any information about an applicant's social
2 security number, absence of a social security number, or
3 any other information collected pursuant to this section,
4 to any public or private entity, except as ~~specifically~~
5 ~~required~~ *permitted* by federal or state law, nor shall the
6 department, or its agents or employees, differentiate in
7 any manner, other than for identification purposes,
8 between applicants who do or do not have a social
9 security number.

10 SEC. 4. Section 12801.5 of the Vehicle Code is
11 repealed.

12 SEC. 5. Section 12801.8 of the Vehicle Code is
13 repealed.

14 SEC. 6. Section 15250.1 is added to the Vehicle Code,
15 to read:

16 15250.1. A commercial driver's license applicant shall
17 include in the application the applicant's social security
18 number to the extent that the inclusion of that number
19 is required in order to be in compliance with Section
20 383.153 of Subpart J of Part 383 of Title 49 of the Code of
21 Federal Regulations.

22 SEC. 7. No reimbursement is required by this act
23 pursuant to Section 6 of Article XIII B of the California
24 Constitution because the only costs that may be incurred
25 by a local agency or school district will be incurred
26 because this act creates a new crime or infraction,
27 eliminates a crime or infraction, or changes the penalty
28 for a crime or infraction, within the meaning of Section
29 17556 of the Government Code, or changes the definition
30 of a crime within the meaning of Section 6 of Article
31 XIII B of the California Constitution.

