

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-211

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 18, 2013

To amend the District of Columbia Traffic Act, 1925 to allow for the issuance of a limited purpose driver's license, permit, or identification card to a District resident who has not been assigned a social security number or cannot establish legal presence in the United States, and to provide privacy protection for information submitted to the Department of Motor Vehicles in connection with an application for a limited purpose driver's license, permit, or identification card.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Driver's Safety Amendment Act of 2013".

Sec. 2. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-1401.01 *passim*), is amended as follows:

(a) Section 7 (D.C. Official Code § 50-1401.01) is amended as follows:

(1) Subsection (a)(1) is amended by adding a new subparagraph (A-i) to read as follows:

“(A-i) Effective October 1, 2015, an applicant for an operator's permit shall pay an application fee of \$47, which the Mayor may increase or decrease to compensate the District for processing and evaluating the application and issuing the permit. The Mayor may prorate the fee to correspond to the duration of the license issued.”

(2) Subsection (b)(2) is amended by adding the following sentence at the end: “This paragraph shall not apply to an applicant eligible for a limited purpose driver's license or permit pursuant to section 8c.”

(b) Section 7b (D.C. Official Code § 50-1401.01b) is amended as follows:

(1) Subsection (a) is amended by adding a new paragraph (1A) to read as follows:

“(1A) “Information relating to legal presence” means any information that may reveal whether a person is legally present in the United States, including whether a person's driver's license or identification card was issued under section 8c, and the documentation provided by an applicant to prove identity, date of birth, and residence in connection with an application for a driver's license or identification card.”

(2) Subsection (d) is amended as follows:

(A) Paragraph (3) is amended by striking the word “and”.

**ENROLLED ORIGINAL**

(B) Paragraph (4) is amended by striking the period and inserting the phrase “; and” in its place.

(C) A new paragraph (5) is added to read as follows:

“(5) Information relating to legal presence shall not be disclosed to any person, and shall not be disclosed to any federal, state, or local governmental entity except as necessary to comply with a legally issued warrant or subpoena.”.

(c) A new section 8c (to be codified at D.C. Official Code § 50-1401.05) is added to read as follows:

“Sec. 8c. Limited purpose driver’s license, permit, or identification card.

“(a) The Mayor, consistent with subsections (b) and (c) of this section, shall issue a limited purpose driver’s license, permit, or identification card to an applicant who:

“(1) Has resided in the District for longer than 6 months;

“(2) Has not been assigned a social security number or is ineligible to obtain a social security number; and

“(3) Meets the requirements of this section.

“(b)(1) To obtain a limited purpose driver’s license or permit in accordance with subsection (a) of this section, an applicant shall:

“(A) Provide, under penalty of perjury, proof of identity, date of birth, and residency to the Department of Motor Vehicles (“Department”) as defined by the Department by rule; and

“(B) Satisfy the applicable requirements of section 7 and sections 100 through 111 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR §§ 100-111); provided, that the Mayor shall not require an applicant for a limited purpose driver’s license or permit under this section to provide a social security number or any document to prove the absence of a social security number.

“(2) An applicant shall include a certified translation of a document provided that is not in English.

“(c) To obtain a limited purpose identification card in accordance with subsection (a) of this section, an applicant shall:

“(1) Meet the requirements of subsection (b)(1)(A) of this section; and

“(2) Meet the applicable requirements of section 112 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 112); provided, that the Mayor shall not require an applicant for a limited purpose identification card under this section to provide a social security number or any document to prove the absence of a social security number.

“(d) A limited purpose driver’s license or identification card issued under subsection (a) of this section shall be valid for 8 years. A limited purpose learner’s or provisional permit shall be valid for the time period as set forth in sections 7(a)(2) and 7(a)(2A).

“(e) An individual who is issued a limited purpose driver’s license or permit under this section shall have the equivalent authorization to operate a motor vehicle as provided in section 7 and shall be subject to all statutory and regulatory provisions pertaining to driver licensing and operation of a motor vehicle.