



March 13, 2019

ENGROSSED HOUSE BILL No. 1268

DIGEST OF HB 1268 (Updated March 12, 2019 4:44 pm - DI 109)

Citations Affected: IC 9-24.

Synopsis: Veteran status information data base. Requires the following questions to be included on applications for a driver's license or permit and for a state identification card: (1) "Have you served in the armed forces of the United States?". (2) "Are you the surviving spouse of someone who served in the armed forces of the United States or their reserves, in the National Guard, or in the Indiana National Guard?". Makes it optional for an applicant for a driver's license or permit and an applicant for a state identification card to answer the following questions set forth on applications for a driver's license or permit and for a state identification card: (1) "Have you served in the armed forces of the United States?". (2) "Are you the surviving spouse of someone who served in the armed forces of the United States or their reserves, in the National Guard, or in the Indiana National Guard?". Allows for the Indiana department of veterans' affairs to develop outreach programs for veterans and their families using information received from driver's license and permit applications and state identification card applications.

Effective: January 1, 2020.

Gutwein, Sullivan, Judy, Moseley

(SENATE SPONSOR — TOMES)

January 10, 2019, read first time and referred to Committee on Roads and Transportation.
January 24, 2019, amended, reported — Do Pass.
January 28, 2019, read second time, ordered engrossed. Engrossed.
January 31, 2019, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 27, 2019, read first time and referred to Committee on Veterans Affairs and The Military.
March 12, 2019, amended, reported favorably — Do Pass.

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March 13, 2019

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1268

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-24-9-2.3, AS AMENDED BY P.L.65-2017,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2020]: Sec. 2.3. **(a) An application for a driver's
4 license or permit under this chapter must contain the following
5 questions:**
6 **(1) "Have you served in the armed forces of the United
7 States?"**
8 **(2) "Are you the surviving spouse of someone who served in
9 the armed forces of the United States or their reserves, in the
10 National Guard, or in the Indiana National Guard?"**
11 **(a) (b) In addition to the questions set forth in subsection (a), an
12 application for a driver's license or permit to be issued under this article
13 must enable the applicant to indicate the following:**
14 **(1) The applicant is a veteran and wishes to have an indication of
15 the applicant's veteran status appear on the driver's license or
16 permit.**
17 **(2) The applicant is the surviving spouse of a veteran of the armed**

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1 forces of the United States and wishes to have an indication of the
 2 applicant's status as a surviving spouse of a veteran appear on the
 3 license or permit.

4 (3) The applicant has a medical condition of note and wishes to
 5 have an identifying symbol and a brief description of the medical
 6 condition appear on the driver's license or permit.

7 ~~(b) The bureau shall inform an applicant that submission of~~
 8 ~~information under this section is voluntary.~~

9 (c) The bureau shall **keep in a data base and** share the information
 10 submitted under ~~subsection (a)(2)~~ **subsections (a) and (b)(2)** at least
 11 ~~annually with~~ **upon request** by the Indiana department of veterans'
 12 affairs. **The information submitted under subsections (a) and (b)(2)**
 13 **may be used by the Indiana department of veterans' affairs to**
 14 **develop outreach programs for veterans and their families.**

15 **(d) The application for a driver's license or permit under this**
 16 **chapter must indicate that an applicant has the option whether or**
 17 **not to answer the questions set forth in subsection (a).**

18 SECTION 2. IC 9-24-16-2, AS AMENDED BY P.L.65-2017,
 19 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JANUARY 1, 2020]: Sec. 2. **(a) An application for an identification**
 21 **card to be issued under this chapter must contain the following**
 22 **questions:**

23 **(1) "Have you served in the armed forces of the United**
 24 **States?"**.

25 **(2) "Are you the surviving spouse of someone who served in**
 26 **the armed forces of the United States or their reserves, in the**
 27 **National Guard, or in the Indiana National Guard?"**.

28 ~~(a)~~ **(b) In addition to the questions set forth in subsection (a),** an
 29 application for an identification card issued under this chapter must
 30 require the following information concerning an applicant:

31 (1) The full legal name of the applicant.

32 (2) The applicant's date of birth.

33 (3) The gender of the applicant.

34 (4) The applicant's height, weight, hair color, and eye color.

35 (5) The principal address and mailing address of the applicant.

36 (6) A:

37 (A) valid Social Security number; or

38 (B) verification of an applicant's:

39 (i) ineligibility to be issued a Social Security number; and

40 (ii) identity and lawful status.

41 (7) A digital photograph of the applicant.

42 (8) The signature of the applicant showing the applicant's legal



- 1 name as it will appear on the identification card.
- 2 (9) If the applicant is also applying for a Class B motor driven
3 cycle endorsement, verification that the applicant has
4 satisfactorily completed the test required under section 3.6 of this
5 chapter.
- 6 ~~(b)~~ (c) The bureau may invalidate an identification card that the
7 bureau believes to have been issued as a result of fraudulent
8 documentation.
- 9 ~~(c)~~ (d) The bureau:
- 10 (1) shall adopt rules under IC 4-22-2 to establish a procedure to
11 verify an applicant's identity and lawful status; and
12 (2) may adopt rules to establish a procedure to temporarily
13 invalidate an identification card that it believes to have been
14 issued based on fraudulent documentation.
- 15 ~~(d)~~ (e) For purposes of subsection ~~(a)~~; (b), an individual certified as
16 a program participant in the address confidentiality program under
17 IC 5-26.5 is not required to provide the individual's principal address
18 and mailing address, but may provide an address designated by the
19 office of the attorney general under IC 5-26.5 as the individual's
20 principal address and mailing address.
- 21 ~~(e)~~ (f) In addition to the information required under subsection ~~(a)~~;
22 (b), an application for an identification card to be issued under this
23 chapter must enable the applicant to indicate that the applicant is a
24 veteran and wishes to have an indication of the applicant's veteran
25 status appear on the identification card. An applicant who wishes to
26 have an indication of the applicant's veteran status appear on the
27 identification card must:
- 28 (1) indicate on the application that the applicant:
- 29 (A) is a veteran; and
30 (B) wishes to have an indication of the applicant's veteran
31 status appear on the identification card; and
32 (2) provide proof at the time of application of the applicant's
33 veteran status.
- 34 ~~(f)~~ (g) In addition to the information required under subsection ~~(a)~~;
35 (b), an application for an identification card to be issued under this
36 chapter must enable the applicant to indicate that the applicant is a
37 surviving spouse of a veteran and wishes to have an indication of the
38 applicant's status as a surviving spouse of a veteran appear on the
39 identification card. An applicant who wishes to have an indication of
40 the applicant's status as a surviving spouse of a veteran appear on the
41 identification card must:
- 42 (1) indicate on the application that the applicant:



- 1 (A) is the surviving spouse of a veteran of the armed forces of
 2 the United States; and
 3 (B) wishes to have an indication of the applicant's status as a
 4 surviving spouse of a veteran appear on the identification card;
 5 and
 6 (2) provide the documentation necessary to verify that the
 7 applicant was married, at the time of the decedent's death, to a
 8 veteran.
- 9 ~~(g)~~ **(h)** The bureau shall **keep in a data base and** share the
 10 information submitted under ~~subsection (f)~~ **subsections (a) and (g)** at
 11 least annually with the Indiana department of veterans' affairs. **The**
 12 **information submitted under subsections (a) and (g) may be used**
 13 **by the Indiana department of veterans' affairs to develop outreach**
 14 **programs for veterans and their families.**
- 15 **(i) The application for an identification card to be issued under**
 16 **this chapter must indicate that an applicant has the option whether**
 17 **or not to answer the questions set forth in subsection (a).**
- 18 SECTION 3. IC 9-24-16-3, AS AMENDED BY P.L.65-2017,
 19 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JANUARY 1, 2020]: Sec. 3. (a) An identification card must have the
 21 same dimensions and shape as a driver's license, but the card must have
 22 markings sufficient to distinguish the card from a driver's license.
- 23 (b) Except as provided in subsection (g), the front side of an
 24 identification card must contain the expiration date of the identification
 25 card and the following information about the individual to whom the
 26 card is being issued:
- 27 (1) Full legal name.
 - 28 (2) The address of the principal residence.
 - 29 (3) Date of birth.
 - 30 (4) Date of issue and date of expiration.
 - 31 (5) Unique identification number.
 - 32 (6) Gender.
 - 33 (7) Weight.
 - 34 (8) Height.
 - 35 (9) Color of eyes and hair.
 - 36 (10) Reproduction of the signature of the individual identified.
 - 37 (11) Whether the individual is blind (as defined in
 - 38 IC 12-7-2-21(1)).
 - 39 (12) If the individual is less than eighteen (18) years of age at the
 - 40 time of issuance, the dates on which the individual will become:
 - 41 (A) eighteen (18) years of age; and
 - 42 (B) twenty-one (21) years of age.



1 (13) If the individual is at least eighteen (18) years of age but less
 2 than twenty-one (21) years of age at the time of issuance, the date
 3 on which the individual will become twenty-one (21) years of age.

4 (14) Digital photograph of the individual.

5 (c) The information contained on the identification card as required
 6 by subsection (b)(12) or (b)(13) for an individual who is less than
 7 twenty-one (21) years of age at the time of issuance shall be printed
 8 prominently on the identification card.

9 (d) If the individual complies with section ~~2(e)~~ **2(f)** or ~~2(f)~~ **2(g)** of
 10 this chapter, an indication of the individual's veteran status or status as
 11 the surviving spouse of a veteran of the armed forces of the United
 12 States, as applicable, shall be shown on the identification card.

13 (e) If the applicant for an identification card submits information to
 14 the bureau concerning the applicant's medical condition, the bureau
 15 shall place an identifying symbol on the face of the identification card
 16 to indicate that the applicant has a medical condition of note. The
 17 bureau shall include information on the identification card that briefly
 18 describes the medical condition of the holder of the card. The
 19 information must be printed in a manner that alerts a person reading the
 20 card to the existence of the medical condition. The applicant for an
 21 identification card is responsible for the accuracy of the information
 22 concerning the medical condition submitted under this subsection. The
 23 bureau shall inform an applicant that submission of information under
 24 this subsection is voluntary.

25 (f) An identification card issued by the state to an individual who:

26 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
 27 visa status for entry in the United States;

28 (2) has a pending application for asylum in the United States;

29 (3) has a pending or approved application for temporary protected
 30 status in the United States;

31 (4) has approved deferred action status; or

32 (5) has a pending application for adjustment of status to that of an
 33 alien lawfully admitted for permanent residence in the United
 34 States or conditional permanent residence status in the United
 35 States;

36 must be clearly identified as a temporary identification card. A
 37 temporary identification card issued under this subsection may not be
 38 renewed without the presentation of valid documentary evidence
 39 proving that the holder of the identification card's temporary status has
 40 been extended.

41 (g) For purposes of subsection (b), an individual certified as a
 42 program participant in the address confidentiality program under



1 IC 5-26.5 is not required to provide the address of the individual's
2 principal residence, but may provide an address designated by the
3 office of the attorney general under IC 5-26.5 as the address of the
4 individual's principal residence.

5 (h) The bureau shall validate an identification card for Class B
6 motor driven cycle operation upon a highway by endorsement to an
7 individual who:

8 (1) applies for or has previously been issued an identification card
9 under this chapter;

10 (2) makes the appropriate application for endorsement; and

11 (3) satisfactorily completes the test required under section 3.6 of
12 this chapter.

13 The bureau shall place a designation on the face of the identification
14 card to indicate that the individual has received a Class B motor driven
15 cycle endorsement.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1268, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 3 with "[EFFECTIVE JANUARY 1, 2020]".

Page 2, line 9, strike "at least".

Page 2, line 10, strike "annually with" and insert "**upon request by**".

and when so amended that said bill do pass.

(Reference is to HB 1268 as introduced.)

SULLIVAN

Committee Vote: yeas 13, nays 0.

 COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred House Bill No. 1268, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 14 and 15, begin a new paragraph and insert:

"(d) The application for a driver's license or permit under this chapter must indicate that an applicant has the option whether or not to answer the questions set forth in subsection (a)."

Page 4, between lines 11 and 12, begin a new paragraph and insert:

"(i) The application for an identification card to be issued under this chapter must indicate that an applicant has the option whether or not to answer the questions set forth in subsection (a)."

and when so amended that said bill do pass.

(Reference is to HB 1268 as printed January 25, 2019.)

TOMES, Chairperson

Committee Vote: Yeas 8, Nays 0.

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