

2024 Regular Session

SENATE BILL NO. 212

BY SENATOR DUPLESSIS

MOTOR VEHICLES. Expands the types of identification that the office of motor vehicles may accept for the issuance of a driver's permit or license. (8/1/24)

1 AN ACT

2 To amend and reenact R.S. 32:409.1(A)(2)(d)(vi) and (A)(2)(d)(x)(ff), relative to the types
3 of identification that the office of motor vehicles may accept for the issuance of a
4 driver's license; to provide with respect to the requirement to produce a social
5 security number; to provide with respect to use of a passport for proof of residency;
6 and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1 R.S. 32:409.1(A)(2)(d)(vi) and (A)(2)(d)(x)(ff) are hereby amended and
9 reenacted to read as follows:

10 §409.1. Application or special certificate applications; penalties for false
11 information

12 A. * * *

13 (2) An applicant for a driver's license shall provide the following information:

14 * * *

15 (d) Identifying information including:

16 * * *

17 (vi) Social security number. Any alien individual residing in Louisiana who

1 does not possess and is ineligible to obtain a social security number shall not be
 2 required to furnish a social security number for issuance of a Class "E" driver's
 3 license. However, prior to the issuance of a Class "E" driver's license, in addition to
 4 ~~other required documentation, the department shall require the alien individual to~~
 5 ~~present a document demonstrating lawful presence in the United States in a status in~~
 6 ~~which the alien individual may be ineligible to obtain a social security number. The~~
 7 ~~list of acceptable documents demonstrating lawful presence shall be determined by~~
 8 ~~the department. The department shall maintain confidentiality of an applicant's social~~
 9 ~~security number. The department shall not deny any person a driver's license or a~~
 10 ~~renewal if that person has not obtained a government-issued social security number~~
 11 ~~based on Section 7 of Pub. L. 93-579 Section (a)(1).~~ **Before issuing a Class "E"**
 12 **driver's license, the office of motor vehicles shall require alien individuals to**
 13 **provide evidence, attested before a notary, of their intention to obtain lawful**
 14 **presence as soon as possible, including obtaining an Individual Taxpayer**
 15 **Identification Number (ITIN) if applicable. The office of motor vehicles must**
 16 **be notified once this status is achieved. Confidentiality of the applicant's social**
 17 **security number or ITIN will be maintained by the office of motor vehicles, and**
 18 **the absence of a government-issued social security number. The department**
 19 **shall not deny any person a driver's license or a renewal if that person has not**
 20 **obtained a government-issued social security number.**

21 * * *

22 (x) One primary and two secondary documents of identification or two
 23 primary documents of identification from a list of acceptable documents determined
 24 by the department. However, such documentation shall include at least one of the
 25 following:

26 * * *

27 (ff) ~~Passport. Foreign passports must be appropriately stamped and~~
 28 ~~accompanied by proper immigration documents that permit the applicant to maintain~~
 29 ~~a legal presence in the United States for at least one hundred eighty calendar days;~~

1 except, however, such passports and immigration documents of applications who are
2 employed in the agricultural industry must permit the applicant to maintain a legal
3 presence in the United States for at least sixty calendar days, and such passports and
4 immigration documents of applicants who are attempting to renew a driver's license
5 must permit the applicant to maintain a legal presence in the United States for at least
6 thirty calendar days. **Foreign passports, consular identification cards, and border**
7 **patrol identification letters shall be considered valid forms of identification for**
8 **driver's license issuance purposes. Additionally, all foreign documents in**
9 **language other than English, presented must be translated, interpreted, and**
10 **notarized to comply with office of motor vehicles standards. The office of motor**
11 **vehicles shall not disclose records or information to an entity that primarily**
12 **enforces immigration laws, unless they are presented with a lawful court order**
13 **or judicial warrant signed by a Federal Judge, in accordance with the Privacy**
14 **Act of 1974.**

* * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Archana D. Cadge.

SB 212 Original

DIGEST
2024 Regular Session

Duplessis

Present law provides for requirement for applying for a driver's license.

Proposed law retains present law, and removes requirements for proper immigration documents.

(Amends R.S. 32:409.1(A)(2)(d)(vi) and (A)(2)(d)(x)(ff))