

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 861 Session of
2025

INTRODUCED BY FLYNN, STREET, KANE, COSTA AND MILLER,
JUNE 18, 2025

REFERRED TO TRANSPORTATION, JUNE 18, 2025

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; and, in licensing of drivers, further providing
4 for issuance and content of driver's license and for carrying
5 and exhibiting driver's license on demand.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The definition of "driver's license" in section
9 102 of Title 75 of the Pennsylvania Consolidated Statutes is
10 amended and the section is amended by adding definitions to
11 read:

12 § 102. Definitions.

13 Subject to additional definitions contained in subsequent
14 provisions of this title which are applicable to specific
15 provisions of this title, the following words and phrases when
16 used in this title shall have, unless the context clearly
17 indicates otherwise, the meanings given to them in this section:

18 * * *

19 "Data field." A discrete piece of information that is

1 printed or otherwise appears on a product.

2 * * *

3 "Driver's license." A license or permit, including a
4 physical driver's license or electronic driver's license, issued
5 by the department under this title to drive a motor vehicle
6 [issued under this title].

7 * * *

8 "Electronic driver's license." An electronic representation
9 of a physical driver's license or identification card that is
10 viewable on an electronic product system. An electronic driver's
11 license shall be considered the same as a physical driver's
12 license issued by the department, except as follows:

13 (1) Under section 1511 (relating to carrying and
14 exhibiting driver's license on demand).

15 (2) Under the act of June 3, 1937 (P.L.1333, No.320),
16 known as the Pennsylvania Election Code.

17 "Electronic identification card." An electronic
18 representation of a physical identification card that is
19 viewable on an electronic product system.

20 "Electronic product." An electronic representation of a
21 physical driver's license or identification card that is in
22 compliance with the ISO/IEC 18013-5 standard, as published on
23 the effective date of this definition, and any other driver's
24 license implementation standards approved by the department and
25 published in the Pennsylvania Bulletin, and that is viewable on
26 an electronic product system.

27 "Electronic product device." A computer, tablet, smart phone
28 or other electronic personal device used by an electronic
29 product holder to access or display an electronic product or
30 electronic proof of financial responsibility.

1 "Electronic product system." The processes, equipment,
2 programming and hardware that:

3 (1) is used to issue electronic products and to
4 administer the use of issued electronic products, including
5 verification of the information contained in a product using
6 a verification system and displaying a product holder's
7 profile; and

8 (2) is designed to comply with the most recently
9 applicable standards of the American Association of Motor
10 Vehicle Administrators and International Organization for
11 Standardization for electronic products and electronic
12 product systems.

13 * * *

14 "Full profile." All the data included on a physical driver's
15 license or identification card regarding the holder of the
16 product.

17 * * *

18 "Identification card." A physical identification card or
19 electronic identification card issued by the department under
20 this title that identifies the individual to whom the card was
21 issued.

22 * * *

23 "ISO/IEC 18013-5 standard." The interface specifications for
24 the implementation of a driving license in association with a
25 mobile device published by the International Organization for
26 Standardization.

27 * * *

28 "Limited profile." An electronic representation created by
29 the department containing less than all of the data fields
30 printed or otherwise displayed on an individual's product.

* * *

"Physical driver's license." A product issued under this title in a physical format, such as paper or plastic, that identifies the individual to whom the card was issued.

"Physical identification card." A product issued under this title in a physical format, such as paper or plastic, that identifies the individual to whom the card was issued.

* * *

"Product." A driver's license or an identification card issued under this title.

"Product holder." An individual to whom a product has been issued.

* * *

"Third-party electronic product system." An electronic product system that is not maintained by the department or an agent acting on behalf of the department. The term includes, without limitation, an electronic wallet.

* * *

"Verification process." A method of authenticating an electronic product through the use of secure encrypted communication.

"Verifier." A person that seeks to confirm information about an electronic product holder via the department's verification process and the electronic product's data fields. The term does not include an employee of a criminal justice agency as defined in 18 Pa.C.S. § 9102 (relating to definitions) while in the performance of the employee's duties.

* * *

Section 2. Section 1510 of Title 75 is amended by adding subsections to read:

1 § 1510. Issuance and content of driver's license.

2 * * *

3 (k) Electronic products.--The department may issue an
4 electronic product to an individual that holds a physical
5 driver's license issued under this title. The department may
6 create an electronic product system that a licensee may access
7 via an electronic device, including, but not limited to, a smart
8 phone or tablet, to display the licensee's electronic driver's
9 license on the device.

10 (l) Electronic identification card.--The department may
11 issue an electronic identification card to an individual that
12 holds a physical identification card issued under this title.
13 The department may create an electronic product system that an
14 identification card holder may access via an electronic device,
15 including, but not limited to, a smart phone or tablet, to
16 display the electronic identification card on the device.

17 (m) Regulations regarding electronic driver's licenses and
18 electronic identification cards.--The department shall
19 promulgate regulations as necessary to issue and verify
20 electronic products issued by the department under this title or
21 by other government entities.

22 (n) Electronic products.--

23 (1) The department may issue only one electronic product
24 to an individual. The data fields in the electronic product
25 shall match the data fields held by the department for the
26 product holder at the time the electronic product is issued.

27 (2) Changes and updates to data fields held by the
28 department shall be reflected in the data fields in the
29 electronic product. The department shall update the data
30 fields of electronic products when the department updates the

1 records of holders of electronic products, but not later than
2 30 days of updating the records. An electronic product device
3 shall permit the update of the data fields of the electronic
4 product with the department periodically to determine the
5 operating system and application compliance and to update the
6 data fields on the electronic product.

7 (3) The department shall include an attribute on a
8 driver's record indicating the presence of a physical,
9 cognitive or communication impairment, if applicable. The
10 department shall establish a procedure by which a driver may
11 request the inclusion of the designation on the driver's
12 official driving record.

13 (o) Third-party electronic product systems.--The department
14 may issue electronic products through an electronic product
15 system owned, operated or controlled by a third party. Prior to
16 issuing electronic products through a third-party electronic
17 product system, the department must enter into an agreement with
18 the third party to protect the confidentiality of the
19 information contained in records held by the department or the
20 data fields of electronic credentials as required by this title.

21 (p) Electronic driver's license and electronic
22 identification card verification process.--

23 (1) The department shall develop a verification process
24 that operates when the department issues electronic products.

25 (2) An individual who is issued an electronic product
26 may give consent to a verifier to verify information about
27 the product holder via the department's verification process.

28 (3) The product holder shall determine which data fields
29 are available to the verifier via the product holder's
30 electronic product device. The product holder may make either

1 a full profile, a limited profile or no data fields available
2 to the verifier.

3 (4) If there is a discrepancy between the information on
4 an individual's physical driver's license or physical
5 identification card and the information in a verification
6 from the department via the verification process, the
7 information from the verification process shall be considered
8 the accurate and current information.

9 (5) The department may enter into agreements with other
10 government entities that issue electronic credentials to
11 allow for verification of those credentials through the
12 department's verification process. The department may enter
13 into agreements with other government entities and
14 jurisdictions that operate a similar verification process for
15 the purpose of verifying electronic products issued under
16 this title.

17 (g) Privacy and tracking.--A verifier may only retain
18 electronic product data elements for which the verifier
19 explicitly obtained consent from the electronic product holder.
20 A verifier must inform the electronic product holder of the use
21 and retention period of the electronic data elements.

22 (r) Reports to General Assembly.--Reports to the General
23 Assembly shall be in accordance with the following:

24 (1) Within 120 days of the effective date of this
25 section, the department shall present an initial report to
26 the individuals listed under paragraph (3) providing details
27 on estimated costs associated with the implementation and
28 maintenance of electronic driver's licenses and electronic
29 identification cards. The report shall also include all
30 estimated initial and recurring costs to establish and

1 maintain a process that allows individuals to apply for an
2 electronic driver's license or electronic identification
3 card.

4 (2) Except for the year the initial report is presented,
5 the department shall submit an annual report to the
6 individuals listed under paragraph (3) no later than July 1
7 of each year, providing details on costs incurred by the
8 department under this section. At a minimum, the report shall
9 include:

10 (i) The cost to the department to issue electronic
11 driver's licenses and electronic identification cards.

12 (ii) The total number of electronic driver's
13 licenses and electronic identification cards applied for.

14 (iii) The total number of electronic driver's
15 licenses and electronic identification cards issued.

16 (3) The reports required under paragraphs (1) and (2)
17 shall be submitted to the following individuals:

18 (i) The President pro tempore of the Senate.

19 (ii) The Speaker of the House of Representatives.

20 (iii) The Majority Leader and Minority Leader of the
21 Senate.

22 (iv) The Majority Leader and Minority Leader of the
23 House of Representatives.

24 (v) The chairperson and minority chairperson of the
25 Transportation Committee of the Senate.

26 (vi) The chairperson and minority chairperson of the
27 Transportation Committee of the House of Representatives.

28 Section 3. Section 1511 of Title 75 is amended to read:

29 § 1511. Carrying and exhibiting driver's license on demand.

30 (a) General rule.--Every licensee shall possess a physical

1 driver's license issued to the licensee at all times when
2 driving a motor vehicle and shall exhibit [the] a physical
3 driver's license upon demand by a police officer, and when
4 requested by the police officer the licensee shall write the
5 licensee's name in the presence of the officer in order to
6 provide identity.

7 (b) Production to avoid penalty.--No person shall be
8 convicted of violating this section or section 1501(a) (relating
9 to drivers required to be licensed) if the person:

10 (1) produces at the headquarters of the police officer
11 who demanded to see the person's license, within 15 days of
12 the demand, a driver's license valid in this Commonwealth at
13 the time of the demand; or

14 (2) if a citation has been filed, produces at the office
15 of the issuing authority, within 15 days of the filing of the
16 citation, a driver's license valid in this Commonwealth on
17 the date of the citation.

18 (c) Surrender of electronic product device not required.--A
19 statute or regulation that requires an individual to surrender a
20 driver's license or identification card to law enforcement shall
21 not apply to an electronic product device. If an individual
22 chooses to surrender an electronic product device to a law
23 enforcement officer who inadvertently causes damage to the
24 electronic device, the law enforcement officer shall not be
25 liable for the damage to the electronic product device.

26 (d) Privacy of information on electronic product device.--

27 (1) If a licensee exhibits an electronic driver's
28 license upon demand by a police officer under this section,
29 the police officer may review only the full profile of the
30 product holder's electronic driver's license via the

1 electronic product device.

2 (2) If the police officer inadvertently reviews
3 information on the electronic product device in addition to
4 the licensee's full profile, the inadvertently reviewed
5 information may not be used as evidence in a civil or
6 criminal trial.

7 (e) Immunity.--If a licensee or identification card holder
8 chooses to exhibit an electronic product or an electronic
9 product device under this title, the individual viewing the
10 electronic product in good faith for a purpose under this title
11 shall be immune from any civil or criminal liability that arises
12 from the licensee's choice, including, but not limited to:

13 (1) the inadvertent viewing of materials on the
14 electronic product device other than the electronic product;

15 (2) the inadvertent deletion of information from the
16 electronic product device;

17 (3) the inadvertent interception of a communication
18 while in possession of the electronic product device; or

19 (4) any breakage that may occur to the electronic
20 product device.

21 Section 4. This act shall take effect immediately.