

10 AN ACT concerning

20 **Vehicle Laws - Drivers' Licenses - Licensing Documentation**

30 FOR the purpose of requiring the Motor Vehicle Administration to require an applicant for a
40 driver's license to provide information regarding national origin or immigration status; clarifying
50 that an applicant may provide an original or certified copy of a birth certificate issued by the
60 United States, a United States territory, or a foreign government as proof of age or identity;
70 requiring the Administration to accept certain documents as proof of age and identity; requiring
80 the Administration to accept certain documents issued in a United States territory or a foreign
90 country under certain circumstances; providing that an individual may only use certain documents
100 prepared in a foreign country as proof of age or identity under certain circumstances; prohibiting a
110 person from using a false, fictitious, or fraudulently altered document in an application for a
120 driver's license; providing for a certain penalty; and generally relating to fraud and proof of age
130 and identity.

140 BY repealing and reenacting, with amendments,
150 Article - Transportation
160 Section 16-106 and 16-301(b)
170 Annotated Code of Maryland
180 (2002 Replacement Volume)

190 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, That the
200 Laws of Maryland read as follows:

210 **Article - Transportation**

220 § 16-106.

230 (a) Each application for a driver's license shall be made on the form that the Administration
240 requires.

250 (b) The application shall state:

260 (1) The full name, Maryland residence address, employer, race, sex, height, weight,
270 general physical condition, and date of birth of the applicant;

280 (2) Whether the applicant previously has been refused a license to drive and, if so:

290 (i) By what state or country; and

300 (ii) The date of and reason for the refusal;

310 (3) Whether the applicant previously has been licensed to drive and, if so:

320 (i) When and by what state or country; and

330 (ii) Whether the license ever has been suspended, revoked, or canceled and,
340 if so, the date of and reason for the suspension, revocation, or cancellation; ~~and~~

350 (4) SUBJECT TO THE PROVISIONS OF SUBSECTION (C) OF THIS SECTION,
360 THE APPLICANT'S SOCIAL SECURITY NUMBER; AND

370 (4) (5) Any other pertinent information that the Administration requires.

380 (C) IT SHALL BE UNLAWFUL FOR ANY PERSON TO OBTAIN A MARYLAND
390 DRIVERS LICENSE, VEHICLE REGISTRATION, CERTIFICATE OF TITLE, OR OTHER
400 DOCUMENT ISSUED BY THE DEPARTMENT IF SUCH A PERSON HAS NOT SATISFIED
410 ALL LEGAL AND PROCEDURAL REQUIREMENTS FOR THE ISSUANCE THEREOF, OR
420 IS OTHERWISE NOT LEGALLY ENTITLED THERETO.

430 (D) A VIOLATION OF ANY PROVISION IN THIS SECTION SHALL CONSTITUE A
440 CLASS 2 MISDEMANOR IF A PERSON IS CHARGED AND CONVICTED OF A
450 VIOLATION OF THIS SECTION.

460 (E) THE ADMINISTRATION WILL REQUIRE AN APPLICANT TO PROVIDE AS
470 PROOF OF AGE, IDENTITY, OR MARYLAND RESIDENCE INFORMATION REGARDING
480 THE APPLICANT'S NATIONAL ORIGIN OR IMMIGRATION STATUS.

490 (F) (1) SUBSECTION (B)(4) OF THIS SECTION APPLIES ONLY TO AN
500 APPLICANT WHO HAS A SOCIAL SECURITY NUMBER.

510 (2) IF AN APPLICANT DOES NOT HAVE A SOCIAL SECURITY NUMBER, THE
520 APPLICANT SHALL CERTIFY IN THE APPLICATION THAT THE APPLICANT
530 DOES NOT HAVE A SOCIAL SECURITY NUMBER.

540 (6) (G) The applicant shall sign the application and certify that the statements made in
550 it are true.

560 (4) (H) (1) Except as otherwise provided in this subsection, an applicant for an
570 original license shall submit with the application a birth certificate or other:

580 (i) Proof of age and identity that is satisfactory to the
590 Administration.

600 (2) THE ADMINISTRATION SHALL ACCEPT THE FOLLOWING
610 DOCUMENTS AS PROOF OF AGE OR IDENTITY:

620 (I) A SOCIAL SECURITY CARD OR LETTER FROM THE
630 INTERNAL REVENUE SERVICE STATING THAT AN
640 INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER HAS
650 BEEN ISSUED TO THE APPLICANT;

660 (II) A CURRENT OR EXPIRED PASSPORT ISSUED BY THE
670 UNITED STATES, A TERRITORY OF THE UNITED STATES, OR
680 A FOREIGN GOVERNMENT;

690 (III) A VALID MILITARY IDENTIFICATION CARD ISSUED
700 BY THE UNITED STATES, A TERRITORY OF THE UNITED
710 STATES, OR A FOREIGN GOVERNMENT;

720 (IV) A CERTIFICATE OF NAMING ISSUED BY A RELIGIOUS
730 INSTITUTION DURING THE FIRST YEAR OF THE APPLICANT'S
740 LIFE;

750 (V) A NATIONAL IDENTIFICATION CARD ISSUED BY A
760 FOREIGN GOVERNMENT; AND

770 (VI) A CONSULAR IDENTIFICATION CARD ISSUED BY A

780

FOREIGN GOVERNMENT.

790 § 16-301.

800 (b) A person may not in any application for a driver's license:

810 (1) Use a false or fictitious name;

820 (2) Knowingly make a false statement;

830 (3) Knowingly conceal a material fact; ~~or~~

840 (4) USE A FALSE, FICTITIOUS, OR FRAUDULENTLY ALTERED
850 DOCUMENT; OR

860 (5) Otherwise commit a fraud.

870 SECTION 2. AND BE IT FURTHER ENACTED, That this act will take effect June 1, 2003.

880 MANDATES: Governor Robert Ehrlich
890 Lt. Governor Michael Steele
900 President of the Senate Mike V. Miller
910 Speaker of the House Mike Busch

Sponsor:

Danielle Sartwell
Secretary of State
Frostburg State University
4603 Landgreen St
Rockville, MD 20853
301-871-1976
nightlark11@aol.com