

HB 587-FN - AS INTRODUCED

2021 SESSION

21-0725

11/06

HOUSE BILL

587-FN

AN ACT relative to indicating citizenship or legal residency on drivers' licenses and nondrivers' identification cards.

SPONSORS: Rep. Gay, Rock. 8; Rep. Cushman, Hills. 2; Rep. Elliott, Rock. 8; Rep. Sweeney, Rock. 8; Rep. Prudhomme-O'Brien, Rock. 6; Rep. Doucette, Rock. 8; Rep. Pitre, Straf. 2; Rep. Hayward, Straf. 1; Rep. Cordelli, Carr. 4

COMMITTEE: Transportation

ANALYSIS

This bill requires that drivers' licenses and nondrivers' identification cards indicate whether or not the holder is a citizen of the United States of America.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to indicating citizenship or legal residency on drivers' licenses and nondrivers' identification cards.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Identification Cards; Citizenship. Amend the introductory paragraph of RSA 260:21, II to
2 read as follows:

3 II. The department shall, before issuing a card to an applicant, require the applicant to
4 furnish proof of his or her name, age, **citizenship**, and residence. The department shall accept the
5 following forms of proof unless there is evidence that the item is not genuine:

6 2 Identification Cards; Citizenship. Amend RSA 260:21, III to read as follows:

7 III. The identification card shall bear the name, address, date of birth, blood type (optional),
8 gender indicated as "M" for "male," "F" for "female," or "X" for "other," veteran's status for the
9 purposes of identification for receiving benefits and services under New Hampshire law (optional),
10 picture, **an approved security marking indicating citizenship or legal residency**, and
11 signature of the applicant~~[-and in the case of a card issued pursuant to RSA 260:21, I(c), said card
12 shall bear the notation "Golden Granite State Discount Card."].~~ The identification card shall bear an
13 approved security marking indicating that it was not issued in compliance with Public Law 109-13
14 and is therefore not acceptable for federal identification purposes.

15 3 Identification Cards; Citizenship. Amend RSA 260:21-a, II to read as follows:

16 II. The identification card shall bear the name, address, date of birth, gender indicated as
17 "M" for "male," "F" for "female," or "X" for "other," veteran's status for the purposes of identification
18 for receiving benefits and services under New Hampshire law (optional), organ donor status
19 (optional), picture, **an approved security marking indicating citizenship or legal residency**,
20 and signature of the applicant.

21 4 Identification Cards; Citizenship. Amend RSA 260:21-b, II to read as follows:

22 II. The identification card shall bear the name, address, date of birth, gender indicated as
23 "M" for "male," "F" for "female," or "X" for "other," veteran's status for the purposes of identification
24 for receiving benefits and services under New Hampshire law (optional), organ donor status
25 (optional), picture, **an approved security marking indicating citizenship or legal residency**,
26 and signature of the applicant.

27 5 New Section; Issuance of Drivers' Licenses; Evidence of Citizenship. Amend RSA 263 by
28 inserting after section 5-f the following new section:

29 263:5-g Evidence of Citizenship. Before the department issues any license to any person under
30 this chapter, the department shall have examined evidence of the person's citizenship. The

department shall keep a record of the type of evidence on which it relied but shall not keep on file a copy of such evidence or any information contained therein other than the information required under RSA 260:21, II.

6 Drivers' Licenses; Form of License. Amend RSA 263:40 to read as follows:

263:40 Form of License.

I. The commissioner shall, upon payment of the required fee, issue to every applicant a driver's license subject to such conditions as the commissioner may deem expedient and in such form as the commissioner may prescribe. Licenses issued to persons under the age of 21 shall be designed so that their horizontal and vertical axes are opposite the horizontal and vertical axes of licenses issued to other persons, and said licenses shall prominently display the date on which the licensee shall attain the age of 21 years. Consistent with RSA 263:14, the youth operator license shall expire on the 21st anniversary of the applicant's date of birth, at which time the applicant shall be issued a traditional license. The license shall bear thereon a distinguishing number assigned to the licensee, **and approved security marking indicating citizenship or legal residency**, and ~~[an instant]~~ a full-face photograph~~[- image, or likeness of the licensee]~~. There shall also be provided a space wherein the licensee may indicate his or her honorable veteran's status for purposes of identification for receiving benefits and services under New Hampshire law if the licensee so desires. The license shall bear a special designation or symbol indicating honorable veteran's status for licensees who indicate such veteran status. The driver's license card shall bear an approved security marking indicating that it was not issued in compliance with Public Law 109-13 and is therefore not acceptable for federal identification purposes.

II. **Compliant "Real ID"** drivers' licenses compliant with Public Law 109-13 issued pursuant to RSA 263:14-b shall bear the name, address, date of birth, gender indicated as "M" for "male," "F" for "female," or "X" for "other," veteran's status for the purposes of identification for receiving benefits and services under New Hampshire law (optional), organ donor status (optional), picture, **an approved security marking indicating citizenship or legal residency**, and signature of the applicant. The driver's license card shall bear an approved security marking indicating that it was issued in compliance with Public Law 109-13 and is therefore acceptable for federal identification purposes.

III. Enhanced drivers' licenses issued pursuant to RSA 263:14-c shall bear the name, address, date of birth, gender indicated as "M" for "male," "F" for "female," or "X" for "other," veteran's status for the purposes of identification for receiving benefits and services under New Hampshire law (optional), organ donor status (optional), picture, **an approved security marking indicating citizenship or legal residency**, and signature of the applicant. The driver's license card shall bear an approved security marking indicating that it is an enhanced driver's license.

7 Commercial Driver License; Information Included. Amend RSA 263:91, I(i)-(j) to read as follows:

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1 (i) The name of this state; [~~and~~]

2 (j) The expiration date[-.]; ***and***

3 ***(k) An approved security marking indicating citizenship or legal residency.***

4 8 Effective Date. This act shall take effect 60 days after its passage.

HB 587-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to indicating citizenship or legal residency on drivers' licenses and nondrivers' identification cards.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$52,000	\$0	\$0
Funding Source:	<input type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Restricted - Cost of Collections/Administration*			

*Pursuant to Part II, article 6-a of the New Hampshire constitution, any costs associated with the collection and administration of Highway Funds by the Department of Safety shall be deducted by the Department before such funds are credited to the Highway Fund as unrestricted revenue.

METHODOLOGY:

This bill requires the addition of an approved security marking indicating citizenship or legal residency to driver's license and non-driver identification cards. This bill also removes the requirement to notate "Golden Granite State Discount Card" on identification cards issued to a person who is over 65 years of age. It is assumed the proposed change would be effective at the time of renewal for a driver license or non-driver identification card. Full compliance with the proposed changes would be accomplished at the end of the 5-year renewal cycle. The Department of Safety estimates one-time state expenditures of approximately \$52,000, likely to be incurred in FY 2022, relative to updating the VISION software system (\$20,000) and making necessary changes to the identification card system (\$32,000).

AGENCIES CONTACTED:

Department of Safety