

HB 1463 - AS INTRODUCED

2022 SESSION

22-2476

11/08

HOUSE BILL **1463**

AN ACT relative to drivers' licenses issued in accordance with the Real ID Act of 2005.

SPONSORS: Rep. Sykes, Graf. 13; Rep. Berch, Ches. 1; Rep. Telerski, Hills. 35; Sen. Watters,
Dist 4

COMMITTEE: Transportation

ANALYSIS

This bill modifies the requirements needed to obtain a driver's license that complies with the REAL ID Act of 2005, Public Law 109-13.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to drivers' licenses issued in accordance with the Real ID Act of 2005.

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

1 1 Driver's Licenses; REAL ID Act Compliant. Amend RSA 263:14-b, IV to read as follows:

2 IV. Provides documents required to demonstrate identity[~~United States citizenship, social~~
3 ~~security number, and New Hampshire residency.~~] ***and to demonstrate that the applicant is a***
4 ***United States citizens, United States national, or has lawful status as set forth in the REAL***
5 ***ID Act of 2005, Public Law 109-13. Driver's licenses issued pursuant to this section shall***
6 ***include the following driver information on each license:***

7 (a) *The person's full legal name.*

8 (b) *The person's date of birth.*

9 (c) *The person's gender.*

10 (d) *The person's driver's license or identification card number.*

11 (e) *A digital photograph of the person.*

12 (f) *The person's address of principle residence.*

13 (g) *The person's signature.*

14 (h) *Physical security features designed to prevent tampering, counterfeiting, or*
15 ***duplication of the document for fraudulent purposes.***

16 (i) *A common machine-readable technology with defined minimum data*
17 ***elements.***

18 V. *Minimum Issuance Standards.*

19 (a) *To meet the requirements of this section, the director shall require, at a*
20 ***minimum, presentation and verification of the following information before issuing a***
21 ***driver's license or identification card to a person:***

22 (1) *A photo identity document, except that a non-photo identity document*
23 ***shall be acceptable if it includes the person's full name and the person's date of birth.***

24 (2) *Documentation showing the person's date of birth.*

25 (3) *Proof of the person's social security account number, or verification that*
26 ***the person is not eligible for a social security account number.***

27 (4) *Documentation showing the person's name and address of principle*
28 ***residence.***

29 (b) *Prior to issuing a driver's license or identification card to a person, the*
30 ***director shall require valid documentary evidence demonstrating that the person:***

31 (1) *Is a citizen of the United States;*

1 (2) *Is an alien lawfully admitted for permanent or temporary residence in*
2 *the United States;*

3 (3) *Has conditional permanent resident status in the United States;*

4 (4) *Has an approved application for asylum in the United States or has*
5 *entered the United States in refugee status;*

6 (5) *Has a valid, unexpired nonimmigrant visa or nonimmigrant visa status*
7 *for entry into the United States;*

8 (6) *Has a pending application for asylum in the United States;*

9 (7) *Has a pending or approved application for temporary protected status in*
10 *the United States;*

11 (8) *Has approved deferred action status; or*

12 (9) *Has an I-797 Form showing pending application for adjustment of status*
13 *(USCIS Form I-485) to that of an alien lawfully admitted for permanent residence in the*
14 *United States or conditional permanent resident status in the United States.*

15 (c)(1) *If a person presents evidence of their status pursuant to subparagraphs*
16 *(b)(5)-(9), the director may only issue a temporary driver's license or temporary picture*
17 *identification card to the person.*

18 (2) *A temporary driver's license or picture identification card issued*
19 *pursuant to this subparagraph shall be valid only during the period of time the applicant*
20 *is authorized to stay in the United States or, if there is no definite end to the period of*
21 *authorized stay, for a period of one year.*

22 (3) *A temporary driver's license or picture identification card issued*
23 *pursuant to this subparagraph shall clearly indicate that it is temporary and shall state*
24 *the date on which it expires.*

25 (4) *A temporary driver's license or picture identification card issued*
26 *pursuant to this subparagraph may be renewed only upon presentation of valid*
27 *documentary evidence that the status by which an applicant qualified for the temporary*
28 *driver's license or picture identification card has been extended by the Secretary of the*
29 *Department of Homeland Security.*

30 2 Effective Date. This act shall take effect 30 days after its passage.