

CHAPTER 205
HB 669-FN - FINAL VERSION

05/15/2019 1853s

2019 SESSION

19-0763
11/03

HOUSE BILL ***669-FN***

AN ACT relative to gender identity information included on drivers' licenses and nondrivers' identification cards.

SPONSORS: Rep. Cannon, Straf. 18; Rep. Cushing, Rock. 21; Rep. Bunker, Rock. 18; Rep. Le, Rock. 31; Rep. Frost, Straf. 16; Rep. Muscatel, Graf. 12; Sen. Watters, Dist 4

COMMITTEE: Transportation

ANALYSIS

This bill allows applicants for drivers' licenses, commercial drivers' licenses, and nondrivers' identification cards to indicate their gender as male, female, or other, and also requires such indication to be placed on any identification card issued by the division of motor vehicles.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to gender identity information included on drivers' licenses and nondrivers' identification cards.

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

1 205:1 Motor Vehicles; Administration of Motor Vehicle Laws; Powers and Duties; Identification
2 Cards. Amend RSA 260:21, III to read as follows:

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

10 205:2 Motor Vehicles; Administration of Motor Vehicle Laws; Powers and Duties; Public Law
11 109-13 Compliant Identification Card. Amend RSA 260:21-a, II to read as follows:

12 II. The identification card shall bear the name, address, date of birth, ***gender indicated as***
13 ***"M" for "male," "F" for "female," or "X" for "other,"*** veteran's status for the purposes of
14 identification for receiving benefits and services under New Hampshire law (optional), organ donor
15 status (optional), picture, and signature of the applicant.

16 205:3 Motor Vehicles; Administration of Motor Vehicle Laws; Powers and Duties; Enhanced
17 Identification Card. Amend RSA 260:21-b, II to read as follows:

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

22 205:4 Motor Vehicles; Drivers' Licenses; Issuance of Licenses; Application for License. Amend
23 RSA 263:5 to read as follows:

24 263:5 Application for License.

25 ***I.*** An application for a driver's license may be made by mail or otherwise to the department
26 on a blank prepared under the director's authority. The proper fee shall be deposited before the
27 application is granted.

28 ***II. The application for a driver's license shall include the following:***

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1 (a) *The full name and current mailing and residential address of the license*
2 *applicant;*

3 (b) *A physical description of the applicant, including gender indicated by*
4 *checking either "M" for "male," "F" for "female," or "X" for "other," height, weight, eye and*
5 *hair color;*

6 (c) *Date of birth;*

7 (d) *Applicant's social security number, if required pursuant to RSA 263:40-a;*

8 (e) *Applicant's signature;*

9 (f) *Certifications of driver qualification;*

10 (g) *Any other information required by the department.*

11 205:5 Motor Vehicles; Drivers' Licenses; Form of License. Amend RSA 263:40, II and III to read
12 as follows:

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

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

26 205:6 Motor Vehicles; Drivers' Licenses; Commercial Licensing; Application for License. Amend
27 RSA 263:90, I(b) to read as follows:

28 (b) A physical description of the applicant, including ~~[sex]~~ ***gender indicated by***
29 ***checking either "M" for "male," "F" for "female," or "X" for other,"*** height, weight, eye and hair
30 color;

31 205:7 Motor Vehicles; Drivers' Licenses; Commercial Licensing; Commercial Driver License.
32 Amend RSA 263:91, I(c) to read as follows:

33 (c) A physical description of the licensee including ~~[sex]~~ ***gender indicated as "M" for***
34 ***"male," "F" for "female," or "X" for "other,"*** height, weight, eye, and hair color;

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37 205:8 Effective Date. This act shall take effect January 1, 2020.

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Approved: Enacted in accordance with Part II, Article 44, of N.H. Constitution, without signature of the governor, July 11, 2019
Effective Date: January 01, 2020