

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 17-0606.01 Jery Payne x2157

HOUSE BILL 17-1206

HOUSE SPONSORSHIP

Singer,

SENATE SPONSORSHIP

Moreno,

House Committees

Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ISSUANCE OF IDENTIFICATION DOCUMENTS UNDER**
102 **THE "COLORADO ROAD AND COMMUNITY SAFETY ACT".**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Currently, a person who is not lawfully present in the United States may obtain a driver's license or identification card if certain requirements are met. One of the requirements is that the person present a taxpayer identification card. The bill allows a social security number to also meet this requirement.

The bill also allows the license or identification card to be reissued

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

or renewed in accordance with the process used for other licenses and identification cards.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-505, **amend** (1)
3 introductory portion and (1)(c) as follows:

4 **42-2-505. Identification documents - individuals not lawfully**
5 **present. (1) Documents issued.** An individual who is not lawfully
6 present IN THE UNITED STATES may apply for an identification document
7 in accordance with this part 5. The department shall issue an
8 identification document to an applicant who:

9 (c) (I) Documents an individual taxpayer identification number
10 issued by the United States internal revenue service; ~~and~~ OR

11 (II) DOCUMENTS A SOCIAL SECURITY NUMBER ISSUED BY THE
12 UNITED STATES SOCIAL SECURITY ADMINISTRATION, WHICH
13 DOCUMENTATION MAY INCLUDE A SOCIAL SECURITY CARD OR ANY OTHER
14 DOCUMENTATION ACCEPTABLE TO THE DEPARTMENT AS PROVIDED BY
15 RULE IF THE FEDERAL GOVERNMENT CONFIRMS THE INDIVIDUAL'S SOCIAL
16 SECURITY NUMBER, INCLUDING ELECTRONIC CONFIRMATION THROUGH THE
17 SOCIAL SECURITY ONLINE VERIFICATION SYSTEM COMMONLY KNOW AS
18 SSOLV; AND

19 **SECTION 2.** In Colorado Revised Statutes, **amend** 42-2-509 as
20 follows:

21 **42-2-509. Renewal - duplicate - replacement - rule.**
22 (1) **Renewal.** An identification document issued under this part 5 expires
23 three years after issuance. The holder of the document must apply for
24 renewal IN ACCORDANCE WITH SECTION 42-2-118 OR 42-2-304 to continue
25 to hold a valid identification document. TO RENEW THE IDENTIFICATION

1 DOCUMENT ISSUED TO A PERSON WHO IS NOT LAWFULLY PRESENT, THE
2 HOLDER MUST PRESENT THE IDENTIFICATION DOCUMENT AND PROVIDE
3 EVIDENCE OF CURRENT COLORADO RESIDENCY AS DETERMINED BY THE
4 DEPARTMENT BY RULE.

5 (2) **Duplicate permits and minor licenses - replacement**
6 **licenses.** IF AN IDENTIFICATION DOCUMENT ISSUED UNDER THIS PART 5 IS
7 LOST, STOLEN, OR DESTROYED, THE PERSON TO WHOM IT WAS ISSUED MAY
8 OBTAIN A DUPLICATE OR REPLACEMENT IN ACCORDANCE WITH SECTION
9 42-2-117 OR 42-2-305.

10 **SECTION 3.** In Colorado Revised Statutes, 42-2-117, **amend**
11 (1.5) as follows:

12 **42-2-117. Duplicate permits and minor licenses - replacement**
13 **licenses.** (1.5) Upon furnishing satisfactory proof to the department that
14 a driver's license issued under ~~the provisions of this article~~ ARTICLE 2 has
15 been lost, stolen, or destroyed, the person to whom ~~the same~~ IT was issued
16 ~~shall~~ MAY apply for renewal of the license pursuant to section 42-2-118.
17 The new driver's license ~~shall expire~~ EXPIRES as provided in section
18 42-2-114 OR 42-2-509 (1).

19 **SECTION 4.** In Colorado Revised Statutes, 42-2-118, **amend**
20 (1)(a)(I), (1)(b)(I), (1.3)(a) introductory portion, (1.3)(a)(II), (1.5)(a)
21 introductory portion, and (1.5)(a)(II) as follows:

22 **42-2-118. Renewal of license in person or by mail - donations**
23 **to Emily Maureen Ellen Keyes organ and tissue donation awareness**
24 **fund - repeal.** (1) (a) (I) Every license issued under section 42-2-114
25 ~~shall be~~ OR 42-2-505 IS renewable prior to its expiration, upon application
26 in person, by mail as provided in subsection (1.3) of this section, or by
27 electronic means as provided in subsection (1.5) of this section; payment

1 of the required fee; passing of an eye test; passing of such other
2 examinations as the applicant's physical limitations or driver's record
3 indicates to be desirable; and payment of any penalty assessment, fine,
4 cost, or forfeiture as prescribed by subsection (3) of this section. If a
5 person renews his or her license pursuant to this ~~subparagraph (f)~~
6 SUBSECTION (1)(a)(I) by electronic means, the person ~~shall~~ MUST attest
7 under penalty of perjury that he or she has had an eye examination by ~~any~~
8 AN optometrist or an ophthalmologist within three years before the date
9 of application.

10 (b) (I) Any license referred to in section 42-2-114 OR 42-2-505
11 that, at the time of its expiration, is held by a resident of this state who is
12 temporarily outside of this state or is prevented by disability from
13 complying with ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF
14 THIS SECTION may be extended for a period of one year if the licensee
15 applies to the department for an extension of the expiration date ~~prior to~~
16 BEFORE the date the license expires and pays a fee set by the department
17 in accordance with section 42-2-114.5 (2). The department shall transfer
18 the fee to the state treasurer, who shall credit it to the licensing services
19 cash fund created in section 42-2-114.5 (1). ~~This~~ AN extension UNDER
20 THIS SUBSECTION (1)(b)(I) becomes null and void ninety days after the
21 licensee renews his or her residency in the state or otherwise becomes
22 able to comply with the provisions of ~~paragraph (a) of this subsection (1)~~
23 SUBSECTION (1)(a) OF THIS SECTION. The department shall NOT grant ~~no~~
24 more than one extension under this ~~paragraph (b)~~ SUBSECTION (1)(b)
25 unless a resident of this state is temporarily residing in a foreign country,
26 in which case the department may grant no more than two extensions.

27 (1.3) (a) The department may, in its discretion, allow renewal of

1 a driver's license issued under section 42-2-114 OR 42-2-505 by mail
2 subject to the following requirements:

3 (II) Renewal by mail shall only be available every other driver's
4 license renewal period as provided in section 42-2-114 (2)(a) and (3) OR
5 42-2-509 (1);

6 (1.5) (a) The department may, in its discretion, allow renewal of
7 a driver's license issued under section 42-2-114 OR 42-2-505 by electronic
8 means subject to the following requirements:

9 (II) A person may renew a driver's license electronically only for
10 two consecutive driver's license renewal periods as provided in section
11 42-2-114 (2)(a) and (3) OR 42-2-509 (1);

12 **SECTION 5.** In Colorado Revised Statutes, 42-2-304, **amend**
13 (1.5)(b), (1.7)(a) introductory portion, (1.8)(a) introductory portion, and
14 (1.9)(a) introductory portion as follows:

15 **42-2-304. Validity of identification card - rules.** (1.5) (b) The
16 department ~~may~~ SHALL not renew an identification card for a person if the
17 person would not be eligible for an identification card pursuant to section
18 42-2-302 (2)(b) or (2)(c) OR 42-2-505.

19 (1.7) (a) If allowed under federal law, the department shall allow
20 renewal of an identification card issued under section 42-2-302 OR
21 42-2-505 by mail subject to the following requirements:

22 (1.8) (a) The department shall allow an applicant to renew an
23 identification card issued under section 42-2-302 OR 42-2-505 by
24 electronic means if the applicant:

25 (1.9) (a) The department may allow an applicant to renew an
26 identification card issued under section 42-2-302 OR 42-2-505 by
27 electronic means if the applicant:

1 **SECTION 6. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly (August
4 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part will not take effect
8 unless approved by the people at the general election to be held in
9 November 2018 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.