

## CHAPTER 227

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**MOTOR VEHICLES AND TRAFFIC REGULATION**

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**SENATE BILL 01-142**

BY SENATOR(S) McElhany, Cairns, Entz, Epps, Evans, Fitz-Gerald, Lamborn, May, Musgrave, Phillips, Reeves, Takis, Tate, Taylor, and Teck;  
also REPRESENTATIVE(S) Romanoff, Mace, and Weddig.

**AN ACT**

CONCERNING THE STANDARD OF EVIDENCE NECESSARY FOR CERTAIN APPLICANTS TO ESTABLISH THEIR SOCIAL SECURITY NUMBERS WITH THE DEPARTMENT OF REVENUE.

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

**SECTION 1.** 42-2-107 (3) (a), Colorado Revised Statutes, is amended, and the said 42-2-107 (3) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**42-2-107. Application for license or instruction permit - anatomical gifts - donations to organ and tissue donation awareness fund - legislative declaration - repeal.** (3) (a) Except as otherwise provided in paragraph (b) of this subsection (3), on and after October 1, 2000, an application for a driver's or minor driver's license shall include the applicant's social security number, WHICH SHALL REMAIN CONFIDENTIAL AND SHALL NOT BE PLACED ON THE APPLICANT'S DRIVER'S OR MINOR DRIVER'S LICENSE UNLESS SUCH APPLICANT HAS WAIVED SUCH CONFIDENTIALITY; EXCEPT THAT SUCH CONFIDENTIALITY SHALL NOT EXTEND TO THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, THE DEPARTMENT, OR A COURT OF COMPETENT JURISDICTION WHEN REQUESTING INFORMATION IN THE COURSE OF ACTIVITIES AUTHORIZED UNDER ARTICLE 13 OF TITLE 26, C.R.S., OR ARTICLE 14 OF TITLE 14, C.R.S. If the applicant does not have a social security number, the applicant shall submit a sworn statement, together with the application, stating that the applicant does not have a social security number. The license issued as a result of said application may, at the applicant's option, contain an identification number, which shall be the applicant's social security number.

(c) A SWORN STATEMENT THAT IS MADE UNDER PENALTY OF PERJURY SHALL BE SUFFICIENT EVIDENCE OF THE APPLICANT'S SOCIAL SECURITY NUMBER REQUIRED BY

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

THIS SUBSECTION (3) AND SHALL AUTHORIZE THE DEPARTMENT TO ISSUE A DRIVER'S OR MINOR DRIVER'S LICENSE TO THE APPLICANT. NOTHING IN THIS PARAGRAPH (c) SHALL BE CONSTRUED TO PREVENT THE DEPARTMENT FROM CANCELLING, DENYING, RECALLING, OR UPDATING A DRIVER'S OR MINOR DRIVER'S LICENSE IF THE DEPARTMENT LEARNS THAT THE APPLICANT HAS PROVIDED A FALSE SOCIAL SECURITY NUMBER.

**SECTION 2.** 42-2-302 (1) (a), Colorado Revised Statutes, is amended, and the said 42-2-302 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**42-2-302. Department may issue - limitations.** (1) (a) Any person, which for purposes of this part 3 means a resident of this state, may be issued an identification card by the department certified by the registrant and attested by the department as to true name, date of birth, current address, social security number, if any, and any other identifying data the department may require. Every application for an identification card shall be signed and verified by the applicant before a person authorized to administer oaths or by an employee of the department. THE APPLICANT'S SOCIAL SECURITY NUMBER SHALL REMAIN CONFIDENTIAL AND SHALL NOT BE PLACED ON THE APPLICANT'S DRIVER'S OR MINOR DRIVER'S LICENSE UNLESS SUCH APPLICANT HAS WAIVED SUCH CONFIDENTIALITY; EXCEPT THAT SUCH CONFIDENTIALITY SHALL NOT EXTEND TO THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, THE DEPARTMENT, OR A COURT OF COMPETENT JURISDICTION WHEN REQUESTING INFORMATION IN THE COURSE OF ACTIVITIES AUTHORIZED UNDER ARTICLE 13 OF TITLE 26, C.R.S., OR ARTICLE 14 OF TITLE 14, C.R.S.

(c) A SWORN STATEMENT THAT IS MADE UNDER PENALTY OF PERJURY SHALL BE SUFFICIENT EVIDENCE OF THE APPLICANT'S SOCIAL SECURITY NUMBER REQUIRED BY THIS SUBSECTION (1) AND SHALL AUTHORIZE THE DEPARTMENT TO ISSUE AN IDENTIFICATION CARD TO THE APPLICANT. NOTHING IN THIS PARAGRAPH (c) SHALL BE CONSTRUED TO PREVENT THE DEPARTMENT FROM CANCELLING, DENYING, RECALLING, OR UPDATING AN IDENTIFICATION CARD IF THE DEPARTMENT LEARNS THAT THE APPLICANT HAS PROVIDED A FALSE SOCIAL SECURITY NUMBER.

**SECTION 3. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 1, 2001