AN ACT

To repeal sections 32.300 and 302.181, RSMo, and to enact in lieu thereof two new sections relating to licenses granted by the department of revenue.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 32.300 and 302.181, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 32.300 and 302.181, to read as follows:

32.300. 1. In a county where personal property tax records are accessible via computer, and when proof of motor vehicle liability insurance, safety inspections and emission inspections where required are verifiable by computer, the department of revenue shall design and implement a motor vehicle license renewal system which may be used through the department's internet website connection or through a remote kiosk. [The online license renewal system shall be available no later than January 1, 2002.] The department of revenue shall also design and implement an online system allowing the filing and payment of Missouri state taxes through the department's internet website connection. The online tax filing and payment system shall be available for the payment of Missouri state taxes for tax years beginning on or after January 1, 2002.

2. The department of revenue is hereby authorized to design and implement a remote driver's license renewal system which may be used through the department's internet website connection or through self-service terminals available at one or more locations throughout the state. Any remote driver's license renewal system implemented by the department shall be compliant with the provisions of the federal REAL

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.
ID Act of 2005 (Public Law 108-13), as amended, the Commercial Motor
Vehicle Safety Act of 1986 (Title XII of Public Law 99-570), as amended,
the USA PATRIOT Act of 2001 (Title X of Public Law 107-56), as
amended, and corresponding regulations. A remote driver's license
renewal system shall be available no later than January 1, 2022.

3. Notwithstanding any provision of law to the contrary,
applicants who have applied in person and received a driver's or
nondriver's license in accordance with chapter 302 may apply for no
more than one consecutive three-year or six-year license renewal
remotely in accordance with this section. Remote application for
renewal shall be made within six months before or after the expiration
date of the license in accordance with section 302.173. Applicants for
remote driver's license renewal in accordance with this section shall
not be required to complete the vision test established under section
302.175, and shall not be required to take the highway sign recognition
test required under section 302.173, unless the department has
technology that may be used remotely for either or both purposes.

302.181. 1. The license issued pursuant to the provisions of sections
302.010 to 302.340 shall be in such form as the director shall prescribe, but the
license shall be a card made of plastic or other comparable material. All licenses
shall be manufactured of materials and processes that will prohibit, as nearly as
possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license
without ready detection. All licenses shall bear the licensee's Social Security
number, if the licensee has one, and if not, a notarized affidavit must be signed
by the licensee stating that the licensee does not possess a Social Security
number, or, if applicable, a certified statement must be submitted as provided in
subsection 4 of this section. The license shall also bear the expiration date of the
license, the classification of the license, the name, date of birth, residence address
including the county of residence or a code number corresponding to such county
established by the department, and brief description and colored photograph or
digitized image of the licensee, and a facsimile of the signature of the
licensee. The director shall provide by administrative rule the procedure and
format for a licensee to indicate on the back of the license together with the
designation for an anatomical gift as provided in section 194.240 the name and
address of the person designated pursuant to sections 404.800 to 404.865 as the
licensee's attorney in fact for the purposes of a durable power of attorney for
health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. For all licenses issued or renewed after March 1, 1992, the applicant’s Social Security number shall serve as the applicant’s license number. Where the licensee has no Social Security number, or where the licensee is issued a license without a Social Security number in accordance with subsection 4 of this section, the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a Social Security number.

2. All film involved in the production of photographs for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. The director of revenue shall issue a commercial or noncommercial driver's license without a Social Security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement that the applicant objects to the display of the Social Security number on the license. The director shall assign an identification number, that is not based on a Social Security number, to the applicant which shall be displayed on the license in lieu of the Social Security number.

5. The director of revenue shall not issue a license without a facial photograph or digital image of the license applicant, except as provided pursuant to subsection 8 of this section. A photograph or digital image of the applicant’s full facial features shall be taken in a manner prescribed by the director. No photograph or digital image will be taken wearing anything which cloaks the facial features of the individual.

6. The department of revenue may issue a temporary license or a full license without the photograph or with the last photograph or digital image in the department's records to members of the Armed Forces, except that where such temporary license is issued it shall be valid only until the applicant shall have
had time to appear and have his or her picture taken and a license with his or her photograph issued.

7. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information and photograph or digital image, except as provided pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's license card. Notwithstanding any other provision of this chapter, a nondriver's license containing a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to section 571.101, as section 571.101 existed prior to August 28, 2013. The fee for nondriver's licenses issued for a period exceeding three years is six dollars or three dollars for nondriver's licenses issued for a period of three years or less. The nondriver's license card shall be used for identification purposes only and shall not be valid as a license.

8. If otherwise eligible, an applicant may receive a driver's license or nondriver's license without a photograph or digital image of the applicant's full facial features except that such applicant's photograph or digital image shall be taken and maintained by the director and not printed on such license. In order to qualify for a license without a photograph or digital image pursuant to this section the applicant must:

   (1) Present a form provided by the department of revenue requesting the applicant's photograph be omitted from the license or nondriver's license due to religious affiliations. The form shall be signed by the applicant and another member of the religious tenant verifying the photograph or digital image exemption on the license or nondriver's license is required as part of their religious affiliation. The required signatures on the prescribed form shall be properly notarized;

   (2) Provide satisfactory proof to the director that the applicant has been a United States citizen for at least five years and a resident of this state for at least one year, except that an applicant moving to this state possessing a valid driver's license from another state without a photograph shall be exempt from the one-year state residency requirement. The director may establish rules necessary to determine satisfactory proof of citizenship and residency pursuant to this section;
Applications for a driver's license or nondriver's license without a photograph or digital image must be made in person at a license office determined by the director. The director is authorized to limit the number of offices that may issue a driver's or nondriver's license without a photograph or digital image pursuant to this section.

The department of revenue shall make available, at one or more locations within the state, an opportunity for individuals to have their full facial photograph taken by an employee of the department of revenue, or their designee, who is of the same sex as the individual being photographed, in a segregated location.

Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's license for a period that exceeds an applicant's lawful presence in the United States. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license or nondriver's license issued under this section.

No rule or portion of a rule promulgated pursuant to the authority of this chapter shall become effective unless it is promulgated pursuant to the provisions of chapter 536.

Notwithstanding any provision of this section to the contrary, and notwithstanding the restrictions on biometric data in section 302.170, the department may design and implement a secure digital driver's license program that allows individuals applying for a driver's license to obtain a secure digital driver's license in addition to the card-based license specified in this section.

(2) A digital driver's license as described in this subsection shall be valid for all purposes for which a card-based license is valid.

(3) The department may contract with one or more entities to develop a secure digital driver's license system. The department or entity may develop a mobile software application capable of being utilized through a person's electronic device to access the person's digital driver's license.

(4) The department shall suspend, disable, or terminate a person's participation in the digital driver's license system if:

(a) The person's driving privilege is suspended, revoked, denied, withdrawn, or cancelled as provided in this chapter; or

(b) The person reports to the department that the person's
128 electronic device has been lost, stolen, or compromised.
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130 13. The department of revenue may promulgate rules as
131 necessary to implement the provisions of this section. Any rule or
132 portion of a rule, as that term is defined in section 536.010 that is
133 created under the authority delegated in this section shall become
134 effective only if it complies with and is subject to all of the provisions
135 of chapter 536, and, if applicable, section 536.028. This section and
136 chapter 536 are nonseverable and if any of the powers vested with the
137 general assembly pursuant to chapter 536, to review, to delay the
138 effective date, or to disapprove and annul a rule are subsequently held
139 unconstitutional, then the grant of rulemaking authority and any rule
140 proposed or adopted after August 28, 2019, shall be invalid and void.