

FIRST REGULAR SESSION

SENATE BILL NO. 332

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Read 1st time February 4, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1739S.01I

AN ACT

To repeal section 302.181, RSMo, and to enact in lieu thereof one new section relating to driver's licenses.

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

Section A. Section 302.181, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 302.181, to read as follows:

302.181. 1. The license issued pursuant to the provisions of sections
2 302.010 to 302.340 shall be in such form as the director shall prescribe, but the
3 license shall be a card made of plastic or other comparable material. All licenses
4 shall be manufactured of materials and processes that will prohibit, as nearly as
5 possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license
6 without ready detection. All licenses shall bear the licensee's Social Security
7 number, if the licensee has one, and if not, a notarized affidavit must be signed
8 by the licensee stating that the licensee does not possess a Social Security
9 number, or, if applicable, a certified statement must be submitted as provided in
10 subsection 4 of this section. The license shall also bear the expiration date of the
11 license, the classification of the license, the name, date of birth, residence address
12 including the county of residence or a code number corresponding to such county
13 established by the department, and brief description and colored photograph or
14 digitized image of the licensee, and a facsimile of the signature of the
15 licensee. The director shall provide by administrative rule the procedure and
16 format for a licensee to indicate on the back of the license together with the
17 designation for an anatomical gift as provided in section 194.240 the name and
18 address of the person designated pursuant to sections 404.800 to 404.865 as the
19 licensee's attorney in fact for the purposes of a durable power of attorney for

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 health care decisions. No license shall be valid until it has been so signed by the
21 licensee. If any portion of the license is prepared by a private firm, any contract
22 with such firm shall be made in accordance with the competitive purchasing
23 procedures as established by the state director of the division of purchasing. For
24 all licenses issued or renewed after March 1, 1992, the applicant's Social Security
25 number shall serve as the applicant's license number. Where the licensee has no
26 Social Security number, or where the licensee is issued a license without a Social
27 Security number in accordance with subsection 4 of this section, the director shall
28 issue a license number for the licensee and such number shall also include an
29 indicator showing that the number is not a Social Security number.

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

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

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

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

52 6. **(1)** The department of revenue may **renew by mail the driver's**
53 **license of a person who is on active duty in the Armed Forces of the**
54 **United States in accordance with section 302.186, or may** issue a
55 temporary license or a full license without the photograph or with the last

56 photograph or digital image in the department's records to members of the Armed
57 Forces, except that where such temporary license is issued it shall be valid only
58 until the applicant shall have had time to appear and have his or her picture
59 taken and a license with his or her photograph issued.

60 **(2) The department may issue a temporary driving privilege to**
61 **an otherwise eligible civilian applicant for a period not to exceed**
62 **ninety days, or for applicants whose licenses have expired and who are**
63 **not eligible for remote renewal, not more than six months from the**
64 **original expiration date. The department may, by rule, establish**
65 **eligibility criteria for applicants to obtain a temporary driving**
66 **privilege under this subdivision.**

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

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

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

92 religious affiliation. The required signatures on the prescribed form shall be
93 properly notarized;

94 (2) Provide satisfactory proof to the director that the applicant has been
95 a United States citizen for at least five years and a resident of this state for at
96 least one year, except that an applicant moving to this state possessing a valid
97 driver's license from another state without a photograph shall be exempt from the
98 one-year state residency requirement. The director may establish rules necessary
99 to determine satisfactory proof of citizenship and residency pursuant to this
100 section;

101 (3) Applications for a driver's license or nondriver's license without a
102 photograph or digital image must be made in person at a license office
103 determined by the director. The director is authorized to limit the number of
104 offices that may issue a driver's or nondriver's license without a photograph or
105 digital image pursuant to this section.

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

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

116 11. **The department may, using a prior digital image on file, issue**
117 **or renew a driver's license, instruction permit, or nondriver's license**
118 **remotely or by mail for an otherwise eligible applicant who is not a**
119 **member of the Armed Forces eligible for renewal by mail under section**
120 **302.186, provided the following:**

121 (1) **A duplicate driver's license, nondriver's license, or**
122 **instruction permit may only be issued remotely or by mail to applicants**
123 **who have more than six months remaining in their current term of**
124 **issuance. The department may collect duplicate license fees in**
125 **accordance with section 302.185;**

126 (2) **A driver's license, nondriver's license, or instruction permit**
127 **may be renewed remotely or by mail for out-of-state military**

128 **contractors or their dependents, out-of-state missionaries or their**
129 **dependents, or applicants who are homebound due to a medical**
130 **disability or injury. No more than one consecutive remote or mail-in**
131 **renewal shall be allowed. Applicants requesting a remote or mail-in**
132 **renewal who are homebound due to a medical disability or injury shall**
133 **be eligible for a nondriver's license only.**

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

Unofficial ✓

Bill

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