

**Representative James A. Dunnigan** proposes the following substitute bill:

**IDENTIFICATION CARD AMENDMENTS**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: James A. Dunnigan**

Senate Sponsor: Sheldon L. Killpack

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**LONG TITLE**

**General Description:**

This bill modifies the Identification Card Act by amending provisions related to identification cards.

**Highlighted Provisions:**

This bill:

- ▶ requires the division to issue an identification card that bears certain information;
- ▶ provides that an identification card issued on or after July 1, 2006, expires on the applicant's birth date in the fifth year following the date of issuance rather than the tenth year;
- ▶ provides that a person older than 21 years of age with a disability may extend the expiration of an identification card for five rather than ten years if the person follows certain procedures;
- ▶ provides that an identification card issued on or after July 1, 2006, to a person 65 years or older expires every five years rather than being effective until death; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**



26 This bill takes effect July 1, 2006.

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **53-3-805**, as last amended by Chapter 144, Laws of Utah 2004

30 **53-3-807**, as last amended by Chapters 20 and 34, Laws of Utah 2005



31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **53-3-805** is amended to read:

33 **53-3-805. Identification card -- Contents -- Specifications.**

34 (1) (a) The division shall issue an identification card that bears:

35 ~~[(a) provides all the information contained in the application, except the identification~~  
36 ~~card may not bear the applicant's:]~~

37 ~~[(i) Social Security number; and]~~

38 ~~[(ii) place of birth;]~~

39 ~~[(b) contains a photograph of the applicant; and]~~

40 ~~[(c) contains a facsimile of the applicant's signature.]~~

41 (i) the distinguishing number assigned to the person by the division;

42 (ii) the name, birth date, and Utah residence address of the person;

43 (iii) a brief description of the person for the purpose of identification;

44 (iv) a photograph of the person;

45 (v) a photograph or other facsimile of the person's signature; and

46 (vi) an indication whether the person intends to make an anatomical gift under Title 26,

47 Chapter 28, Uniform Anatomical Gift Act.

48 (b) An identification card issued by the division may not bear the person's Social

49 Security number or place of birth.

50 (2) (a) The card shall be of an impervious material, resistant to wear, damage, and  
51 alteration.

52 (b) Except as provided under Section 53-3-806, the size, form, and color of the card is  
53 prescribed by the commissioner.

54 (3) At the applicant's request, the card may include a statement that the applicant has a  
55 special medical problem or allergies to certain drugs, for the purpose of medical treatment.  
56

57 (4) (a) The indication of intent under Subsection 53-3-804(2)(j) shall be authenticated  
58 by the applicant in accordance with division rule.

59 (b) (i) Notwithstanding Title 63, Chapter 2, Government Records Access and  
60 Management Act, the division may, upon request, release to an organ procurement  
61 organization, as defined in Section 26-28-2, the names and addresses of all persons who under  
62 Subsection 53-3-804(2)(j) indicate that they intend to make an anatomical gift.

63 (ii) An organ procurement organization may use released information only to:

64 (A) obtain additional information for an anatomical gift registry; and

65 (B) inform applicants of anatomical gift options, procedures, and benefits.

66 (5) The division and its employees are not liable, as a result of false or inaccurate  
67 information provided under Subsection 53-3-804(2)(j), for direct or indirect:

68 (a) loss;

69 (b) detriment; or

70 (c) injury.

71 Section 2. Section **53-3-807** is amended to read:

72 **53-3-807. Expiration -- Address and name change -- Extension for disabled.**

73 (1) ~~[The]~~ An identification card issued on or after July 1, 2006 expires on the birth date  
74 of the applicant in the ~~[tenth]~~ fifth year following the issuance of the identification card[;  
75 ~~except as provided under Subsection (6)~~].

76 (2) If a person has applied for and received an identification card and subsequently  
77 moves from the address shown on the application or on the card, the person shall within ten  
78 days notify the division in a manner specified by the division of ~~[his]~~ the person's new address.

79 (3) If a person has applied for and received an identification card and subsequently  
80 changes ~~[his]~~ the person's name under Title 42, Chapter 1, Change of Name, ~~[he]~~ the person:

81 (a) shall surrender the card to the division; and

82 (b) may apply for a new card in ~~[his]~~ the person's new name by:

83 (i) furnishing proper documentation to the division as provided in Section 53-3-804;

84 and

85 (ii) paying the fee required under Section 53-3-105.

86 (4) A person older than 21 years of age with a disability, as defined under the  
87 Americans with Disabilities Act of 1990, Pub. L. 101-336, may extend the expiration date on

88 an identification card for [~~ten~~] five years if the person with a disability or an agent of the person  
89 with a disability:

90 (a) requests that the division send the application form to obtain the extension or  
91 requests an application form in person at the division's offices;

92 (b) completes the application;

93 (c) certifies that the extension is for a person 21 years of age or older with a disability;

94 and

95 (d) returns the application to the division together with the identification card fee  
96 required under Section 53-3-105.

97 (5) (a) An identification card may only be extended once.

98 (b) After an extension an application for an identification card must be applied for in  
99 person at the division's offices.

100 (6) An identification card issued prior to July 1, 2006 to a person 65 years of age or  
101 older does not expire, but continues in effect until the death of that person.

102 (7) Notwithstanding the provisions of this section, an identification card that was  
103 obtained without using a Social Security number as required under Subsection 53-3-804(2)  
104 expires on July 1, 2005.

105 Section 3. **Effective date.**

106 This bill takes effect July 1, 2006.

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**Fiscal Note**

Identification Card Amendments

25-Jan-06

**Bill Number HB0019S01**8:51 AM

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**State Impact**

There will be no fiscal impact to the Department of Public Safety.

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**Individual and Business Impact**

No significant fiscal impact.

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**Office of the Legislative Fiscal Analyst**