

**FIRST ENGROSSMENT
with Senate Amendments**

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1227

Introduced by

Representative Ruby

Senator G. Lee

1 A BILL for an Act to amend and reenact section 39-06-03.1 of the North Dakota Century Code,
2 relating to verification of the information for an identification card.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 39-06-03.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-06-03.1. Nondriver photo identification card issued by director - Release of**
7 **information - Penalty - Public awareness.**

- 8 1. The director shall issue ~~upon request~~ a nondriver color photo identification card to
9 any North Dakota resident who fulfills the requirements of this section. An
10 application for an identification card must be made on a form furnished by the
11 director. Within thirty days from receipt of a complete application that includes the
12 applicant's social security number, the director shall determine whether to issue
13 and, if appropriate, issue a nondriver photo identification card to an applicant. The
14 application must provide for the voluntary identification of the applicant as a donor
15 under the provisions of chapter 23-06.2. If requested on the identification card
16 application, the identification card issued by the director must include a statement
17 making an anatomical gift under chapter 23-06.2. If the person is under the age of
18 eighteen or at least the age of eighteen and under the age of twenty-one, the
19 photo must be against the same color background required on a motor vehicle
20 operator's license for an operator of that age.
- 21 2. ~~The name and date of birth on all original applications must be verified by a birth~~
22 ~~certificate or other~~ To confirm the identity of the applicant, the director or
23 examining officer shall require satisfactory evidence be provided by the applicant.
24 Satisfactory evidence includes a certified copy of the applicant's birth certificate or

other evidence reasonably calculated to permit the determination of the date of birth and identification of the applicant by the director or examining officer.

~~Applicants must produce documents which will be acceptable as listed below:~~

~~a. Birth certificate.~~

~~b. Any other documentary evidence which confirms to the satisfaction of the examining officer the true identity and date of birth of the applicant.~~

3. The fee is eight dollars. Fees collected pursuant to this section must be paid monthly into the highway fund in the state treasury.

4. Any information obtained by the director from an applicant for the issuance, renewal, or replacement of an identification card issuable pursuant to this chapter may only be released in accordance with the provisions of section 39-16-03.

5. It is a class B misdemeanor for any person, except the director or the director's authorized agent, to print or otherwise produce or reproduce cards or their components, which may be utilized as identification cards issued pursuant to this section.

6. The director may advertise the availability and the use of the card.

7. Identification cards issued pursuant to this section are sufficient identification for all identification purposes.

8. The director shall cancel any card upon determining that the holder is not entitled to the issuance of the card under the laws of this state, or the holder has failed to give the required or correct information to the director, or has committed fraud in making the application, or the fee was in the form of an insufficient or no-account check. Upon cancellation, the holder shall surrender the card to the director.

When a cancellation is in effect, any law enforcement officer may take custody of the card.

9. A duplicate card may be obtained by making an application and paying an eight dollar fee. For a cardholder who has reached the age of eighteen or twenty-one, a replacement card may be obtained by making an application and paying an eight dollar fee.

10. The director may not withhold the issuance of a nondriver color photo identification card without reasonable cause.