

**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 and subsection 2 of section  
2 39-06-07 of the North Dakota Century Code, relating to verification of the information for an  
3 identification card.

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

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

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

9 1. The director shall issue upon request a nondriver color photo identification card to  
10 any North Dakota resident who fulfills the requirements of this section. An  
11 application for an identification card must be made on a form furnished by the  
12 director. Within thirty days from receipt of and determination by the director that  
13 there is a complete application, the director shall determine whether to issue a  
14 nondriver photo identification card to an applicant. The application must provide for  
15 the voluntary identification of the applicant as a donor under the provisions of  
16 chapter 23-06.2. If requested on the identification card application, the  
17 identification card issued by the director must include a statement making an  
18 anatomical gift under chapter 23-06.2. If the person is under the age of eighteen or  
19 at least the age of eighteen and under the age of twenty-one, the photo must be  
20 against the same color background required on a motor vehicle operator's license  
21 for an operator of that age.

22 2. The name and date of birth on all original applications must be verified by ~~a birth~~  
23 ~~certificate or other~~ satisfactory evidence as determined by the director or

- 1            examining officer. Applicants must produce ~~documents which will be acceptable~~  
2            ~~as listed below~~:
- 3            a. ~~Birth certificate~~.
- 4            b. ~~Any other~~ documentary evidence ~~which~~ that confirms to the satisfaction of the  
5            director or examining officer the true residence, identity, and date of birth of  
6            the applicant.
- 7            3. The fee is eight dollars. Fees collected pursuant to this section must be paid  
8            monthly into the highway fund in the state treasury.
- 9            4. Any information obtained by the director from an applicant for the issuance,  
10            renewal, or replacement of an identification card issuable pursuant to this chapter  
11            may only be released in accordance with the provisions of section 39-16-03.
- 12            5. It is a class B misdemeanor for any person, except the director or the director's  
13            authorized agent, to print or otherwise produce or reproduce cards or their  
14            components, which may be utilized as identification cards issued pursuant to this  
15            section.
- 16            6. The director may advertise the availability and the use of the card.
- 17            7. Identification cards issued pursuant to this section are sufficient identification for all  
18            identification purposes.
- 19            8. The director shall cancel any card upon determining that the holder is not entitled  
20            to the issuance of the card under the laws of this state, or the holder has failed to  
21            give the required or correct information to the director, or has committed fraud in  
22            making the application, or the fee was in the form of an insufficient or no-account  
23            check. Upon cancellation, the holder shall surrender the card to the director.  
24            When a cancellation is in effect, any law enforcement officer may take custody of  
25            the card.
- 26            9. A duplicate card may be obtained by making an application and paying an eight  
27            dollar fee. For a cardholder who has reached the age of eighteen or twenty-one, a  
28            replacement card may be obtained by making an application and paying an eight  
29            dollar fee.

30            **SECTION 2. AMENDMENT.** Subsection 2 of section 39-06-07 of the North Dakota  
31 Century Code is amended and reenacted as follows:

- 1           2. Every application must state the full name, date of birth, sex, social security  
2           number, residence and mailing address, and briefly describe the applicant. In  
3           signing the application the applicant is deemed to have certified that all information  
4           contained on the application is true and correct. The director may verify the  
5           application information before issuing an operator's license. The application must  
6           be accompanied by the proper fee. The application must also provide for the  
7           voluntary identification of the applicant as a donor under the provisions of chapter  
8           23-06.2. The application must contain such other information as the director may  
9           require.