

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 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, which includes the applicant's social security
14 number, the director shall determine whether to issue a nondriver photo
15 identification card to an applicant. The application must provide for the voluntary
16 identification of the applicant as a donor under the provisions of chapter 23-06.2. If
17 requested on the identification card application, the identification card issued by
18 the director must include a statement making an anatomical gift under chapter
19 23-06.2. If the person is under the age of eighteen or at least the age of eighteen
20 and under the age of twenty-one, the photo must be against the same color
21 background required on a motor vehicle operator's license for an operator of that
22 age.
- 23 2. The name ~~and~~, date of birth, and social security number on all original applications
24 must be verified by a certified birth certificate or other satisfactory evidence as

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

29 **SECTION 2. AMENDMENT.** Subsection 2 of section 39-06-07 of the North Dakota
30 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. To the extent it is practicable to
5 do so, the director shall verify the application information before issuing an
6 operator's license. The application must be accompanied by the proper fee. The
7 application must also provide for the voluntary identification of the applicant as a
8 donor under the provisions of chapter 23-06.2. The application must contain such
9 other information as the director may require.