

Introduced by

Representatives Ertelt, D. Ruby, M. Ruby, Toman

Senators Kannianen, Meyer

1 A BILL for an Act to create and enact a new section to chapter 39-06 of the North Dakota
2 Century Code, relating to electronic operator's licenses; and to amend and reenact section
3 39-06-19 of the North Dakota Century Code, relating to the renewal of operator's licenses.

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

5 **SECTION 1.** A new section to chapter 39-06 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Electronic operator's license.**

8 1. The department shall implement a computerized licensing system that allows a
9 licensed motor vehicle operator to provide electronic proof of valid licensing on an
10 electronic communications device.

11 2. The electronic proof of valid licensing may be used:

12 a. Upon being stopped by a law enforcement officer for the purpose of enforcing or
13 investigating the possible violation of an ordinance or state law; or

14 b. For identification purposes.

15 3. The director may adopt rules necessary for the effective implementation of an
16 electronic operator's licensing system.

17 **SECTION 2. AMENDMENT.** Section 39-06-19 of the North Dakota Century Code is
18 amended and reenacted as follows:

19 **39-06-19. Expiration of license - Renewal.**

20 1. Every operator's license issued under this chapter or chapter 39-06.2 expires and is
21 renewed according to this section.

22 2. The expiration date of a noncommercial operator's license for an individual whose
23 birth occurred in a year ending in an odd numeral is twelve midnight on the
24 anniversary of the birthday in the third subsequent year ending in an odd numeral,

1 except for an individual who, at the time of renewal, is seventy-eight years of age or
2 older is twelve midnight on the anniversary of the birthday in the second subsequent
3 year ending in an odd numeral. The expiration date of a noncommercial operator's
4 license for an individual whose birth occurred in a year ending in an even numeral is
5 twelve midnight on the anniversary of the birthday in the third subsequent year ending
6 in an even numeral, except for an individual who, at the time of renewal, is
7 seventy-eight years of age or older is twelve midnight on the anniversary of the
8 birthday in the second subsequent year ending in an even numeral.

9 3. The expiration date of a commercial operator's license for an individual whose birth
10 occurred in a year ending in an odd numeral is twelve midnight on the anniversary of
11 the birthday in the second subsequent year ending in an odd numeral. The expiration
12 date of a commercial operator's license for an individual whose birth occurred in a
13 year ending in an even numeral is twelve midnight on the anniversary of the birthday
14 in the second subsequent year ending in an even numeral.

15 4. An individual who has a valid, unexpired nonimmigrant visa or nonimmigrant visa
16 status for entry into the United States, a pending application for asylum in the United
17 States, a pending or approved application for temporary protected status in the United
18 States, approved deferred action status, or a pending application for adjustment of
19 status to that of an alien lawfully admitted for permanent residence or conditional
20 permanent residence status in the United States will be issued a temporary operator's
21 license or nondriver photo identification card. The temporary operator's license or
22 identification card is valid only during the period of time of the applicant's authorized
23 stay in the United States or, if there is no definite end to the period of authorized stay,
24 a period of one year. The license or card may be renewed only upon presentation of
25 valid documentary evidence that the status has been extended.

26 5. An applicant for renewal must present the application with the fee for renewal of
27 license to the director not before ten months prior to the expiration date of the
28 operator's license. The director may require an examination of an applicant as upon
29 an original application. The director may require an applicant for renewal or a
30 substitute to provide documentation that confirms to the satisfaction of the director the
31 true identity, date of birth, and legal presence of the applicant and provide a social

1 security card or other satisfactory evidence of a social security number and proof of
2 residence address, if not previously completed or if there are changes to the
3 information already on file. The director may not issue a distinguishing number that is,
4 contains, can be converted to, or is an encrypted version of the applicant's social
5 security number.

6 6. The director may not renew an operator's license if the license has been suspended
7 under section 14-08.1-07. Upon the recommendation of the court, the director may
8 issue a temporary permit to the licensee under section 39-06.1-11 if the temporary
9 permit is necessary for the licensee to work and the court has determined the licensee
10 is making a good-faith effort to comply with the child support order.

11 7. An applicant for renewal of an operator's license must provide a certificate of
12 examination from the driver licensing or examining authorities or a statement as to the
13 corrected and uncorrected vision of the applicant from a licensed physician or an
14 optometrist, except as required under subsection 9. The director shall provide visual
15 examination equipment at each location where a license may be renewed.

16 8. An individual submitting an application and the fee for renewal of license one year or
17 more after the expiration of a license, except an applicant whose military service has
18 terminated less than thirty days prior to the application, must be treated as an initial
19 applicant.

20 9. A noncommercial applicant may apply by mail or electronically for renewal of a license
21 ~~during every other renewal cycle~~ except as otherwise provided by subsection 10. The
22 director may use vision information provided by the applicant to meet vision
23 requirements for applicants under sixty-five years of age and adopt procedures
24 necessary to implement this subsection.

25 10. A noncommercial applicant for an operator's license may not renew by mail or
26 electronically if the applicant is seeking a new photo or changes to the information on
27 the face of the physical operator's license.