

1 HOUSE BILL NO. 851
2 INTRODUCED BY E. STAFMAN

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A DRIVING PRIVILEGE CARD; ESTABLISHING
5 ELIGIBILITY FOR A DRIVING PRIVILEGE CARD; ESTABLISHING THE APPLICATION PROCEDURE FOR A
6 DRIVING PRIVILEGE CARD; ESTABLISHING THE REQUIRED CONTENT OF A DRIVING PRIVILEGE
7 CARD; PROVIDING FOR THE ADOPTION OF FEES FOR A DRIVING PRIVILEGE CARD; PROVIDING
8 RULEMAKING AUTHORITY; PROVIDING DEFINITIONS; AMENDING SECTIONS 61-5-104, 61-5-110, 61-5-
9 116, 61-5-121, 61-5-201, 61-5-204, 61-11-503, AND 61-14-201, MCA; AND PROVIDING A DELAYED
10 EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13
14 NEW SECTION. **Section 1. Driving privilege card -- eligibility.** (1) (a) A person who is 16 years of
15 age or older and a resident of the state for 30 days or more but who does not meet the requirements for a
16 driver's license may apply for a driving privilege card.

17 (b) A person who is at least 15 years of age and has passed a driver's education course approved
18 by the department and the superintendent of public instruction but who does not qualify for a driver's license
19 under 61-5-105(1)(a) may apply for a learner's driving privilege card.

20 (c) A person who is at least 13 years of age and is experiencing individual hardship, to be
21 determined by the department, but who does not qualify for a restricted driver's license may apply for a
22 restricted driving privilege card.

23 (2) A driving privilege is an identification card that conveys permission to operate a motor vehicle,
24 except that:

25 (a) a motorcycle endorsement is necessary to operate a motorcycle; and

26 (b) a driving privilege card may not be used to operate a commercial motor vehicle.

27 (3) A driving privilege card expires 5-years1_year after its issuance, except that a driving privilege
28 card issued to a person less than 5-years1_year before the person turns 21 expires on the person's 21st

1 birthday.

2 (4) A driving privilege card may not be issued to a person:

3 (a) whose license or driving privilege is currently suspended, revoked, or canceled, or who is
4 disqualified from operating a commercial motor vehicle in this or any state, as evidenced by an ineligible status
5 report from the national driver register, established under 49 U.S.C. 30302, or from the commercial driver's
6 license information system, established under 49 U.S.C. 31309;

7 (b) who is addicted to the use of alcohol or narcotic drugs;

8 (c) who has previously been adjudged to be afflicted with or suffering from any mental disability or
9 disease and who, at the time of application, has not been restored to competency by the methods provided by
10 law;

11 (d) who is required by this chapter to take an examination;

12 (e) who has not deposited proof of financial responsibility when required under the provisions of
13 chapter 6 of this title;

14 (f) who has any condition characterized by lapse of consciousness or control, either temporary or
15 prolonged, that is or may become chronic. However, the department may, in its discretion, issue a license to an
16 otherwise qualified person suffering from a condition if the afflicted person's attending physician, licensed
17 physician assistant, or advanced practice registered nurse, as defined in 37-8-102, attests in writing that the
18 person's condition has stabilized and would not be likely to interfere with that person's ability to operate a motor
19 vehicle safely and, if a commercial driver's license is involved, the person is physically qualified to operate a
20 commercial motor vehicle under applicable state or federal regulations.

21 (g) who lacks the functional ability, due to a physical or mental disability or limitation, to safely
22 operate a motor vehicle on the highway.

23 (5) A person may not be discriminated against on the basis of holding or presenting a driving
24 privilege card.

25

26 **NEW SECTION. Section 2. Driving privilege card -- application.** (1) Each application for a driving
27 privilege card must be made on a form furnished by the department and be accompanied by the proper fee.

28 (2) (a) Each application must include the full legal name, date of birth, sex, and Montana residence

1 address of the applicant. An applicant may establish these elements with a combination of any two or more of
2 the following documents:

- 3 (i) a lease;
- 4 (ii) a bill;
- 5 (iii) a school document;
- 6 (iv) a medical document;
- 7 (v) an employment document;
- 8 (vi) a faith-based document, including but not limited to baptismal or marriage records;
- 9 (vii) an insurance document;
- 10 (viii) a certificate of title;
- 11 (ix) a change of address confirmation issued by the United States postal service;
- 12 (x) a financial institution record;
- 13 (xi) a birth certificate;
- 14 (xii) a marriage license;
- 15 (xiii) a valid identification issued by Montana or another state; or
- 16 (xiv) a valid passport issued by a foreign country.

17 (b) A person may not be discriminated against on the basis that the person applied for, was
18 denied, or was issued a driving privilege card.

19 (c) ~~The motor vehicle division may not release application materials to another entity without the~~
20 ~~applicant's consent unless on order from a court of competent jurisdiction~~Disclosure of records related to driving
21 privilege cards is governed by Title 61, chapter 11, part 5.

22 (3) Each applicant must be examined pursuant to 61-5-110.

23
24 **NEW SECTION. Section 3. Driving privilege card -- content.** A driving privilege card must contain:

- 25 (1) a full-face photograph of the person who was issued the card in the size and form prescribed
26 by the department;
- 27 (2) a distinguishing number issued to the person;
- 28 (3) the person's full legal name, date of birth, and Montana residence address, unless the person

1 requests the use of the person's mailing address;

2 (4) a brief description of the person;

3 (5) either the person's customary manual signature or a reproduction of the person's customary

4 manual signature;

5 (6) the issuance date and the expiration date of the driving privilege card;

6 (7) any endorsements or restrictions applicable to the person; and

7 (8) spaces for indicating whether the person has:

8 (a) executed a document under 72-17-201 of intent to make a gift of all or part of the driver's body
9 under the Uniform Anatomical Gift Act; or

10 (b) executed a declaration under 50-9-103 relating to the use of life-sustaining treatment.

11

12 NEW SECTION. Section 4. Driving privilege card -- administration. ~~County treasurers and other~~
13 ~~qualified officers appointed by the department pursuant to 61-5-111 Department of justice employees at motor~~
14 ~~vehicle department exam stations~~ must be the department's agents for the sale of driving privilege receipts.

15

16 **Section 5.** Section 61-5-104, MCA, is amended to read:

17 **"61-5-104. Exemptions.** (1) The following persons are exempt from licensure under this chapter:

18 (a) a person who is a member of the armed forces of the United States while operating a motor
19 vehicle owned by or leased to the United States government and being operated on official business;

20 (b) a person who is a member of the armed forces of the United States on active duty in Montana
21 who holds a valid license issued by another state and the spouse of the person who holds a valid license
22 issued by another state;

23 (c) a person on active duty in the armed forces of the United States and in immediate possession
24 of a valid license issued to that person in a foreign country by the armed forces of the United States, for a
25 period of 45 days from the date of the person's return to the United States;

26 (d) a person who temporarily drives, operates, or moves a road machine, farm tractor, as defined
27 in 61-9-102, or implement of husbandry for use in intrastate commerce on a highway;

28 (e) a person who is a locomotive engineer, assistant engineer, conductor, brake tender, railroad

1 utility person, or other member of the crew of a railroad locomotive or train being operated upon rails, including
2 operation on a railroad crossing a public street, road, or highway. A person employed as described in this
3 subsection is not required to display a driver's license to a law enforcement officer in connection with the
4 operation of a railroad train within Montana.

5 (f) a person who temporarily drives, operates, or moves an off-highway vehicle on a forest
6 development road in this state, as defined in 61-8-110, that has been designated and approved for off-highway
7 vehicle use by the United States forest service if the person:

8 (i) is under 16 years of age but at least 12 years of age; and

9 (ii) at the time of driving, operating, or moving the off-highway vehicle, has in the person's
10 possession a certificate showing the successful completion of an off-highway vehicle safety education course
11 approved by the department of fish, wildlife, and parks and is in the physical presence of a person who
12 possesses a license issued under this chapter.

13 (2) A nonresident who is at least 15 years of age and who is in immediate possession of a valid
14 operator's license issued to the nonresident by the nonresident's home state or country may operate a motor
15 vehicle, except a commercial motor vehicle, in this state.

16 (3) (a) A nonresident who is in immediate possession of a valid commercial driver's license issued
17 to the nonresident by the nonresident's home jurisdiction, in accordance with the licensing and testing
18 standards of 49 CFR, part 383, may operate a commercial motor vehicle in this state.

19 (b) For the purpose of this chapter, "jurisdiction" means a state, territory, or possession of the
20 United States, the District of Columbia, a province or territory of Canada, or the federal district of Mexico.

21 (4) A nonresident who is at least 18 years of age, whose home state or country does not require
22 the licensing of operators, may operate a motor vehicle as an operator only, for a period of not more than 90
23 days in any calendar year, if the motor vehicle is registered in the home state or country of the nonresident.

24 (5) (a) A driver's license issued under this chapter to a person who enters the United States armed
25 forces, if valid and in effect at the time that the person enters the service, continues in effect so long as the
26 service continues, unless the license is suspended, revoked, or cancelled for a cause as provided by law, and
27 for up to 90 days following the date on which the licensee is honorably separated from the service.

28 (b) A person serving in the United States armed forces may renew the person's driver's license at

1 any point of the person's service, and any renewed license continues in effect as long as the service continues,
2 unless the license is suspended, revoked, or cancelled for a cause as provided by law.

3 (c) A person serving in the United States armed forces may apply for a Montana driver's license
4 upon meeting the requirements in 61-5-103, and this license continues in effect as long as the service
5 continues, unless the license is suspended, revoked, or cancelled for a cause as provided by law, and for up to
6 90 days following the date on which the licensee is honorably separated from the service.

7 (6) A person who is in immediate possession of a driving privilege card issued by this state or
8 another state may operate a motor vehicle in this state."

9

10 **Section 6.** Section 61-5-110, MCA, is amended to read:

11 **"61-5-110. Records check of applicants -- examination of applicants -- cooperative driver**

12 **testing programs -- reciprocal agreement with foreign country.** (1) Prior to examining an applicant for a
13 driver's license or a driving privilege card, the department shall conduct a check of the applicant's driving record
14 by querying the national driver register, established under 49 U.S.C. 30302, and the commercial driver's license
15 information system, established under 49 U.S.C. 31309.

16 (2) (a) The department shall examine each applicant for a driver's license or motorcycle
17 endorsement or a driving privilege card, except as otherwise provided in this section. The examination must
18 include a test of the applicant's eyesight, a knowledge test examining the applicant's ability to read and
19 understand highway signs and the applicant's knowledge of the traffic laws of this state, and, except as
20 provided in 61-5-118, a road test or a skills test demonstrating the applicant's ability to exercise ordinary and
21 reasonable control in the safe operation of a motor vehicle or motorcycle. The road test or skills test must be
22 performed by the applicant in a motor vehicle that the applicant certifies is representative of the class and type
23 of motor vehicle for which the applicant is seeking a license or endorsement.

24 (b) The knowledge test, road test, or skills test may be waived by the department:

25 (i) upon certification of the applicant's successful completion of the test by a certified cooperative
26 driver testing program as provided in subsection (3) or by a certified third-party commercial driver testing
27 program as provided in 61-5-118; or

28 (ii) in accordance with a driver's license reciprocity agreement between the department and a

1 foreign country.

2 (c) The skills test may be waived by the department upon the applicant's completion of the
3 requirements of 61-5-123.

4 (3) The department is authorized to certify as a cooperative driver testing program any state-
5 approved high school traffic education course offered by or in cooperation with a school district that employs an
6 approved instructor who has current endorsement from the superintendent of public instruction as a teacher of
7 traffic education or any motorcycle safety training course approved by the board of regents and that employs an
8 approved instructor of motorcycle safety training and who agrees to:

9 (a) administer standardized knowledge and road tests or skills tests required by the department to
10 students participating in the district's high school traffic education courses or motorcycle safety training courses
11 approved by the board of regents;

12 (b) certify the test results to the department; and

13 (c) comply with regulations of the department, the superintendent of public instruction, and the
14 board of regents.

15 (4) (a) Except as otherwise provided by law, an applicant who has a valid driver's license issued by
16 another jurisdiction may surrender that license for a Montana license of the same class, type, and endorsement
17 upon payment of the required fees and successful completion of a vision examination. In addition, an applicant
18 surrendering a commercial driver's license issued by another jurisdiction shall successfully complete any
19 examination required by federal regulations before being issued a commercial driver's license by the
20 department.

21 (b) The department may require an applicant who surrenders a valid driver's license or driving
22 privilege card issued by another jurisdiction to submit to a knowledge and road or skills test if:

23 (i) the applicant has a physical or mental disability, limitation, or condition that impairs, or may
24 impair, the applicant's ability to exercise ordinary and reasonable control in the safe operation of a motor
25 vehicle on the highway; and

26 (ii) the surrendered license or card does not include readily discernible adaptive equipment or
27 operational restrictions appropriate to the applicant's functional abilities; or

28 (iii) the applicant wants to remove or modify a restriction imposed on the surrendered license or

1 card.

2 (c) When a license or card from another jurisdiction is surrendered, the department shall notify the
3 issuing agency from the other jurisdiction that the applicant has surrendered the license or card. If the applicant
4 wants to retain the license or card from another jurisdiction for identification or other nondriving purposes, the
5 department shall place a distinctive mark on the license or card, indicating that the license or card may be used
6 for nondriving purposes only, and return the marked license or card to the applicant.

7 (5) The department may enter into a reciprocity agreement with a foreign country to provide for the
8 mutual recognition and exchange of a valid driver's license or driving privilege card issued by this state or the
9 foreign country if the department determines that the licensing standards of the foreign country are comparable
10 to those of this state. The agreement may not include the reciprocal exchange of a commercial driver's license."

11

12 **Section 7.** Section 61-5-116, MCA, is amended to read:

13 **"61-5-116. License to be carried and exhibited on demand.** (1) A licensee must have the
14 licensee's driver's license in the licensee's immediate possession at all times when operating a motor vehicle
15 and shall display the license upon demand of a justice of the peace, a city or municipal judge, a peace officer, a
16 highway patrol officer, or a field deputy or inspector of the department. However, a person charged with
17 violating this section may not be convicted if the person produces in court or the office of the arresting officer a
18 driver's license issued to the person and valid at the time of the person's arrest.

19 (2) As used in this section:

20 (a) "driver's license" includes a driving privilege card; and

21 (b) "licensee" includes a person issued a driving privilege card."

22

23 **Section 8.** Section 61-5-121, MCA, is amended to read:

24 **"61-5-121. Disposition of fees.** (1) Except as provided in subsection (3), the disposition of the fees
25 from driver's licenses, driving privilege cards, motorcycle endorsements, commercial driver's licenses, and
26 replacement driver's licenses provided for in 61-5-114 is as follows:

27 (a) (i) If the fees are collected by a county treasurer or other agent of the department, the amount
28 of 2.5% of each driver's license fee, 2.5% of each commercial driver's license fee, and 3.75% of each

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1 replacement driver's license fee must be deposited into the county general fund.

2 (ii) If the fees are collected by the department, the amount provided for in subsection (1)(a)(i) must
3 be deposited into the state general fund.

4 (b) (i) If the fee is collected by a county treasurer or other agent of the department, the amount of
5 3.34% of each motorcycle endorsement must be deposited into the county general fund.

6 (ii) If the fee is collected by the department, the amount provided for in subsection (1)(b)(i) must be
7 deposited into the state general fund.

8 (c) The amount of 20.7% of each driver's license fee, 16.94% of each commercial driver's license
9 fee, and 8.75% of each replacement driver's license fee must be deposited into the state traffic education
10 account.

11 (d) In addition to the amounts deposited pursuant to subsections (1)(a)(ii) and (1)(b)(ii), the
12 remainder of each driver's license fee, each commercial driver's license fee, and each replacement driver's
13 license fee must be deposited into the state general fund.

14 (e) The amount of 63.46% of each motorcycle endorsement fee must be deposited into the state
15 motorcycle safety account in the state special revenue fund, and the amount of 33.2% of each motorcycle
16 endorsement fee must be deposited into the state general fund.

17 (2) (a) If fees from driver's licenses, commercial driver's licenses, motorcycle endorsements, and
18 replacement driver's licenses are collected by a county treasurer or other agent of the department, the county
19 treasurer or agent shall deposit the amounts provided for in subsections (1)(a)(i) and (1)(b)(i) into the county
20 general fund. The county treasurer or agent shall then remit all remaining fees to the state for deposit as
21 provided in subsections (1)(c) through (1)(e).

22 (b) If fees from driver's licenses, commercial driver's licenses, motorcycle endorsements, and
23 replacement driver's licenses are collected by the department, it shall deposit the fees as provided in
24 subsections (1)(a)(ii), (1)(b)(ii), and (1)(c) through (1)(e).

25 (3) The fee for a renewal notice, whether collected by a county treasurer, an authorized agent, or
26 the department, must be remitted to the department for deposit in the state general fund."

27

28 **Section 9.** Section 61-5-201, MCA, is amended to read:

1 **"61-5-201. Authority of department to cancel license.** (1) The department may cancel a driver's
2 license if it has reasonable grounds to believe that:

3 (a) the licensee was not entitled to the issuance;

4 (b) since the issuance, the licensee has become ineligible as determined pursuant to the
5 provisions of 61-5-105; or

6 (c) the licensee failed to give the required or correct information in the licensee's application or
7 committed any fraud in making the application.

8 (2) Upon cancellation, the licensee shall surrender the canceled license to the department.

9 (3) A person whose driver's license is canceled because the person failed to give the required or
10 correct information on the application or committed any fraud in making the application is disqualified from
11 operating a commercial motor vehicle for a period of 60 days from the date of the cancellation.

12 (4) As used in this section:

13 (a) "driver's license" includes a driving privilege card; and

14 (b) "licensee" includes a person issued a driving privilege card."

15

16 **Section 10.** Section 61-5-204, MCA, is amended to read:

17 **"61-5-204. Suspending resident's license upon conviction in another state.** (1) The department
18 may suspend or revoke the driver's license of any resident of this state or the privilege of a nonresident to drive
19 a motor vehicle in this state upon receiving notice of the conviction of the person in another jurisdiction of an
20 offense in that jurisdiction which, if committed in this state, would be grounds for the suspension or revocation
21 of the driver's license.

22 (2) As used in this section:

23 (a) "driver's license" includes a driving privilege card; and

24 (b) "licensee" includes a person issued a driving privilege card."

25

26 **Section 11.** Section 61-11-503, MCA, is amended to read:

27 **"61-11-503. Definitions.** As used in this part, the following definitions apply:

28 (1) "Disclose" means to engage in any practice or conduct that makes available or known, by

1 means of any communication to another person, organization, or entity, personal information contained in a
2 motor vehicle record.

3 (2) "Express consent" means an affirmative authorization given in writing by a person to whom
4 personal information pertains that specifically allows the department to release personal information to another
5 person, organization, or entity. Consent may be conveyed electronically if the conveyance includes an
6 electronic signature, as defined in 30-18-102, from the person to whom the personal information pertains.

7 (3) "Highly restricted personal information" means an individual's photograph or image, social
8 security number, or medical or disability information.

9 (4) "Motor vehicle record" means any record maintained by the department that pertains to a
10 driver's license, commercial driver's license, driving permit, driving privilege card, identification card, or title or
11 registration for a motor vehicle, trailer, semitrailer, pole trailer, camper, motorboat, personal watercraft, sailboat,
12 snowmobile, or off-highway vehicle.

13 (5) "Person" does not mean a state agency or local government entity.

14 (6) (a) "Personal information" means information that identifies a person, including a person's
15 name, address, telephone number, social security number, driver's license or identification number, date of
16 birth, photograph or image, and medical or disability information.

17 (b) The term does not include the five-digit zip code of an address, information on vehicular
18 accidents, driving or equipment-related violations, a person's driver's license or vehicle registration status, or a
19 vehicle's insurance status.

20 (7) "Record" includes all books, papers, photographs, photostats, cards, film, tapes, recordings,
21 electronic data, printouts, or other documentary materials, regardless of physical form or characteristics."
22

23 **Section 12.** Section 61-14-201, MCA, is amended to read:

24 **"61-14-201. Rulemaking authority -- driver's licenses and identification cards.** (1) The
25 department may adopt rules to administer and enforce the provisions of Title 61, chapter 5.

26 (2) The department may adopt rules governing acceptable methods of proof of identification,
27 including name, date of birth, and authorized presence, that an individual must submit when applying for a
28 license or identification card, including a new, renewal, or replacement license or identification card.

1 (3) The department may adopt rules governing the determination of the driver's license expiration
2 date, minimum and maximum license terms, and license renewal requirements for a driver's license issued to a
3 person who is a foreign national whose presence in the United States is temporarily authorized under federal
4 law.

5 (4) The department shall adopt rules governing the calculation of grace periods for renewals and
6 the calculation of other time periods established by statute or federal regulation.

7 (5) The department may adopt rules governing the renewal of a driver's license by a person in the
8 military assigned to active duty who had a valid Montana driver's license at the time of entering active duty.

9 (6) The department shall adopt rules to set the standards for driver license examinations and
10 reexaminations.

11 (7) The department may adopt rules to set the standards for photographs, certifications, and
12 signature requirements for the issuance of driver's licenses.

13 (8) The department shall adopt rules establishing the functional abilities and skills required to
14 exercise ordinary and reasonable control to safely operate a motor vehicle. The rules:

15 (a) must include operational restrictions based on the driver's ability and skills;

16 (b) may direct the design of one or more types of skills tests. A skills test may consist of:

17 (i) a comprehensive assessment of a person's functional abilities by means of an actual
18 demonstration of the applicant's ability to exercise ordinary and reasonable control in the safe operation of a
19 motor vehicle; or

20 (ii) a more limited assessment of a person's functional abilities, conducted at the discretion of the
21 department, as related to a specific physical or mental condition or conditions or a request for reexamination.

22 (c) must include appropriate licensing criteria relating to the use of adaptive equipment or
23 operational limits that can be readily discerned by law enforcement or a licensing agency in another jurisdiction.

24 (9) The department shall adopt rules establishing vision requirements for a person to safely
25 operate a motor vehicle. The rules:

26 (a) must include the minimum uncorrected or corrected visual acuity requirements for both
27 unrestricted and restricted licenses and operational restrictions based on the visual acuity of an applicant or
28 licensee, including the use of bioptic lenses; and

1 (b) may include minimum field of vision and depth perception requirements for both unrestricted
2 and restricted licenses.

3 (10) The rules in subsections (8) and (9):

4 (a) may take into consideration any nationally recognized standards or recommended practices or
5 standards of other jurisdictions for assessment of a person's functional abilities and skills;

6 (b) may be derived from medical guidelines and information compiled by driver licensing medical
7 advisory or review boards from other jurisdictions, as well as information received from advocacy groups for
8 persons with disabilities and senior citizens; and

9 (c) except as provided in 61-5-105, may not use a person's age or a person's physical or mental
10 disability, limitation, or condition as a justification for the denial of a license.

11 (11) The department shall adopt rules governing the issuance of a restricted learner license,
12 including when the department may issue a restricted learner license to allow for a driver to practice driving
13 skills.

14 (12) The department shall adopt rules governing the issuance of a hardship license to a person who
15 is at least 13 years of age and because of individual hardship needs a restricted driver's license, including a
16 person who holds a learner license under 61-5-106. The department must consider, among other criteria,
17 whether a hardship license is needed because the applicant's parent or guardian is not available to accompany
18 the licensee, whether due to employment or circumstances related to the operation of a farm or ranch or
19 because the parent or guardian does not hold a valid driver's license, and the licensee is required to drive to the
20 licensee's school bus stop.

21 (13) The department may adopt rules governing probationary licenses, including:

22 (a) issuance to a person whose license has been suspended or revoked or whose license is
23 subject to a discretionary suspension or revocation;

24 (b) the establishment of restrictions placed on a probationary license;

25 (c) the expiration of a probationary license;

26 (d) the cancellation of a probationary license for violating the restrictions on the probationary
27 license or for another law violation; and

28 (e) the issuance, withdrawal, and monitoring of a restricted-use driving permit issued under 61-5-

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2 (14) The department may adopt rules governing the requirements for a veteran designation on a
3 driver's license or identification card.

4 (15) The department may adopt rules governing the issuance of a replacement driver's license.

5 (16) The department may adopt rules governing the certification process for cooperative driver
6 testing program instructors.

7 (17) The department may adopt rules for the implementation of online driver's license renewal.

8 (18) The department shall adopt rules governing the issuance, renewal, and cancellation of
9 identification cards that align with the proof of identity, residence, and authorized presence standards for a
10 driver's license.

11 (19) The department may adopt rules for determining moving violations.

12 (20) The department may adopt rules for charging a fee for not appearing at a scheduled
13 commercial skills test or motorcycle test and for the waiver of the fee for good cause shown.

14 (21) The department shall adopt rules governing restrictions for personal communication limitations
15 and other medical information that would be helpful to a peace officer during a traffic stop.

16 (22) The department may adopt rules governing the conditions under which an applicant is eligible
17 to receive a driver's license or identification card by expedited service and to set the fee for expedited service.

18 (23) The department shall adopt rules necessary to implement [sections 1 through 4], including
19 setting fees, which ~~must be reasonably related to the costs to the department must be equal to driver's license~~
20 fees.

21 ~~(23)~~(24) The department may adopt rules to implement any other provision of this title."
22

23 NEW SECTION. Section 13. Codification instruction. [Sections 1 through 4] are intended to be
24 codified as an integral part of Title 61, chapter 5, part 1, and the provisions of Title 61, chapter 5, part 1, apply
25 to [sections 1 through 4].
26

27 NEW SECTION. Section 14. Effective date. [This act] is effective January 1, 2024
28

- END -