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HOUSE BILL NO. 2702

Offered January 20, 1997

A BILL to amend and reenact §§ 46.2-342 and 46.2-345 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-4:1, relating to the inclusion of residence addresses on certain documents.

Patrons—Armstrong and Day; Senator: Reynolds

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-342 and 46.2-345 of the Code of Virginia are amended and reenacted and the Code of Virginia is amended by adding a section numbered 22.1-4:1 as follows:

§ 22.1-4:1. Addresses required in certain school documents.

Documents submitted for admission to public schools shall include the residence address of each pupil, including the post office box, if applicable.

§ 46.2-342. What license to contain; Uniform Donor Document.

A. Every license issued under this chapter shall bear:

1. For new, renewal, or replacement licenses issued on or after September 1, 1995, either (i) a license number which shall be the same as the licensee's social security number, or (ii) a control number which shall be assigned by the Department to the licensee if he either (i) has no social security number or (ii) requests in writing on a form prescribed by the Commissioner that his social security number not be shown on the license;

2. A dated color photograph of the licensee;

3. The licensee's name, year, month, and date of birth;

4. The licensee's address;

5. A brief description of the licensee for the purpose of identification;

6. A space for the signature of the licensee; and

7. Any other information deemed necessary by the Commissioner for the administration of this title.

No abbreviated names or nicknames shall be shown on any license.

A1. At the option of the licensee, the address shown on the license may be either shall include the post office box, if applicable, and the business- or residence address of the licensee. However, regardless of which address is shown on the license, the licensee shall supply the Department with his residence address. This residence address shall be maintained in the Department's records. Whenever the licensee's address shown either on his license or in the Department's records changes, he shall notify the Department in writing of such change as required by § 46.2-324.

B. The license shall be cardboard or other suitable material or combination thereof and in a form to be determined by the Commissioner.

C. Photographs, for licensees under twenty-one years of age at the time of issuance of the license, shall be profile photographs; but photographs for licensees twenty-one years of age or older at the time of issuance of the license shall be front face view photographs. Notwithstanding the preceding provisions of this subsection, the first and subsequent photographs for persons under twenty-one years of age shall be profile photographs until the original issued license has expired.

D. The Department shall establish a method by which an applicant for a driver's license or an identification card may designate his willingness to be an organ donor as provided in Article 2 (§ 32.1-289 et seq.) of Chapter 8 of Title 32.1 and shall cooperate with the Virginia Transplant Council to ensure that such method is designed to encourage organ donation with a minimum of effort on the part of the donor and the Department.

E. If an applicant designates his willingness to be a donor pursuant to subsection D, the Department may make a notation of this designation on his license or card and shall make a notation of this designation in his driver record.

F. The donor designation authorized in subsection E shall be sufficient legal authority for the removal, following death, of the subject's organs or tissues without additional authority from the donor, or his family or estate.

G. The donor designation provided pursuant to subsection D may only be rescinded by appearing in person at a Department branch office. The Department shall notify the prospective donor of this requirement at the time he authorizes donor designation.

H. With the written consent of his parent or legal guardian, a minor may make a donor designation.

I. When requested by the applicant, and upon presentation of a signed statement by a licensed

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60 physician confirming the applicant's condition, the Department shall indicate on the applicant's driver's
61 license that the applicant is an insulin-dependent diabetic.

62 J. In the absence of gross negligence or willful misconduct, the Department and its employees shall
63 be immune from any civil or criminal liability in connection with the making of or failure to make a
64 notation of donor designation on any license or card or in any person's driver record.

65 K. Notwithstanding the foregoing provisions of this section, the Department shall continue to use the
66 uniform donor document, as formerly set forth in subsection D above, for organ donation designation
67 until such time as a new method is fully implemented, which shall be no later than July 1, 1994. Any
68 such uniform donor document, shall, when properly executed, remain valid and shall continue to be
69 subject to all conditions for execution, delivery, amendment, and revocation as set out in Article 2
70 (§ 32.1-289 et seq.) of Chapter 8 of Title 32.1.

71 § 46.2-345. Issuance of special identification cards; fee; confidentiality; penalties.

72 A. On the application of any person who is a resident of the Commonwealth and who does not
73 possess a license to drive a motor vehicle, the Department shall issue a special identification card to the
74 person provided:

75 1. Application is made on a form prescribed by the Department;

76 2. The applicant presents a birth certificate or other evidence acceptable to the Department of his
77 name and date of birth; and

78 3. The Department is satisfied that the applicant needs an identification card or the applicant shows
79 he has a bona fide need for such a card.

80 B. The fee for the issuance of a special identification card is five dollars.

81 C. A special identification card shall expire five years from its date of issuance and the renewal fee
82 shall be five dollars.

83 D. A special identification card issued under this section may be similar in size, shape, and design to
84 a driver's license, and include a color photograph of its holder, but the card shall be readily
85 distinguishable from a driver's license by difference in color or otherwise and shall clearly state that it
86 does not authorize the person to whom it is issued to drive a motor vehicle.

87 *D1. The address shown on the special identification card shall include the card holder's business or
88 residence address, and the card holder's post office box, if applicable.*

89 E. The photograph on a special identification card, for persons under twenty-one years of age, shall
90 be a profile photograph. Photographs, for persons twenty-one years of age and older, shall be full face
91 view photographs. Notwithstanding the preceding provision of this subsection, the first and subsequent
92 photographs for persons under twenty-one years of age shall be profile photographs until the original
93 special identification card has expired.

94 F. Any information obtained by the Department from an application for the issuance, renewal, or
95 replacement of a special identification card is confidential and shall not be divulged to any person,
96 association, corporation, or organization, public or private, except to the legal guardian or the attorney of
97 the applicant or to a person, association, corporation, or organization nominated in writing by the
98 applicant, his legal guardian, or his attorney. This subsection shall not prevent the Department from
99 furnishing the application or any information thereon to any law-enforcement agency.

100 G. Any person who uses a false or fictitious name or gives a false or fictitious address in any
101 application for an identification card, or any renewal, or knowingly makes a false statement or conceals
102 a material fact or otherwise commits a fraud in any such application shall be guilty of a Class 2
103 misdemeanor. However, where the name or address is given, or false statement is made, or fact is
104 concealed, or fraud committed, with the intent to purchase a firearm or where the identification card is
105 obtained for the purpose of committing any offense punishable as a felony, a violation of this section
106 shall constitute a Class 4 felony.

107 H. The Department may promulgate regulations necessary for the effective implementation of the
108 provisions of this section.

109 I. The Department shall utilize the various communications media throughout the Commonwealth to
110 inform Virginia residents of the provisions of this section and to promote and encourage the public to
111 take advantage of its provisions.