

SENATE BILL NO. 2148

Introduced by

Senators Mathern, Bekkedahl, Holmberg

Representatives Strinden, Hawken, D. Anderson

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 an enhanced operator's license; and to provide a penalty.

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

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

6 **Enhanced operator's license - Fee - Penalty.**

7 For an additional fee of forty-five dollars, the director shall issue enhanced features on any
8 operator's license, permit, or nondriver photo identification. These enhanced features must
9 allow for approval by the secretary of the United States department of homeland security for the
10 purpose of entering the United States. The features must denote citizenship and identity and
11 contain technology and security features approved by the secretary of the United States
12 department of homeland security. The department may not issue a license, permit, or
13 identification with enhanced features to an individual who is under sixteen years of age, is not a
14 resident of this state, or is not a citizen of the United States. The applicant for enhanced
15 features must present to the department satisfactory proof of the applicant's full legal name,
16 United States citizenship, identity, date of birth, social security number, residence address, and
17 photographic identity document. The operator's license, permit, or identification with enhanced
18 features must include reasonable security measures to prevent counterfeiting and to protect
19 against unauthorized disclosure of personal information regarding an applicant which is
20 contained in the license, permit, or identification. The enhanced features may include radio
21 frequency identification technology that is limited to a randomly assigned number, which must
22 be encrypted if agreed to by the United States department of homeland security and which does
23 not include biometric data or any information other than the citizenship status of the applicant.
24 An applicant must sign an acknowledgment of understanding of the radio frequency

- 1 identification technology and its use for the sole purpose of verifying United States citizenship
- 2 before being issued an enhanced license, permit, or identification. The use of a license, permit,
- 3 or identification with enhanced features may not be required of an applicant by any person, and
- 4 violation of this prohibition is a class B misdemeanor.