

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1425

Introduced by

Representatives Monson, Beadle, Boe, Streyle

Senators Lyson, Marcellais, Miller, O'Connell

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 - Penalty.**

7 For an additional fee of ~~thirty~~forty-five dollars, the director shall issue enhanced features on
8 any 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 of America. The applicant for
15 enhanced features must present to the department satisfactory proof of the applicant's full legal
16 name, United States citizenship, identity, date of birth, social security number, resident's
17 address, and a photographic identity document. The operator's license, permit, or identification
18 with enhanced features must include reasonable security measures to prevent counterfeiting
19 and to protect against unauthorized disclosure of personal information regarding an applicant
20 which is contained in the license, permit, or identification. The enhanced features may include
21 radio frequency identification technology that is limited to a randomly assigned number, which
22 must be encrypted if agreed to by the United States department of homeland security and which
23 does not include biometric data or any information other than the citizenship status of the
24 applicant. 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.