

2023 HOUSE TRANSPORTATION

HB 1318

2023 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1318
1/27/2023

A bill relating to nondriver photo identification cards and operator licenses for noncitizens.

Chairman D. Ruby opened the hearing at 9:02 AM.

Members present: Chairman Ruby, Vice Chairman Grueneich, Representatives Anderson, Christensen, Dyk, Frelich, Hauck, Koppelman, Murphy, Timmons, Wagner, Weisz, Dakane. **Members absent:** Representative Dobervich.

Discussion Topics:

- Noncitizens identification
- Voting requirements

Representative Kasper introduced bill in support (#17402).

Chairman D. Ruby closed the hearing at 9:22AM.

Committee discussion.

Representative Koppelman moved a Do Pass.

Representative Wagner seconded the motion.

Representative Koppelman withdrew his motion.

Meeting adjourned 9:45AM.

Mary Brucker, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1318
2/3/2023

A bill relating to nondriver photo identification cards and operator licenses for noncitizens.

Chairman D. Ruby opened the meeting at 10:48 AM.

Members present: Chairman Ruby, Vice Chairman Grueneich, Representatives Anderson, Christensen, Dyk, Frelich, Hauck, Koppelman, Murphy, Timmons, Wagner, Dakane, Dobervich. **Members absent:** Representative Weisz.

Discussion Topics:

- Naturalization status
- Department of Transportation notices
- Committee vote

Brad Shaffer, Drivers License Director with North Dakota Department of Transportation, answered questions from the committee.

Representative Murphy discussed possible amendment (23.0127.01001).

Representative Murphy moved the amendment (23.0127.01001) (#19076).
Representative Wagner seconded the motion.

Roll Call Vote

Representatives	Vote
Representative Dan Ruby	Y
Representative Jim Grueneich	Y
Representative Karen A. Anderson	Y
Representative Cole Christensen	Y
Representative Hamida Dakane	Y
Representative Gretchen Dobervich	Y
Representative Scott Dyk	Y
Representative Kathy Frelich	Y
Representative Dori Hauck	Y
Representative Ben Koppelman	Y
Representative Eric James Murphy	Y
Representative Kelby Timmons	Y
Representative Scott Wagner	Y
Representative Robin Weisz	AB

Motion carried. 13-0-1

Representative Dakane moved a Do Pass as amended.

Representative Wagner seconded.

Roll Call Vote

Representatives	Vote
Representative Dan Ruby	Y
Representative Jim Grueneich	Y
Representative Karen A. Anderson	Y
Representative Cole Christensen	Y
Representative Hamida Dakane	Y
Representative Gretchen Dobervich	Y
Representative Scott Dyk	Y
Representative Kathy Frelich	Y
Representative Dori Hauck	Y
Representative Ben Koppelman	Y
Representative Eric James Murphy	Y
Representative Kelby Timmons	Y
Representative Scott Wagner	Y
Representative Robin Weisz	AB

Motion carried. 13-0-1 Carrier: Representative Dakane

Chairman D. Ruby adjourned at 11:11AM.

Mary Brucker, Committee Clerk

February 3, 2023

23-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1318

Page 1, line 12, remove "within the"

Page 1, line 13, remove "forty-five days following naturalization."

Page 1, line 14, after the underscored period insert "The individual shall update the citizenship status within forty-five days following naturalization."

Page 2, line 6, remove "within the forty-five days following naturalization."

Page 2, line 8, after the underscored period insert "The individual shall update the citizenship status within forty-five days following naturalization."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1318: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1318 was placed on the Sixth order on the calendar.

Page 1, line 12, remove "within the"

Page 1, line 13, remove "forty-five days following naturalization."

Page 1, line 14, after the underscored period insert "The individual shall update the citizenship status within forty-five days following naturalization."

Page 2, line 6, remove "within the forty-five days following naturalization."

Page 2, line 8, after the underscored period insert "The individual shall update the citizenship status within forty-five days following naturalization."

Renumber accordingly

2023 SENATE TRANSPORTATION

HB 1318

2023 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB 1318
3/9/2023

Relating to nondriver photo identification cards and operator licenses for noncitizens.

9:01 AM Chairman Clemens opened hearing.

Senators Present: **Clemens, Conley, Paulson.**

Absent: **Rummel, Larsen**

Discussion Topics:

- Updating citizenship
- Card features

9:02 AM Representative Casper introduced bill.

9:22 AM Brad Schaffer, Driver License Director, testified verbally neutrally.

9:30 AM Chairman Clemens adjourned hearing.

Nathan Liesen, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB 1318
3/23/2023

Relating to nondriver photo identification cards and operator licenses for noncitizens.

11:19 AM Chairman Clemens opened the meeting.

Senators present: **Clemens, Conley, Larsen, Rummel, Paulson.**

Discussion Topics:

- ID labeling
- Committee Action

11:22 AM Brad Schafer, Director of Driver's License, NDDOT provided additional information verbally.

11:25 AM Senator Larsen moved Do Pass.

11:25 AM Senator Conley seconded.

Roll call vote

Senators	Vote
Senator David A. Clemens	Y
Senator Cole Conley	Y
Senator Doug Larsen	Y
Senator Bob Paulson	Y
Senator Dean Rummel	Y

Passed 5-0-0

Senator Rummel will carry the bill.

11:26 AM Chairman Clemens closed the meeting.

Nathan Liesen, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1318, as engrossed: Transportation Committee (Sen. Clemens, Chairman)
recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1318 was placed on the Fourteenth order on the calendar. This bill
does not affect workforce development.

TESTIMONY

HB 1318

Kasper, Jim M.

From: Richard, Dustin
Sent: Thursday, January 26, 2023 2:38 PM
To: Kasper, Jim M.
Subject: FW: House Bill 1318

Good afternoon, Representative Kasper –

This email provides a section-by-section explanation of House Bill 1398.

The bill was designed to encourage non-citizens, who become naturalized, to update their identification for the purposes of voting.

Non-driver photo identification cards and driver's licenses issued to non-citizens must be designed in a manner to **clearly make the card distinguishable** from a similar card issued to a citizen of the United States.

SECTION 1:

Section 1 of the bill amends Subsection 2 of Section 39-06-03.1.

Section 39-06-03.1 addresses when the Director of the Department of Transportation shall issue nondriver photo identification cards.

Subsection 2 of Section 39-06-03.1 specifically addresses when the director shall issue nondriver photo identification cards to **non-citizens**.

Section 1 of the bill adds the following requirements:

1. Upon the issuance of a nondriver photo identification card under Subsection 2, requires the Department of Transportation to provide a written notice that indicates within 45 days following naturalization, the naturalized individual shall contact the Department of Transportation to update the individual's citizenship status.
2. Requires the Department of Transportation to replace the card, as long as the fee is paid. Current law uses "may" instead of "shall."
3. Requires the Department of Transportation to send the notice regarding naturalization to all individuals who obtained a nondriver photo identification card under Subsection 2, before August 1, 2023. August 1, 2023 is the effective date of this Act.

SECTION 2:

Section 2 of this bill is mechanically identical to Section 1. However, Section 2 addresses driver's licenses, not nondriver photo identification cards.

Section 2 of the bill amends Subsection 5 of Section 39-06-14. Section 39-06-14 addresses when the Director of the Department of Transportation shall issue operator's licenses commonly referred to as driver's licenses.

Subsection 5 of section 39-06-14 specifically addresses when the director shall issue an operator's license to **non-citizens**.

Section 2 of the bill adds the following requirements:

1. Upon the issuance of an operator's license under Subsection 5, requires the Department of Transportation to provide a written notice that indicates within 45 days following naturalization, the naturalized individual shall contact the Department of Transportation to update the individual's citizenship status.
2. Requires the Department of Transportation to replace the license, as long as the fee is paid. Current law uses "may" instead of "shall."
3. Requires the Department of Transportation to send the notice regarding naturalization to all individuals who obtained a license under Subsection 5, before August 1, 2023. August 1, 2023 is the effective date of this Act.

SECTION 3:

Section 3 of the bill amends Subsection 1 of Section 39-06-14.2.

Section 39-06-14.2 addresses the database that holds the information for citizens who possess a nondriver photo identification card or driver's license.

Section 3 of the bill requires the Department of Transportation to update the database when a naturalized citizen obtains a "citizen" nondriver photo identification card or operator's license under Chapter 39-06.

...

I hope this information was helpful. If you have any questions, please do not hesitate to contact me.

Thank you.

Dustin A. Richard

Counsel

North Dakota Legislative Council

600 East Boulevard Ave

Bismarck, ND 58505

drichard@ndlegis.gov

701.328.2916

23.0127.01001
Title.02000

Adopted by the House Transportation
Committee
February 3, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1318

Page 1, line 12, remove "within the"

Page 1, line 13, remove "forty-five days following naturalization."

Page 1, line 14, after the underscored period insert "The individual shall update the citizenship status within forty-five days following naturalization."

Page 2, line 6, remove "within the forty-five days following naturalization."

Page 2, line 8, after the underscored period insert "The individual shall update the citizenship status within forty-five days following naturalization."

Renumber accordingly