

AMENDED IN ASSEMBLY MARCH 26, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 468

Introduced by Assembly Member Cohn

February 21, 2001

An act to amend Section 12815 of the Vehicle Code, relating to driver's licenses.

LEGISLATIVE COUNSEL'S DIGEST

AB 468, as amended, Cohn. Driver's license: duplicate.

Existing law provides a procedure for obtaining a duplicate driver's license if a driver's license is lost, destroyed or mutilated, or a new true, full name is acquired. In order to obtain a duplicate license, the Department of Motor Vehicles must be furnished with satisfactory proof of that loss, destruction, or mutilation, and if the licensee is a minor, evidence of permission to obtain a duplicate secured from the parents, guardian, or person having custody of the minor.

This bill would require, in addition, that the department be furnished with satisfactory proof of the identity of the person requesting the duplicate license, including a valid identification document that contains a photograph of that person. The bill would ~~authorize~~ *require* the department to verify a person's identity through inspection of its own photographic files from the licensee's prior license if the person requesting a duplicate license is unable to provide satisfactory proof of his or her identity.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 12815 of the Vehicle Code is amended to read:

12815. (a) If a driver's license issued under this code is lost, destroyed or mutilated, or a new true, full name is acquired, the person to whom it was issued shall obtain a duplicate upon furnishing to the department (1) satisfactory proof of that loss, destruction, or mutilation and (2) satisfactory proof of the identity of the person requesting a duplicate license, including a valid identification document that contains a photograph of that person, and (3) if the licensee is a minor, evidence of permission to obtain a duplicate secured from the parents, guardian, or person having custody of the minor. If the person requesting a duplicate license is unable to provide satisfactory proof of his or her identity, the department ~~may~~ shall verify that person's identity through inspection of its own photographic files from the licensee's prior license. Any person who loses a driver's license and who, after obtaining a duplicate, finds the original license shall immediately destroy the original license.

(b) A person in possession of a valid driver's license who has been informed either by the department or by a law enforcement agency that the document is mutilated shall surrender the license to the department not later than 10 days after that notification.

(c) For purposes of this section, a mutilated license is one that has been damaged sufficiently to render any or all of the elements of identity set forth in Sections 12800.5 and 12811 unreadable or unidentifiable through visual, mechanical, or electronic means.