

AMENDED IN ASSEMBLY APRIL 16, 2001

AMENDED IN ASSEMBLY MARCH 26, 2001

CALIFORNIA LEGISLATURE—2001-02 REGULAR SESSION

ASSEMBLY BILL

No. 468

Introduced by Assembly Member Cohn
(Principal coauthor: Assembly Member Leach)

February 21, 2001

An act to amend ~~Section 12815~~ *Sections 12815 and 13003* of the Vehicle Code, relating to driver's licenses.

LEGISLATIVE COUNSEL'S DIGEST

AB 468, as amended, Cohn. Driver's license: ~~duplicate~~ *identification card*.

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 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.

Under existing law, if an identification card issued under the Vehicle Code is lost, destroyed, mutilated, or a new true full name is acquired, the person to whom that card was issued may make application for an original identification card.

This bill would provide that if application is made pursuant to the above, the person applying would be required to provide the department with (1) satisfactory proof of that loss, destruction, or mutilation and (2) satisfactory proof of the identity of that person, including a valid identification document that contains his or her photograph. The bill would require, if the person requesting a new identification card is unable to provide satisfactory proof of his or her identity, the department to verify that person’s identity through inspection of its own photographic files from the person’s prior identification card. The bill would require any person who loses an identification card and who, after obtaining a new identification card, finds the original identification card, to immediately destroy the original identification card. Because a violation of any provision of the Vehicle Code is a crime, this bill would impose a state-mandated local program by expanding the scope of that crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

- 1 SECTION 1. Section 12815 of the Vehicle Code is amended
- 2 to read:
- 3 12815. (a) If a driver’s license issued under this code is lost,
- 4 destroyed or mutilated, or a new true, full name is acquired, the
- 5 person to whom it was issued shall obtain a duplicate upon
- 6 furnishing to the department (1) satisfactory proof of that loss,
- 7 destruction, or mutilation and (2) satisfactory proof of the identity
- 8 of the person requesting a duplicate license, including a valid



1 identification document that contains a photograph of that person,
2 and (3) if the licensee is a minor, evidence of permission to obtain
3 a duplicate secured from the parents, guardian, or person having
4 custody of the minor. If the person requesting a duplicate license
5 is unable to provide satisfactory proof of his or her identity, the
6 department shall verify that person's identity through inspection
7 of its own photographic files from the licensee's prior license. Any
8 person who loses a driver's license and who, after obtaining a
9 duplicate, finds the original license shall immediately destroy the
10 original license.

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

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

19 *SEC. 2. Section 13003 of the Vehicle Code is amended to read:*

20 13003. (a) If an identification card issued under this code is
21 lost, destroyed, mutilated, or a new true full name is acquired, the
22 person to whom it was issued ~~shall~~ *may* make application for an
23 original identification card as specified in Section 13000. The fee
24 provided in Section 14902 shall be paid to the department upon
25 application for the card. Every identification card issued pursuant
26 to this section shall expire as provided in Section 13002 and shall
27 be deemed an original identification card for that purpose.

28 (b) (1) *A person making a request under subdivision (a) shall*
29 *provide the department with the following satisfactory proof:*

30 (A) *That the loss, destruction, or mutilation of the card*
31 *occurred.*

32 (B) *The identity of that person, including a valid identification*
33 *document that contains his or her photograph.*

34 (2) *If the person requesting a new identification card is unable*
35 *to provide satisfactory proof of his or her identity, the department*
36 *shall verify that person's identity through inspection of its own*
37 *photographic files from the person's prior identification card.*

38 (3) *Any person who loses an identification card and who, after*
39 *obtaining a new identification card, finds the original*



1 *identification card, shall immediately destroy the original*
2 *identification card.*

3 (c) A person in possession of a valid identification card who has
4 been informed either by the department or by a law enforcement
5 agency that the document is mutilated shall surrender the
6 identification card to the department not later than 10 days after
7 that notification.

8 ~~(e)~~

9 (d) For purposes of this section a mutilated identification card
10 is one that has been damaged sufficiently to render any or all of the
11 elements of identity set forth in Sections 13005 and 13005.5
12 unreadable or unidentifiable through visual, mechanical, or
13 electronic means.

14 *SEC. 3. No reimbursement is required by this act pursuant to*
15 *Section 6 of Article XIII B of the California Constitution because*
16 *the only costs that may be incurred by a local agency or school*
17 *district will be incurred because this act creates a new crime or*
18 *infraction, eliminates a crime or infraction, or changes the penalty*
19 *for a crime or infraction, within the meaning of Section 17556 of*
20 *the Government Code, or changes the definition of a crime within*
21 *the meaning of Section 6 of Article XIII B of the California*
22 *Constitution.*

