

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, further providing for
3 application for driver's license or learner's permit;
4 providing for issuance of driver's license to undocumented
5 residents; establishing the Undocumented Resident Driver's
6 License Services Administration Fund; and imposing penalties.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 1506 of Title 75 of the Pennsylvania
10 Consolidated Statutes is amended by adding a subsection to read:
11 § 1506. Application for driver's license or learner's permit.

12 * * *

13 (a.2) Undocumented resident application.--A person who has
14 resided in this Commonwealth for 90 days or more may apply for a
15 Pennsylvania undocumented resident driver's license or
16 learner's permit if the person is ineligible to obtain a Social
17 Security number and unable to present documentation issued by
18 the Federal Government authorizing the person's lawful presence
19 in the United States.

1 * * *

2 Section 2. Title 75 is amended by adding a section to read:

3 § 1510.1. Issuance of driver's license or learner's permit to
4 undocumented resident.

5 (a) Contents of application.--The application for an
6 undocumented resident driver's license or learner's permit under
7 section 1506(a.2) (relating to application for driver's license
8 or learner's permit) shall include the applicant's full name and
9 date of birth. The department shall require identification
10 verification, which shall include a valid unexpired passport
11 from the applicant's country of citizenship, an unexpired
12 consular identification document or a consular report of birth
13 abroad.

14 (b) Consular identification document.--A consular
15 identification document shall be accepted only for the purposes
16 of identification verification and shall not convey an
17 independent right to receive benefits outside of obtaining an
18 undocumented resident driver's license or learner's permit. The
19 department shall not accept a consular identification document
20 if the department reasonably believes that the consular
21 identification document is forged, fraudulent or altered or the
22 holder does not appear to be the same person on the consular
23 identification document. The consular identification document
24 shall contain all of the following:

25 (1) A physical description of the person, including sex,
26 height and eye color.

27 (2) The person's signature.

28 (3) Current residential address of the person. The
29 department shall require one of the following documents as
30 proof of the 90-day residency requirement for applicants

1 under section 1506(a.2):

2 (i) Tax records.

3 (ii) Lease agreements.

4 (iii) Mortgage documents.

5 (iv) W-2 Form.

6 (v) Current utility bills, such as water, gas,
7 electric or cable bills.

8 (c) Issuance of consular identification documents.--The
9 issuance of a consular identification document shall comply with
10 all of the following:

11 (1) The foreign government issuing the consular
12 identification document shall require a person seeking a
13 consular identification document to obtain proof of
14 nationality, proof of identity and proof of residence in the
15 consular district.

16 (2) The foreign government shall include all of the
17 following security features in the consular identification
18 document:

19 (i) A unique identification number.

20 (ii) An optically variable feature, such as a
21 hologram or color-shifting inks.

22 (iii) An ultraviolet image.

23 (iv) Encoded information.

24 (v) Machine readable technology.

25 (vi) Micro printing.

26 (vii) Secure laminate.

27 (viii) An integrated photograph and a signature.

28 (3) The consular identification document shall include
29 all of the following data:

30 (i) The name and address of the person to whom it is

1 issued.

2 (ii) The date of issuance.

3 (iii) The date of expiration.

4 (iv) The name of the issuing consulate.

5 (v) An identification number.

6 (vi) An English translation of the data fields.

7 (4) The issuing consulate shall file with the department
8 the consular identification document and a certification
9 indicating compliance with procedures of this subsection.

10 (d) Scope of consular identification document.--A consular
11 identification document shall not be accepted as identification
12 for registering to vote or obtaining a driver's license or
13 learner's permit other than an undocumented resident driver's
14 license or learner's permit. A consular identification document
15 shall not establish or indicate lawful United States immigration
16 status or a foreign national's right to be in the United States
17 or remain in the United States.

18 (e) Proof of identity.--An undocumented resident driver's
19 license or learner's permit shall not be accepted as proof of
20 the holder's identity. The driver's license or permit shall
21 contain a notice on its face, in capitalized letters, stating
22 that the driver's license or permit shall not be accepted as
23 proof of identity and shall be valid only if the person is
24 domiciled in Pennsylvania. Upon notice of a change of address
25 from a driver to an out-of-State address, the department shall
26 not renew the driver's license or learner's permit of the person
27 until the person reestablishes residency in this Commonwealth as
28 provided under section 1515(c)(2) (relating to notice of change
29 of name or address). An undocumented resident driver's license
30 or learner's permit shall not be used for identification for

1 voting or other purposes.

2 (f) Liability insurance.--An undocumented resident driver's
3 license or learner's permit shall be invalid if the holder is
4 unable to provide proof of liability insurance as required by
5 Chapter 17 (relating to financial responsibility) upon the
6 request of a law enforcement officer, in which case the holder
7 commits a violation of Chapter 17.

8 (g) Issuance of license or permit.--An undocumented resident
9 driver's license or learner's permit shall be issued from a
10 central location after the department has verified the
11 information provided by the applicant.

12 (h) Fees.--An undocumented resident driver's license and
13 learner's permit fee plus the cost of the photograph required in
14 section 1510(a) (relating to issuance and content of driver's
15 license) shall be as provided in section 1951 (relating to
16 miscellaneous fees).

17 (i) Undocumented Resident Driver's License Services
18 Administration Fund.--There shall be established in the State
19 Treasury a special fund to be known as the Undocumented Resident
20 Driver's License Services Administration Fund. The fees
21 collected from issuing undocumented resident drivers' licenses
22 and learners' permits shall be deposited into the fund. The fees
23 shall, subject to appropriation, be used by the department for
24 costs related to issuing the drivers' licenses and learners'
25 permits and other operational costs, including personnel,
26 facilities, computer programming and data transmission.

27 (j) Regulations.--The following shall apply:

28 (1) The department shall adopt regulations necessary to
29 effectuate the provisions of this section, including the
30 procedure for issuing undocumented resident drivers' licenses

1 and learners' permits.

2 (2) Except as otherwise provided in this title or
3 administrative rule, any person issued an undocumented
4 resident driver's license or learner's permit shall be
5 subject to the provisions of this title and regulations
6 issued by the secretary to the same extent as any person
7 issued a driver's license or learner's permit, including, but
8 not limited to, the examination requirements in section 1508
9 (relating to examination of applicant for driver's license)
10 and the mandatory insurance requirements and penalties set
11 forth under this title.

12 (k) Penalties.--A violation of this section shall result in
13 the penalties and disposition of fines as provided in Chapter 65
14 (relating to penalties and disposition of fines).

15 (l) Definitions.--As used in this section, the term
16 "consular identification documentation" means an official
17 identification card issued by a foreign government for the
18 purpose of identifying a foreign national who is living outside
19 of the foreign country.

20 Section 3. This act shall take effect in 60 days.