

LEGISLATIVE REFERENCE BUREAU

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No. _____

LEGISLATIVE REFERENCE BUREAU

AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, providing for digitized driver's licenses.

INTRODUCED _____ 20_____

By _____ District NO. _____

By _____ District NO. _____

By _____ District NO. _____

By _____ District NO. _____

See next page for additional co-sponsors.

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|---------------------------------|---------|
| Referred to Committee on | |
| Date _____ | 20_____ |
| Reported _____ | 20_____ |
| As Committed-Amended | |
| Recommendation | |
| _____ | |
| By Hon. _____ | |

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, providing for digitized
3 driver's licenses.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Chapter 15 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER E

9 DIGITIZED DRIVER'S LICENSES

10 Sec.

11 1591. Scope of subchapter.

12 1592. Purpose.

13 1593. Definitions.

14 1594. Mobile app.

15 1595. Validity of digitized driver's license.

16 1596. Effect of other electronic images.

17 1597. Effect on law enforcement.

18 1598. Fees.

1 1599. Rules and regulations.

2 § 1591. Scope of subchapter.

3 This subchapter relates to digitized driver's licenses, which
4 may be used in addition to the driver's licenses required under
5 this chapter.

6 § 1592. Purpose.

7 The purpose of this subchapter is to provide an individual
8 with a driver's license issued by the Commonwealth the option of
9 downloading a digitized version of the driver's license of the
10 individual through a mobile app that the department would offer.

11 § 1593. Definitions.

12 The following words and phrases when used in this subchapter
13 shall have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 "Digitized driver's license." A data file available on a
16 mobile device that has connectivity to the Internet through an
17 application that:

18 (1) allows the mobile device to download the data file
19 from the department or an authorized representative of the
20 department;

21 (2) contains all the data elements visible on the face
22 and back of the driver's license of an individual; and

23 (3) displays the current status of the driver's license
24 of an individual, including, but not limited to, valid,
25 expired, canceled, suspended, revoked, disqualified, hardship
26 or interlock hardship status.

27 § 1594. Mobile app.

28 The department shall offer to each individual with a driver's
29 license issued by the Commonwealth a mobile app capable of
30 downloading a digitized driver's license for the individual.

1 § 1595. Validity of digitized driver's license.

2 (a) General rule.--Except as otherwise provided in
3 subsection (b), a digitized driver's license shall serve the
4 same purpose and have the same effect as any other driver's
5 license under this chapter.

6 (b) Exception.--A digitized driver's license shall not
7 negate the obligation to have and carry a physical version of a
8 driver's license as specified under the other provisions of this
9 chapter. A digitized driver's license shall supplement and not
10 replace a physical version of a driver's license required under
11 the other provisions of this chapter.

12 § 1596. Effect of other electronic images.

13 A digital copy, photograph or any other image of a driver's
14 license that is not downloaded as a digitized driver's license
15 shall not be valid for purposes of this chapter.

16 § 1597. Effect on law enforcement.

17 (a) Citation.--If an individual is unable to produce a
18 physical version of the driver's license of the individual in
19 connection with a traffic stop or checkpoint, the individual may
20 present the individual's digitized driver's license to a law
21 enforcement officer. In such an instance, the law enforcement
22 officer may not issue a citation to the individual for driving a
23 motor vehicle without having the physical version of the
24 driver's license.

25 (b) Unlawful search.--The following shall apply in the
26 absence of a valid search warrant regarding an individual's
27 mobile device:

28 (1) The display of an individual's digitized driver's
29 license shall not be construed as consent or authorization by
30 the individual for a law enforcement officer or any other

1 person to search, view or access any other data or
2 application on the individual's mobile device.

3 (2) If an individual presents a mobile device to a law
4 enforcement officer or other person for the purpose of
5 displaying the individual's digitized driver's license, the
6 law enforcement officer or other person shall promptly return
7 the mobile device to the individual immediately after the law
8 enforcement officer or other person has had the opportunity
9 to verify the identity or driver's license status of the
10 individual.

11 § 1598. Fees.

12 The department shall prescribe a schedule of reasonable fees
13 for an individual to use the mobile app established under this
14 subchapter. The fees shall be designed to keep the mobile app
15 accessible and functioning and may include:

16 (1) A reasonable download fee.

17 (2) A reasonable fee when the driver's license of the
18 individual is renewed or when the information on the driver's
19 license of the individual is updated.

20 § 1599. Rules and regulations.

21 The department shall promulgate rules and regulations
22 necessary to implement the provisions of this subchapter.

23 Section 2. This act shall take effect in 60 days.