

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 298

Short Title: Require Passport for Drivers License. (Public)

Sponsors: Senators Pittenger; Allran, Apodaca, Berger of Rockingham, Bingham, Blake, Brock, Brown, East, Forrester, Goodall, Hunt, Jacumin, Preston, Smith, Stevens, and Tillman.

Referred to: Transportation.

February 22, 2007

A BILL TO BE ENTITLED

1
2 AN ACT TO REQUIRE A NONCITIZEN OF THE UNITED STATES WHO IS
3 PRESENT IN THE UNITED STATES TO PRESENT A VALID PASSPORT
4 FROM THE COUNTRY OF ORIGIN AND VALID DOCUMENTATION
5 SHOWING LEGAL PRESENCE ISSUED BY THE UNITED STATES
6 GOVERNMENT TO RECEIVE A DRIVERS LICENSE FROM THE DIVISION
7 OF MOTOR VEHICLES.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 20-7(b3) reads as rewritten:

10 **"§ 20-7. Issuance and renewal of drivers licenses.**

11 ...

12 (b3) The Division shall adopt rules implementing the provisions of subsection (b1)
13 of this section with respect to proof of residency in this State. Those rules shall ensure
14 that applicants submit verified or verifiable residency and address information that can
15 be reasonably considered to be valid and that is provided on any of the following:

- 16 (1) A document issued by an agency of the United States ~~or by the~~
17 ~~government of another nation.~~ States.
18 (2) A document issued by another state.
19 (3) A document issued by the State of North Carolina, or a political
20 subdivision of this State. This includes an agency or instrumentality of
21 this State.
22 (4) A preprinted bank or other corporate statement.
23 (5) A preprinted business letterhead.
24 (6) Any other document deemed reliable by the Division.

25 **SECTION 2.** G.S. 20-7(b4) reads as rewritten:

26 "(b4) Examples of documents that are reasonably reliable indicators of residency
27 include, but are not limited to, any of the following:

- 1 (1) A pay stub with the payee's address.
- 2 (2) A utility bill showing the address of the applicant-payor.
- 3 (3) A contract for an apartment, house, modular unit, or manufactured
- 4 home with a North Carolina address signed by the applicant.
- 5 (4) A receipt for personal property taxes paid.
- 6 (5) A receipt for real property taxes paid to a North Carolina locality.
- 7 (6) A current automobile insurance policy issued to the applicant and
- 8 showing the applicant's address.
- 9 (7) A monthly or quarterly financial statement from a North Carolina
- 10 regulated financial institution.
- 11 ~~(8) A matricula consular or substantially similar document issued by the~~
- 12 ~~Mexican Consulate for North Carolina.~~
- 13 ~~(9) A document similar to that described in subsection (8) of this section,~~
- 14 ~~issued by the consulate or embassy of another country. This~~
- 15 ~~subdivision only applies if the Division has consulted with the United~~
- 16 ~~State Department of State and is satisfied with the reliability of such~~
- 17 ~~document."~~

SECTION 3. G.S. 20-7(f)(3) reads as rewritten:

"§ 20-7. Issuance and renewal of drivers licenses.

20 ...

21 (f) Duration and Renewal of Licenses. – Drivers licenses shall be issued and

22 renewed pursuant to the provisions of this subsection.

23 ...

24 (3) Duration of license. – A drivers license that was issued by the Division

25 and is renewed by the Division expires at the end of the period

26 provided by this subsection after the expiration date of the license that

27 is renewed unless the Division determines that a license of shorter

28 duration should be issued when the applicant ~~holds a visa of limited~~

29 ~~duration from the United States Department of Homeland Security,~~

30 presents a valid passport from the country of origin and valid

31 documentation demonstrating legal presence in the United States and

32 that documentation is issued to the applicant under the authority of the

33 United States Government, but in no event shall the license expire later

34 than the applicant's lawful presence in the United States. A person may

35 apply to the Division to renew a license during the 180-day period

36 before the license expires. The Division may not accept an application

37 for renewal made before the 180-day period begins.

38 ..."

SECTION 4. G.S. 20-7(s) reads as rewritten:

"§ 20-7. Issuance and renewal of drivers licenses.

41 ...

42 (s) Notwithstanding the requirements of subsection (b1) of this section that an

43 applicant present a valid social security number, the Division shall issue a drivers

44 license of limited duration, under subsection (f) of this section, to an applicant present in

1 the United States ~~under a valid visa issued to the applicant by the United States~~
2 ~~Department of Homeland Security if the applicant presents that valid visa that presents a~~
3 valid passport from the country of origin and valid documentation demonstrating legal
4 presence in the United States and that documentation is issued to the applicant under the
5 authority of the United States Government."

6 **SECTION 3.** This act becomes effective July 1, 2007.