



1 endorsement, a person shall demonstrate his or her physical and mental ability to drive  
2 safely the type of motor vehicle for which the endorsement is required.

3 The application form shall request all of the following information, and it shall  
4 contain the disclosures concerning the request for an applicant's social security number  
5 required by section 7 of the federal Privacy Act of 1974, Pub. L. No. 93-579:

- 6 (1) The applicant's full name.
- 7 (2) The applicant's mailing address and residence address.
- 8 (3) A physical description of the applicant, including the applicant's sex,  
9 height, eye color, and hair color.
- 10 (4) The applicant's date of birth.
- 11 (5) The applicant's valid social security ~~number~~number or the valid alien  
12 registration number ('A' number) issued by the United States  
13 Department of Homeland Security.
- 14 (6) The applicant's signature.

15 ~~If an applicant does not have a valid social security number and is ineligible to~~  
16 ~~obtain one, the applicant shall swear to or affirm that fact under penalty of perjury. In~~  
17 ~~such case, the applicant may provide a valid Individual Taxpayer Identification Number~~  
18 ~~issued by the Internal Revenue Service to that person.~~

19 The Division shall not issue an identification card, learners permit, or drivers license  
20 to an applicant who fails to provide ~~either the applicant's valid social security number or~~  
21 ~~the applicant's valid Individual Taxpayer Identification Number.~~proof that the  
22 applicant's presence in the United States is authorized under federal law as required by  
23 subdivision (5) of this subsection. Each year the Division shall submit to the Governor  
24 and to the General Assembly a report detailing the numbers and types of drivers licenses  
25 applications issued and denied pursuant to this section."

26 **SECTION 2.** G.S. 20-7(b3) reads as rewritten:

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

- 31 (1) A document issued by an agency of the United States ~~or by the~~  
32 ~~government of another nation.~~States.
- 33 (2) A document issued by another state.
- 34 (3) A document issued by the State of North Carolina, or a political  
35 subdivision of this State. This includes an agency or instrumentality of  
36 this State.
- 37 (4) A preprinted bank or other corporate statement.
- 38 ~~(5) A preprinted business letterhead.~~
- 39 ~~(6) Any other document deemed reliable by the Division."~~

40 **SECTION 3.** G.S. 20-7(b4) reads as rewritten:

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

- 43 (1) A pay stub with the payee's address.
- 44 (2) A utility bill showing the address of the applicant-payor.

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

16 **SECTION 4.** G.S. 20-7(b5) reads as rewritten:

17 "(b5) The Division rules adopted pursuant to subsection (b3) of this section shall  
18 also provide that if ~~ana~~ minor applicant cannot produce any documentation specified in  
19 subsection (b3) or (b4) of this section, ~~the applicant, or in the case of a minor applicant~~  
20 a parent or legal guardian of the applicant, may complete an affidavit, on a form  
21 provided by the Division and sworn to before an official of the Division, indicating the  
22 applicant's current residence address. No parent or guardian who has obtained a drivers  
23 license by affidavit may subsequently complete an affidavit for a minor applicant. The  
24 affidavit shall contain the provisions of ~~G.S. 20-15(a) and G.S. 20-17(a)(5)~~  
25 G.S. 20-15(a), 20-17(a)(5), and 20-31, and shall indicate the civil and criminal penalties  
26 for completing a false affidavit."

27 **SECTION 5.** G.S. 20-7(f) reads as rewritten:

28 "(f) Expiration and Temporary License. – The first drivers license the Division  
29 issues to a person expires on the person's fourth or subsequent birthday that occurs after  
30 the license is issued and on which the individual's age is evenly divisible by five, unless  
31 this subsection sets a different expiration date. A first drivers license ~~may~~ shall be  
32 issued for a shorter duration if the Division determines that a license of shorter duration  
33 should be issued when the applicant holds to expire upon the expiration date of a visa of  
34 limited duration issued by the United States Department of State. of Homeland Security.  
35 The first drivers license the Division issues to a person who is at least 17 years old but is  
36 less than 18 years old expires on the person's twentieth birthday. The first drivers  
37 license the Division issues to a person who is at least 62 years old expires on the  
38 person's birthday in the fifth year after the license is issued, whether or not the person's  
39 age on that birthday is evenly divisible by five.

40 A drivers license that was issued by the Division and is renewed by the Division  
41 expires five years after the expiration date of the license that is renewed unless the  
42 Division determines that a license of shorter duration ~~should~~ shall be issued to expire on  
43 the expiration date of a valid alien registration when the applicant holds a ~~visa~~ valid  
44 alien registration of limited duration from the United States Department of State.

1 Homeland Security. A person may apply to the Division to renew a license during the  
2 180-day period before the license expires. The Division may not accept an application  
3 for renewal made before the 180-day period begins. Any license issued to a noncitizen  
4 shall automatically expire when the applicant's presence is no longer authorized under  
5 federal law. The expiration date on the license shall reflect the expiration date of the  
6 applicant's authorized presence in the United States as verified by the United States  
7 Department of Homeland Security.

8 The Division may renew by mail a drivers license issued by the Division to a person  
9 who meets any of the following descriptions:

- 10 (1) Is serving on active duty in the armed forces of the United States and  
11 is stationed outside this State.  
12 (2) Is a resident of this State and has been residing outside the State for at  
13 least 30 continuous days.

14 When renewing a license by mail, the Division may waive the examination that  
15 would otherwise be required for the renewal and may impose any conditions it finds  
16 advisable. A license renewed by mail is a temporary license that expires 60 days after  
17 the person to whom it is issued returns to this State.

18 The Division shall issue a temporary license valid for 10 days to the applicant and  
19 shall mail the drivers license to the applicant, by first-class mail, at the address provided  
20 by the applicant."

21 **SECTION 6.** G.S. 163-82.19 reads as rewritten:

22 "**§ 163-82.19. Voter registration at drivers license offices.**

23 The Division of Motor Vehicles shall, pursuant to the rules adopted by the State  
24 Board of Elections, modify its forms so that any eligible person who applies for original  
25 issuance, renewal or correction of a drivers license, or special identification card issued  
26 under G.S. 20-37.7 may, on a part of the form, complete an application to register to  
27 vote or to update his registration if the voter has changed his address or moved from one  
28 precinct to another or from one county to another. The person taking the application  
29 shall ask if the applicant is a citizen of the United States. If the applicant states that the  
30 applicant is not a citizen of the United States, or declines to answer the question, the  
31 person taking the application shall inform the applicant that it is a felony for a person  
32 who is not a citizen of the United States to apply to register to vote. Any person who  
33 willfully and knowingly and with fraudulent intent gives false information on the  
34 application is guilty of a Class I felony. The application shall state in clear language the  
35 penalty for violation of this section. The necessary forms shall be prescribed by the  
36 State Board of Elections. The form must ask for the previous voter registration address  
37 of the voter, if any. If a previous address is listed, and it is not in the county of residence  
38 of the applicant, the appropriate county board of elections shall treat the application as  
39 an authorization to cancel the previous registration and also process it as such under the  
40 procedures of G.S. 163-82.9. If a previous address is listed and that address is in the  
41 county where the voter applies to register, the application shall be processed as if it had  
42 been submitted under G.S. 163-82.9.

43 Registration shall become effective as provided in G.S. 163-82.7. Applications to  
44 register to vote accepted at a drivers license office under this section until the deadline

1 established in G.S. 163-82.6(c)(2) shall be treated as timely made for an election, and no  
2 person who completes an application at that drivers license office shall be denied the  
3 vote in that election for failure to apply earlier than that deadline.

4 All applications shall be forwarded by the Department of Transportation to the  
5 appropriate board of elections not later than five business days after the date of  
6 acceptance, according to rules ~~which~~that shall be promulgated by the State Board of  
7 Elections.

8 The State Board of Elections shall review all voter registrations made through the  
9 Division of Motor Vehicles after October 1, 1997, in order to verify the validity of the  
10 claim of residency and citizenship and mail confirmations of residency and citizenship  
11 to all voters registered through the Division of Motor Vehicles who did not furnish a  
12 valid social security number. The State Board of Elections shall notify the General  
13 Assembly of the results of the review and verification."

14 **SECTION 7.** G.S. 20-31 reads as rewritten:

15 "**§ 20-31. Making false affidavits ~~perjury~~, perjury or furnishing false information**  
16 **to obtain a drivers license or identification card.**

17 (a) Any person who shall make any false affidavit, or shall knowingly swear or  
18 affirm falsely, to any matter or thing required by the terms of this Article to be sworn to  
19 or affirmed shall be guilty of a Class I felony.

20 (b) Any person who shall furnish nonsworn false information to obtain a drivers  
21 license or identification card issued by the Division shall be guilty of a Class I felony."

22 **SECTION 8.** The Division of Motor Vehicles shall, by October 1, 2005,  
23 verify the social security numbers on all current drivers licenses issued by the Division.  
24 The Division shall immediately invalidate all current drivers licenses not matching the  
25 valid social security number assigned to the driver or where the driver does not have a  
26 valid social security number. The Division may correct those records where the  
27 mismatch is due to error rather than to fraud. The Division may issue or reinstate a  
28 drivers license only if the driver provides a valid social security number or the number  
29 of a valid alien registration issued by the United States Immigration and Naturalization  
30 Service and pays the applicable fee.

31 **SECTION 9.** The State Board of Elections shall review all voter  
32 registrations processed through the Division of Motor Vehicles where there is no valid  
33 social security number on the application or where the social security number does not  
34 match the applicant based on the verification required by Section 3 of this act. Those  
35 persons who used their drivers license as proof of residency shall be required to submit  
36 other proof of residency or shall not be permitted to vote. This review shall be  
37 conducted prior to the elections in November 2006.

38 **SECTION 10.** This act becomes effective July 1, 2005.