

Senate Engrossed House Bill
driver licenses; foster youth

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 374
HOUSE BILL 2588

AN ACT

AMENDING SECTIONS 28-3165 AND 36-324, ARIZONA REVISED STATUTES; RELATING
TO DRIVER LICENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-3165, Arizona Revised Statutes, is amended to
3 read:

4 28-3165. Nonoperating identification license; immunity;
5 rules; emancipated minors; definition

6 A. On receipt of an application from a person who does not have a
7 valid driver license issued by this state or whose driving privilege is
8 suspended, the department shall issue a nonoperating identification
9 license that contains a distinguishing number assigned to the licensee,
10 the full legal name, the date of birth, the residence address and a brief
11 description of the licensee and either a facsimile of the signature of the
12 licensee or a space on which the licensee is required to write the
13 licensee's usual signature with pen and ink. A nonoperating
14 identification license that is issued to a person whose driving privilege
15 is suspended shall not be valid for more than one hundred eighty days from
16 the date of issuance.

17 B. On request of an applicant:

18 1. The department shall allow the applicant to provide on the
19 nonoperating identification license a post office box address that is
20 regularly used by the applicant.

21 2. If the applicant submits satisfactory proof to the department
22 that the applicant is a veteran, the department shall allow a
23 distinguishing mark to appear on the nonoperating identification license
24 that identifies that person as a veteran.

25 C. A person who is issued a license pursuant to this section shall
26 use it only for identification purposes of the licensee. The nonoperating
27 identification license does not grant authority to operate a motor vehicle
28 in this state. The department shall clearly label the nonoperating
29 identification license "for identification only, not for operation of a
30 motor vehicle".

31 D. On issuance of a driver license, the holder of a nonoperating
32 identification license shall surrender the nonoperating identification
33 license to the department and the department shall not refund any fee paid
34 for the issuance of the nonoperating identification license.

35 E. A nonoperating identification license shall contain the
36 photograph of the licensee. The department shall use a process in the
37 issuance of nonoperating identification licenses that prohibits as nearly
38 as possible the ability to superimpose a photograph on the license without
39 ready detection. The department shall process nonoperating identification
40 licenses and photo attachments in color.

41 F. On application, an applicant shall give the department
42 satisfactory proof of the applicant's full legal name, date of birth, sex
43 and residence address, if the applicant has a residence address, and that
44 the applicant's presence in the United States is authorized under federal
45 law. The application shall briefly describe the applicant, state whether

1 the applicant has been licensed, and if so, the type of license issued,
2 when and by what state or country and whether any such license is under
3 suspension, revocation or cancellation. The application shall contain
4 other identifying information required by the department.

5 G. The department may adopt and implement procedures to deny a
6 nonoperating identification license to a person who has been
7 deported. The department may adopt and implement procedures to reinstate
8 a person's privilege to apply for a nonoperating identification license if
9 the person's legal presence status is restored.

10 H. A nonoperating identification license issued by the department
11 is solely for the use and convenience of the applicant for identification
12 purposes.

13 I. The department shall adopt rules and establish fees for issuance
14 of a nonoperating identification license, except that the department shall
15 not require an examination.

16 J. The fees established pursuant to this section do not apply to
17 any of the following:

- 18 1. A person who is sixty-five years of age or older.
- 19 2. A person who is a recipient of public monies as an individual
20 with a disability under title XVI of the social security act, as amended.
- 21 3. A veteran who does not have a residence address.
- 22 4. A veteran whose residence address is the address of a shelter
23 that provides services to the homeless.

24 K. If a person qualifies for a nonoperating identification license
25 and is under the legal drinking age, the department shall issue a license
26 that is marked by color, code or design to immediately distinguish it from
27 a nonoperating identification license issued to a person of legal drinking
28 age. The department shall indicate on the nonoperating identification
29 license issued pursuant to this subsection the year in which the person
30 will attain the legal drinking age.

31 L. If a minor has been emancipated pursuant to title 12, chapter
32 15, on application and proof of emancipation, the department shall issue a
33 nonoperating identification license that contains the words "emancipated
34 minor".

35 M. NOTWITHSTANDING ANY OTHER LAW, IF AN APPLICANT FOR A
36 NONOPERATING IDENTIFICATION LICENSE IS AT LEAST SIXTEEN YEARS OF AGE AND
37 EITHER DOES NOT HAVE A RESIDENCE ADDRESS OR IS IN THE DEPARTMENT OF CHILD
38 SAFETY'S CUSTODY, THE APPLICANT DOES NOT NEED A SIGNATURE OF THE
39 APPLICANT'S PARENT, GUARDIAN, FOSTER PARENT OR EMPLOYER.

40 ~~M.~~ N. For the purposes of this section, "veteran" has the same
41 meaning prescribed in section 41-601.

1 Sec. 2. Section 36-324, Arizona Revised Statutes, is amended to
2 read:

3 36-324. Vital records; copies; access

4 A. On written request, a local registrar, a deputy local registrar
5 or the state registrar shall issue a certified copy of a registered
6 certificate, except the portion of the certificate that contains medical
7 information, to any person determined to be eligible to receive the
8 certified copy pursuant to criteria prescribed by rules. A local
9 registrar, a deputy local registrar or the state registrar shall issue
10 certified copies of a registered certificate to a licensed funeral
11 director or the funeral director's designee on the funeral director's or
12 designee's written or in-person request. The local registrar, deputy local
13 registrar or state registrar shall provide the certified copies by mail or
14 in person to the funeral director or the funeral director's designee on
15 request.

16 B. A certified copy of a registered certificate has the same status
17 as the registered certificate.

18 C. The United States public health service may receive copies,
19 microfilm and other information from the state registrar to prepare
20 national vital statistics subject to the following limitations:

21 1. The United States public health service bears the cost of
22 preparing and transmitting the copies, microfilm and other information.

23 2. The copies, microfilm and other information are used for
24 statistical purposes and the United States public health service assures a
25 person's anonymity.

26 D. In child support cases under 42 United States Code sections 651
27 through 669 or in public benefit matters under chapter 29 of this title or
28 title 46, the state registrar shall provide copies of or access to vital
29 records without charge to the department of economic security or its
30 attorneys. In child welfare cases under title 8, the state registrar shall
31 provide copies of or access to vital records without charge to the
32 department of child safety or its attorneys. A vital record obtained as
33 authorized in this section must be used only for official purposes and, if
34 used in a public proceeding, must be sealed by the court or hearing
35 officer.

36 E. The state registrar shall provide a copy of or access to a vital
37 record to a government agency for its official purposes.

38 F. **NOTWITHSTANDING ANY OTHER LAW, A CHILD WHO IS AT LEAST SIXTEEN**
39 **YEARS OF AGE AND WHO EITHER DOES NOT HAVE A RESIDENCE ADDRESS OR IS IN THE**
40 **DEPARTMENT OF CHILD SAFETY'S CUSTODY MAY RECEIVE A CERTIFIED COPY OF THE**
41 **CHILD'S CERTIFICATE OF BIRTH REGISTRATION WITHOUT THE SIGNATURE OF THE**
42 **CHILD'S PARENT, GUARDIAN OR FOSTER PARENT.**

H.B. 2588

APPROVED BY THE GOVERNOR MAY 21, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 21, 2021.