

SENATE BILL 2860
By Blackburn

AN ACT to amend Tennessee Code Annotated, Section 55-50-321, relative to information required to be submitted to obtain a driver license.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-50-321(c), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) Every application shall state the full name, date and place of birth, sex, county of residence, residence address, including the street address and number or route and box number (or post office box number if the applicant has no bona fide residential street address) of applicant, height, weight, hair and eye color, social security number, if one has been issued, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of, and reason for, such suspension, revocation, or refusal, and such other information as the department may require to determine the applicant's identity, competency, and eligibility. The information regarding the applicant's social security number shall be maintained in the records of the department of safety for use as required by any provisions of state or federal law relative to child support establishment

or enforcement or for such other purposes as may be required by law. If the department allows the use of a number other than the social security number on the face of the license, and the social security number obtained on the application is kept on file with the department, the department shall so advise the applicant. Any applicant for a Tennessee driver license who desires the assistance of an interpreter in order to make application for a license and complete the required application shall be responsible for procuring such assistance; provided, that nothing contained within the provisions of this part shall be construed or implemented in any manner which violates the provisions of the Americans With Disabilities Act, 42 U.S.C. § 12101 *et seq.*

SECTION 2. Tennessee Code Annotated, Section 55-50-321(a), is amended by deleting the second sentence in its entirety and by substituting instead the following language:

The applicant must present at least two documents to establish identify and proof of Tennessee residency: one primary document and one secondary document included in subsection (f), and a nonrefundable fee of two dollars (\$2.00), which shall constitute expendable receipts of the department. Provided, that, if a social security number has not been issued to an applicant, and the applicant is unable to produce at least one document included in subsection (f) as a primary document and one included as a secondary document, a license shall not be issued to such applicant. A primary document must contain the applicant's full name and date of birth and must be verifiable. Additional documentation may be required by the department if the documentation provided is questionable.

SECTION 3. Tennessee Code Annotated, Section 55-50-321, is amended by adding the following language as a new subsection (f):

- (f) (1) Primary Documents:
 - (A) U. S. or Canadian photo driver license.
 - (B) U. S. or Canadian photo ID card.

(C) Microfilm/copy of a driver license or ID card certified by the issuing agency.

(D) Certificate of birth (U.S. or Canadian issued). Must be original or certified copy, have a seal and be issued by an authorized government agency such as the Bureau of Vital Statistics or State Board of Health. Hospital issued certificates and baptismal certificates are not acceptable.

(E) INS documents (must be a valid unexpired document) as follows:

(a) Certificate of Naturalization (N-550, N-570, or N-578).

(b) Certificate of Citizenship (N-560, N-561 or N-645).

(c) Northern Mariana Card.

(d) American Indian Card.

(e) U. S. Citizen Identification Card (I-179 or I-197).

(f) Resident Alien Card (I-551).

(g) Temporary Resident Identification Card (I-688).

(h) Record of Arrival and Departure (in a valid Foreign Passport)

(I-94).

(i) Valid foreign Passport containing an I-551 stamp.

(j) U. S. Re-entry Permit (I-327).

(k) Refugee Travel Document (I-571).

(l) Employment Authorization card (I-688A, I-688B, I-766).

(m) Record of Arrival and Departure, stamped "Refugee" (I-94).

(n) Canadian Immigration Record and Visa or Record of Landing

(IMM 100).

(o) Active Duty, Retiree or Reservist military ID card.

(p) Valid Passport, U. S. or Canadian. *If foreign passport,*

appropriate INS document is also required.

(q) U. S. or Canadian issued learner's permit. An out-of-state or province issued permit is acceptable only if it contains a photo.

(r) Canadian Department of Indian Affairs issued ID card. *Tribal issued card is not acceptable. U.S. issued Department of Indian Affairs card is not acceptable.*

(2) Secondary Documents

(A) All primary documents.

(B) Court Order. Must contain full name, date of birth and court seal.

Examples include, but are not limited to, adoption document, name change document, gender change document, confirmation of date of birth.. Does not include abstract of criminal or civil conviction.

(C) INS documents listed above, under Primary Documents, which are expired one year or less.

(D) Bureau of Indian Affairs Card/Indian Treaty Card. Tribal ID card is NOT acceptable.

(E) Employer photo ID card.

(F) Foreign birth certificate. *Must be translated by approved translator.*

(G) Health insurance card, i.e., Blue Cross/Blue Shield, Kaiser, HMO, TennCare/Medicare Card.

(H) IRS/state tax form. W-2 NOT acceptable.

(I) Marriage certificate/license.

(J) Medical records from doctor/hospital.

(K) Military dependent ID card.

(L) Military discharge/separation papers.

(M) Parent/guardian affidavit. Parent/guardian must appear in person, prove his/her identity and submit a certified/notarized affidavit regarding the child's identity. *Applies only to minors.*

(N) Gun permit.

(O) Pilots license.

(P) School record/transcript. Must be certified.

(Q) Social security card. Metal card is NOT acceptable.

(R) Social insurance card (for Canadian residents only).

(S) Student ID card. Must contain photo.

(T) Vehicle title. Vehicle registration NOT acceptable.

(U) Photo public assistance card.

(V) Prison release document.

Additional documentation may be required at the driver license examiner's discretion if documentation submitted is questionable or if the examiner has reason to believe the person is not who the person claims to be.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.