

2023 -- S 0751

LC002281

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO MOTOR VEHICLES -- DRIVER PRIVILEGE CARDS AND PERMITS

Introduced By: Senators Britto, F. Lombardi, Lawson, Ciccone, DiPalma, Acosta,
DiMario, and Tikoian

Date Introduced: March 22, 2023

Referred To: Senate Special Legislation and Veterans Affairs

(Dept. of Revenue)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-10.4-2 of the General Laws in Chapter 31-10.4 entitled "Driver
2 Privilege Cards and Permits [Effective July 1, 2023.]" is hereby amended to read as follows:

3 **31-10.4-2. Issuance of driver privilege cards and permits. [Effective July 1, 2023.]**

4 (a) Driver privilege cards and permits shall confer the same privileges and shall be subject
5 to the same provisions of this title as driver's licenses and permits issued under chapter 10 of this
6 title, unless otherwise provided, and shall be subject to the following conditions and exceptions:

7 (1) The front and back of a driver privilege card or permit shall be identical in appearance
8 to a driver's license or permit, that is not a REAL ID credential;

9 (2) An applicant for a driver privilege card or permit shall not be required to present proof
10 of legal presence in the United States or proof of a social security number, if the individual does
11 not have one;

12 (3) A driver privilege card or permit shall expire on the applicant's second birthday
13 following the date of its issuance;

14 (4) The fee for an original driver privilege card shall be ~~fifty dollars (\$50.00)~~ twenty-five
15 dollars (\$25.00). Every driver privilege card renewal issued after expiration of the original driver
16 privilege card shall expire on the birthday of the cardholder in the fifth year following the issuance
17 of the driver privilege card, with the exception of any person seventy-five (75) years or older whose
18 driver privilege card shall expire on the birthday of the cardholder in the second year following the
19 issuance of the driver privilege card, and shall be renewable on or before expiration upon

1 application and payment of a fee of thirty dollars (\$30.00). No applicant shall be required to provide
2 proof of compliance with § 31-10.4-1(a)(1) through (3) for a reissued, renewed, or duplicate card
3 or permit; and

4 (5) Any information collected pursuant to this section, that is not otherwise collected by
5 the division of motor vehicles or required for the issuance of any other driving credential issued
6 pursuant to the provisions of this chapter and any information regarding restrictions in the division
7 of motor vehicles' records, related to the issuance of a credential issued pursuant to this section,
8 shall not be considered a public record. The information shall not be released, except upon request
9 by the subject of the information, the parent of a minor who is the subject of the information, the
10 guardian of the subject of the information, or the authorized representative of the subject of the
11 information, or pursuant to a court order.

12 (b) Applicants for a driver privilege card will not be required to comply with successful
13 completion of the written exam required by § 31-10-21 and the road test required by § 31-10-22 if
14 they can provide one of the following:

15 (1) A current valid driver's license, or one that has expired by less than five (5) years,
16 issued by a state or U.S. territory, whose driving records are accessible through the Problem Driver
17 Pointer System maintained by the National Driver Register; or

18 (2) In the event the driver's license issued by another state or U.S. territory is not available
19 at the time the application is made, or the driving records of the issuing state or territory are not
20 accessible through the Problem Driver Pointer System maintained by the National Driver Register,
21 a certified driving record issued less than thirty (30) days prior to application will be accepted.

22 (c) Applicants under the age of eighteen (18) shall be required to comply with all of the
23 education and testing requirements, set forth in §§ 31-10-19 through 31-10-22, and all of the
24 provisions of the graduated licenses statutes, set forth in §§ 31-10-6 through 31-10-6.5.

25 (d) Applicants eighteen (18) years of age and older, who do not meet the driving experience
26 requirement in this chapter, shall be required to comply with all testing requirements set forth in §§
27 31-10-21 through 31-10-22.

28 (e) Unless they are in conflict with the provisions of this chapter or the context in which
29 they are used clearly requires a different meaning or a different definition as prescribed for a
30 particular section, group of sections, or provision, for purposes of this title, chapter 11.1 of title 15,
31 chapter 12 of title 24, and chapter 18.1 of title 39, the terms "license" and "operator's license" shall
32 include the "driver privilege card", and "permit" shall include "driver privilege permit" as defined
33 by this section, and all examinations, education requirements, residency requirements, penalties,
34 fees, and all other provisions for a license, operator's license, or permit shall also apply to the driver

1 privilege card and driver privilege permit.

2 (f) The driver privilege card and the driver privilege permit shall not be a valid form of
3 identification for official federal purposes or state voting purposes.

4 (g) The applicant for a driver privilege card or the driver privilege permit shall be required
5 to comply with all other applicable Rhode Island laws, rules, and regulations.

6 (h) A driver privilege card or a driver privilege permit shall not be used as evidence of the
7 holder's citizenship or immigration status, and shall not be used as a basis for a criminal
8 investigation, arrest, or detention in circumstances where a person with a regular driver's license
9 would not be criminally investigated, arrested, or detained. Any person aggrieved by a violation of
10 this subsection may seek appropriate declaratory and/or injunctive relief and may be awarded
11 damages and costs, including attorneys' fees.

12 (i) It shall be a violation of chapter 112 of title 42 to discriminate against an individual
13 solely on the ground that they hold or present a driver privilege card or driver privilege permit,
14 issued under this section.

15 SECTION 2. This act shall take effect on July 1, 2023.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would reduce the fee for an original driver privilege card from fifty dollars
2 (\$50.00) to twenty-five dollars (\$25.00).

3 This act would take effect on July 1, 2023.

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