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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- DRIVER PRIVILEGE CARDS AND PERMITS

Introduced By: Representatives Chippendale, J. Brien, Casey, Newberry, Place, Edwards, Hull, Corvese, Lima, and Costantino

Date Introduced: May 01, 2024

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 31-10.4-2 and 31-10.4-2.1 of the General Laws in Chapter 31-10.4
2 entitled "Driver Privilege Cards and Permits" are hereby amended to read as follows:

3 **31-10.4-2. Issuance of driver privilege cards and permits.**

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 twenty-five dollars (\$25.00). Every
15 driver privilege card renewal issued after expiration of the original driver privilege card shall expire
16 on the birthday of the cardholder in the fifth year following the issuance of the driver privilege card,
17 with the exception of any person seventy-five (75) years or older whose driver privilege card shall
18 expire on the birthday of the cardholder in the second year following the issuance of the driver

1 privilege card, and shall be renewable on or before expiration upon application and payment of a
2 fee of thirty dollars (\$30.00). No applicant shall be required to provide proof of compliance with §
3 31-10.4-1(a)(1) through (3) for a reissued, renewed, or duplicate card 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 [and any barcode attached to the](#)
4 [card shall be coded so as to prevent its use for registering to vote or for voting.](#)

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

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

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

16 **31-10.4-2.1. Issuance of state identification cards to individuals unable to establish**
17 **legal presence. [Effective January 1, 2024.]**

18 (a) Effective January 1, 2024, Rhode Island state identification cards issued pursuant to §
19 31-10.4-1 shall confer the same privileges and shall be subject to the same provisions as those
20 issued under chapter 8 of title 3, unless otherwise provided, and shall be subject to the following
21 conditions and exceptions:

22 (1) The front and back of a Rhode Island state identification card issued pursuant to § 31-
23 10.4-1 shall be identical in appearance to an identification card issued pursuant to §§ 3-8-6 and 3-
24 8-6.1, respectively, that is not a REAL ID credential;

25 (2) An applicant for a Rhode Island state identification card issued pursuant to § 31-10.4-
26 1 shall not be required to present proof of legal presence in the United States or proof of a social
27 security number, if the individual does not have one;

28 (3) No applicant shall be required to provide proof of compliance with § 31-10.4-1(a)(1)
29 through (a)(3) for a reissued, renewed, or duplicate Rhode Island state identification card issued
30 pursuant to § 31-10.4-1; and

31 (4) Any information collected pursuant to this section, that is not otherwise collected by
32 the division of motor vehicles or required for the issuance of an identification card issued under
33 chapter 8 of title 3 and any information regarding restrictions in the division of motor vehicles'
34 records, related to the issuance of a credential issued pursuant to this section, shall not be considered

1 a public record. The information shall not be released, except upon request by the subject of the
2 information, the parent of a minor who is the subject of the information, the guardian of the subject
3 of the information, or the authorized representative of the subject of the information, or pursuant to
4 a court order.

5 (b) A Rhode Island state identification card issued to any person who is unable to establish
6 legal presence in the United States shall not be a valid form of identification for official federal
7 purposes or state voting purposes and any barcode attached to the card shall be coded so as to
8 prevent its use for registering to vote or for voting.

9 (c) The applicant for a Rhode Island state identification card issued pursuant to § 31-10.4-
10 1 shall be required to comply with all other applicable Rhode Island laws, rules, and regulations.

11 (d) A Rhode Island state identification card issued pursuant to § 31-10.4-1 shall not be used
12 as evidence of the holder's citizenship or immigration status, and shall not be used as a basis for a
13 criminal investigation, arrest, or detention in circumstances where a person with a regular Rhode
14 Island state identification card would not be criminally investigated, arrested, or detained. Any
15 person aggrieved by a violation of this subsection may seek appropriate declaratory and/or
16 injunctive relief and may be awarded damages and costs, including attorneys' fees.

17 (e) It shall be a violation of chapter 112 of title 42 to discriminate against an individual
18 solely on the ground that they hold or present a Rhode Island state identification card issued under
19 this section.

20 (f) No person who holds an operator's license or a driver privilege card or permit issued by
21 this state under this chapter or any other state shall be issued a Rhode Island state identification
22 card pursuant to § 31-10.4-1.

23 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- DRIVER PRIVILEGE CARDS AND
PERMITS

- 1 This act would prohibit driver privilege cards and state identification cards from containing
- 2 any barcodes on the card that can be scanned and used for voting purposes.
- 3 This act would take effect upon passage.

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