

Senate Engrossed

dependent children; nonoperating identification; photograph

State of Arizona  
Senate  
Fifty-fifth Legislature  
First Regular Session  
2021

# SENATE BILL 1019

AN ACT

AMENDING TITLE 8, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 8-812; AMENDING SECTION 28-3165, ARIZONA REVISED STATUTES;  
RELATING TO DEPENDENT CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 8, chapter 4, article 8, Arizona Revised Statutes,  
3 is amended by adding section 8-812, to read:

4 8-812. Child welfare agency; nonoperating identification  
5 license; photograph

6 A CHILD WELFARE AGENCY THAT RECEIVES FOR CARE AND MAINTENANCE A  
7 CHILD WHO HAS BEEN ADJUDICATED DEPENDENT SHALL OBTAIN WITHIN NINETY DAYS  
8 AFTER THE CHILD IS PLACED WITH THE AGENCY:

9 1. A NONOPERATING IDENTIFICATION LICENSE ISSUED PURSUANT TO SECTION  
10 28-3165.

11 2. IF THE CHILD DOES NOT QUALIFY FOR A NONOPERATING IDENTIFICATION  
12 LICENSE, A PHOTOGRAPH OF THE CHILD.

13 Sec. 2. Section 28-3165, Arizona Revised Statutes, is amended to  
14 read:

15 28-3165. Nonoperating identification license; immunity;  
16 rules; emancipated minors; definition

17 A. On receipt of an application from a person who does not have a  
18 valid driver license issued by this state or whose driving privilege is  
19 suspended, the department shall issue a nonoperating identification  
20 license that contains a distinguishing number assigned to the licensee,  
21 the full legal name, the date of birth, the residence address and a brief  
22 description of the licensee and either a facsimile of the signature of the  
23 licensee or a space on which the licensee is required to write the  
24 licensee's usual signature with pen and ink. A nonoperating  
25 identification license that is issued to a person whose driving privilege  
26 is suspended shall not be valid for more than one hundred eighty days from  
27 the date of issuance.

28 B. On request of an applicant:

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

32 2. If the applicant submits satisfactory proof to the department  
33 that the applicant is a veteran, the department shall allow a  
34 distinguishing mark to appear on the nonoperating identification license  
35 that identifies that person as a veteran.

36 C. A person who is issued a license pursuant to this section shall  
37 use it only for identification purposes of the licensee. The nonoperating  
38 identification license does not grant authority to operate a motor vehicle  
39 in this state. The department shall clearly label the nonoperating  
40 identification license "for identification only, not for operation of a  
41 motor vehicle".

42 D. On issuance of a driver license, the holder of a nonoperating  
43 identification license shall surrender the nonoperating identification  
44 license to the department and the department shall not refund any fee paid  
45 for the issuance of the nonoperating identification license.

1 E. A nonoperating identification license shall contain the  
2 photograph of the licensee. The department shall use a process in the  
3 issuance of nonoperating identification licenses that prohibits as nearly  
4 as possible the ability to superimpose a photograph on the license without  
5 ready detection. The department shall process nonoperating identification  
6 licenses and photo attachments in color.

7 F. On application, an applicant shall give the department  
8 satisfactory proof of the applicant's full legal name, date of birth, sex  
9 and residence address, if the applicant has a residence address, and that  
10 the applicant's presence in the United States is authorized under federal  
11 law. The application shall briefly describe the applicant, state whether  
12 the applicant has been licensed, and if so, the type of license issued,  
13 when and by what state or country and whether any such license is under  
14 suspension, revocation or cancellation. The application shall contain  
15 other identifying information required by the department.

16 G. The department may adopt and implement procedures to deny a  
17 nonoperating identification license to a person who has been deported.  
18 The department may adopt and implement procedures to reinstate a person's  
19 privilege to apply for a nonoperating identification license if the  
20 person's legal presence status is restored.

21 H. A nonoperating identification license issued by the department  
22 is solely for the use and convenience of the applicant for identification  
23 purposes.

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

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

- 29 1. A person who is sixty-five years of age or older.
- 30 2. A person who is a recipient of public monies as an individual  
31 with a disability under title XVI of the social security act, as amended.
- 32 3. A veteran who does not have a residence address.
- 33 4. A veteran whose residence address is the address of a shelter  
34 that provides services to the homeless.
- 35 5. A CHILD IN THE CUSTODY OF THE DEPARTMENT OF CHILD SAFETY.

36 K. If a person qualifies for a nonoperating identification license  
37 and is under the legal drinking age, the department shall issue a license  
38 that is marked by color, code or design to immediately distinguish it from  
39 a nonoperating identification license issued to a person of legal drinking  
40 age. The department shall indicate on the nonoperating identification  
41 license issued pursuant to this subsection the year in which the person  
42 will attain the legal drinking age.

1           L. If a minor has been emancipated pursuant to title 12, chapter  
2 15, on application and proof of emancipation, the department shall issue a  
3 nonoperating identification license that contains the words "emancipated  
4 minor".

5           M. For the purposes of this section, "veteran" has the same meaning  
6 prescribed in section 41-601.