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Senate Bill 878 (as introduced 4-24-20)
Sponsor: Senator Wayne A. Schmidt
Committee: Transportation and Infrastructure

Date Completed: 5-12-20

CONTENT

The bill would amend the Enhanced Driver License and Enhanced Official State Personal Identification Card Act to do the following:

- During the state of emergency declared under Executive order No. 2020-33 or any extension of that order, provide that an individual's enhanced driver license or enhanced official State identification (ID) card that expired or was set to expire between February 1, 2020, and May 31, 2020, would be valid until June 30, 2020.**
- Prohibit a law enforcement officer from arresting an individual who operated a motor vehicle with an enhanced driver license that expired between the above dates.**

The Act governs the form, issuance, use, and expiration of an enhanced driver's license or an enhanced official State personal ID card. The Act specifies that an enhanced driver license or enhanced official State personal identification card expires according to the timeline of expiration for a standard driver license or official State personal identification card. (Generally, license and card expire on the birthday of the individual to whom the license is issued in the fourth year following the date of the issuance of the licensure or on the date the individual is no longer considered legally present in the United States, whichever is earlier.)

Under the bill, notwithstanding any provisions of the Act to the contrary, during the state of emergency declared under Executive Order No. 2020-33 or any extension of that Order, an individual's enhanced driver license or enhanced official State identification card that expired or was set to expire between February 1, 2020, and May 31, 2020, would be valid until June 30, 2020.

(Executive Order 2020-33 extended the Governor's declared state of emergency previously established under Executive Order 2020-4. According to Executive Order 2020-33, the state of emergency will terminate when emergency and disaster conditions no longer exist and appropriate programs have been implemented for statewide recovery.)

Until June 30, 2020, a law enforcement officer could not arrest an individual who operated a motor vehicle with an enhanced driver license that expired between February 1, 2020 and May 31, 2020. The bill specifies that nothing would prevent the Secretary of State from suspending or revoking an enhanced driver license under the Act.

The bill also specifies that it would not apply to an individual whose enhanced driver license was revoked or suspended for driving offenses.

FISCAL IMPACT

The bill would not have a significant fiscal impact on the Department of State, as the fees from renewals of enhanced driver licenses or enhanced official State identification cards eventually will be collected by the Department, albeit at a later date than normal.

Regarding late fees, the Department could see a decrease in revenue as the Department of State would not assess a late fee at renewal for a license or registration that expired between February 1, 2020, and May 31, 2020, so long as renewal occurred by June 30, 2020 (as stated in Executive Order 2020-47). On average, the Department of State collects an estimated \$965,000 per month in late fees, a portion of which come from late fees for renewals of an enhanced driver license or an enhanced official State identification card.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.