

iNET Legislative Review

No. 03-004

February 10, 2003

HB 11 (Rep. J. Coleman)

AN ACT relating to motor vehicles

KEYWORDS: DRIVER'S LICENSES, IDENTIFICATION TECHNOLOGY,
BIOMETRIC IDENTIFICATION

Available at: <http://www.lrc.state.ky.us/record/03rs/HB11.htm>

Purpose of the bill:

The bill, denominated "The North American Drivers Licensing Act," establishes procedures by which Canadian or Mexican residents of the Commonwealth obtain a Kentucky driver's license.

Summary of provisions:

The bill amends various sections of KRS Chapter 186 to distinguish North American nationals from other categories of non-citizens for the purpose of obtaining a Kentucky driver's license. The bill amends KRS 186.010 to define North American nationals, 186.412 to provide procedures for licensing North American nationals, and 186.430 to conform. The bill also makes conforming amendments to various other sections of KRS.

Effects of current law bill would alter:

Current law specifies how non-citizens obtain a Kentucky driver's license, but does not make special provision for citizens of Canada and Mexico.

Justification:

Following the attacks of September 11, 2001, most states have undertaken to bolster the security of their driver's licensing process, Kentucky included. Changes in license design, inclusion of biometric information, increased penalties for fraud, limited replacement licenses, and improved training for staff are among the safeguards

considered or enacted. The bill takes cognizance of the special trade and immigration policies that set American relations with Canada and Mexico apart from its relations with other countries.

Technological impact:

Unlike some states, Kentucky has done relatively little to increase the technological sophistication of its driver's licenses. The technology exists to include biometric identifiers such as thumbprints, facial structure, voice prints, or retinal patterns on the license to verify the identity of the person holding it. Kansas, for example, passed legislation requiring thumbprints. Connecticut's license contains encrypted information and facial recognition capabilities. Recent Nebraska legislation provides for personal information on a barcode. A bill that would have created a task force to analyze tamper-proof licenses for Kentucky was introduced as HB 687 in the 2002 General Assembly, but did not pass both houses.

iNET Legislative Review is a joint project of the Institute for New Economy Technology and Salmon P. Chase College of Law at Northern Kentucky University.