

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by SENATOR ROBERT V. TALKINGTON at
Chairperson

9:00 a.m./p.m. on Wednesday, January 18, 1984 in room 254-E of the Capitol.

All members were present except:

All members present.

Committee staff present:

Fred Carman, Hank Avila, Rosalie Black

Conferees appearing before the committee:

SB 494 - Senator Michael Johnston
Tom Hatten, Department of Revenue
Rick Scheibe, Department of Revenue
Ron Desch, Department of Revenue
John Smith, Department of Revenue

The meeting was called to order by Senator Talkington, Chairman, who introduced Senator Michael Johnston to discuss Senate Bill 494.

SENATE BILL 494 - HEARING AND ACTION

Senator Johnston explained that Senate Bill 494 involves furnishing proof of identity when obtaining replacement of drivers' licenses and non-drivers' identification cards. (See Attachment 1.) He said the issue originated when a constituent had her driver's license stolen and attempted to obtain a duplicate and could not produce the two requirements of identity that the statutes demand.

The Chairman introduced Tom Hatten who will be testifying before the Committee on issues of interest concerning the Division of Vehicles, Department of Revenue. Mr. Hatten introduced Ron Desch and Rick Scheibe also from the Department of Revenue.

Mr. Hatten indicated that the expansion of proof of documentation within the bill is favored and appreciated by the Department since the former list of acceptable documentation involving a person's identity needed for the purposes of receiving a duplicate or substitute driver's license was too restrictive.

Documentation to be added to the list of the two requirements necessary

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
 room 254-E, Statehouse, at 9:00 a.m./p.m. on January 18, 1984

SENATE BILL 494 - HEARING AND ACTION (continued)

for identity in SB 494 requested by Mr. Hatten included employee identification card with photo, alien registration documents, proof of home mortgages and leases, year books less than five years old and expired or current identification cards. Concerned about the insecurity of credit cards, Mr. Hatten recommended deletion of Lines 53 and 54.

In answer to questions from Senator Johnston about the problem of names not coinciding on the two peices of identification, Rick Scheibe, Assistant Chief Driver License Examiner for the Division of Vehicles, said that examiners use common sense and also check computers to make certain applicants are properly identified.

Ron Desch stated that during the 1983 Session, legislative intent of HB 2382 was to tighten drivers' licenses and nondrivers' ID requirements. While the focus was on documents acceptable as proof of identity and elimination of fraudulent usage, the list of acceptable documentation in that statute has not accomplished the desired results.

Senator Meyers asked Mr. Desch how to resolve the problem of women having to return the second time to get their drivers' license or nondrivers' ID card because the name on their birth certificate is not the same as the name on their other identification. Mr. Desch answered that women must present a "trail of history" due to name changes that occur from marriage and divorce.

Senator Meyers requested special language for women clarifying the information of instructions set forth by the Division of Vehicles declaring which forms of identification will be needed by married and divorced women.

The Committee agreed to adopt the following recommendations requested by the Division of Vehicles for the two requirements necessary for identification when obtaining a replacement drivers' license or a nondrivers' identification card in SB 494. Employee identification card with photo; alien registration document; year books less than five years old; and expired or current identification cards.

The Committee agreed with the Division of Vehicles not to adopt credit cards and military drivers' license allowances. Mr. Desch stated that military

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SENATE BILL 494 - HEARING AND ACTION (continued)

drivers' licenses are not secure because drivers' license examiners are not equipped to identify the many types of military licenses.

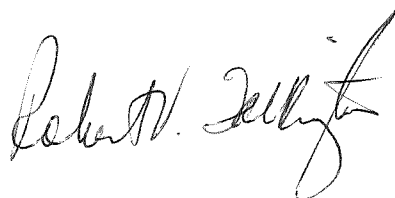
Senator Morris and Senator Hein objected to the addition of proof of home mortgages and leases to be used as identification as being too easily obtainable.

The Committee agreed not to adopt the Division's recommendation of identification by proof of home mortgages and leases.

Senator Talkington indicated that Fred Carman and representatives from the Division of Vehicles would meet to construct language concerning identification changes in the amendments to SB 494.

Senator Johnston moved that Senate Bill 494 be reported favorable for passage as amended; seconded by Senator Kerr and passed.

The meeting adjourned at 9:50 a.m.



1-18-84
SB 494

Please PRINT Name, Address, the organization you represent, and the Number of the Bill in which you are interested. Thank you.

NAME	ADDRESS	ORGANIZATION	BILL NO.
ED DE SOIGNIE	TOPEKA	KDOT	494
TOM WHITAKER	TOPEKA	Ks MOTOR CARRIERS ASSN	—
TOM HATTEN	TOPEKA	TRU	494
Ron Deeb	Topeka	Rev.	494
Rick Scheibe	Topeka	Rev	494
John W Smith	Topeka	Revenue	494
Ed MULLINS	"	BUDGET	494



Kansas
DEPARTMENT OF REVENUE

State Office Building
Topeka, KS 66625

November 29, 1983

The Honorable Kenneth D. Francisco
Box 488
Maize, KS 67101

Dear Representative Francisco:

At your suggestion, and after you review, modify or concur with my ideas, I plan to submit these recommendations to the Revisor of Statutes.

The need for tighter driver license issuance/renewal/duplication process is an issue in all states. For example, in 1979, in California there were 320,000 more licenses issued to males between ages 20 and 49 than there were males of these ages residing in California (Appendix I, attached). In Kansas, the 1983 legislative intent was to tighten license and ID requirements (HB 2382; K.S.A. 8-246). The focus was on documents acceptable as proof of identity and elimination of fraudulent usage. But the list of acceptable documentation in that statute has not accomplished the desired results. We need to discourage the acquisition of false licenses and identification by making it more difficult and expensive for the dishonest, while imposing as little hardship as possible on the honest.

The recommendations here for statute revision represent the best ideas I could find that are now in use or under consideration. They are presented in order of increasing cost and complexity of change to the present system. The first calls for revision of the current listing of acceptable documentation for duplicate licenses. The second suggests methods to tighten up the issuance of licenses. Following these is a listing of major security problems. Estimated costs are included.

1. Changes in the listing of acceptable documents for duplicate licenses:

(a) The current listing of acceptable documentary proof of identity is (K.S.A. 8-246):

- (1) military identification card;
- (2) military dependent identification card;
- (3) military discharge papers;
- (4) military orders;
- (5) military D.D. 214;
- (6) military driver's license;
- (7) motor vehicle registration;
- (8) birth certificate;
- (9) marriage license;
- (10) medicare identification card
- (11) certified copy of income tax return;

- (12) certified copy of court order identifying person by name;
- (13) student identification card bearing the photograph and date of birth of the person;
- (14) an affidavit of the person's parent or guardian, stating the person's name and date of birth; or
- (15) a passport issued by any country.

My recommendation is for removal of: military orders (4); military driver's license (6); motor vehicle registration (7); certified copy of income tax return (11); and affidavit of person's parents or guardian (14). These documents are very insecure and do little to prove the identity of the bearer. Documents 1 through 6 generally discriminate against women. Further, documents 10, 12 and 13 are not totally secure; and I know from experience that it is possible to obtain a certified copy of another's birth certificate (8) and motor vehicle registration (7). A marriage license may be as easily obtainable as a birth certificate. The most apparently secure item on the list then is the passport (15), the marriage license (9) and while discriminatory, military D.D. 214 (5) and military I.D. (1).

To a revised listing I recommend adding: an employee photo I.D. card with signature; expired photo drivers license; home mortgage or lease papers; alien registration documents; and recent (no older than five years) commercially produced school year book. Estimated Cost: no additional cost.

- (b) In addition to producing two of these identifiers (under current law, an applicant 65 years or older need only produce one identifier), the applicant for a duplicate license should be able to describe his/her driving record to the satisfaction of the examiner. Examiners can call up driving records on a computer terminal for easy verification of this information. This procedure, however, is subject to cooperation from law enforcement agencies. Currently, these agencies provide driver record information to anyone. As long as this continues, the "record check" identifier can be compromised. Nevertheless, this procedure is highly recommended. Estimated Cost: no additional cost.

2. Changes in procedures at initial issuance to prevent false issuance:

- (a) For in and out-of-state applicants without a valid Kansas or other drivers license, it is recommended that proof of in or out-of-state address (recent utility bill, property tax statement, mortgage or rental papers, etc) be used for address verification. Currently, Oregon requires from all applicants at least one document proving that the address exists and that the applicant lives there. Estimated Cost: no additional cost.
- (b) At the time of initial issuance, the driver's last grade school could be added to the computer file, thus reducing the possibility of later issuance of a copy of that license to someone else. If a duplicate is requested later, the driver would have to produce the acceptable

documents, describe his/her driving record and name the listed grade school. Estimated Cost: would involve a significant data processing expense in restructuring the current files; and would require a period of at least the four-year renewal cycle. The cost is estimated in excess of \$24,000 initially plus over \$20,000 per year thereafter. Duplicate license fees could be raised to recoup these costs.

- (c) Make a duplicate of each license at the time of initial issue, to be stored in central files. All later duplicate licenses would be produced in the field, mailed to the central files for verification, and if pictures compare, forwarded to the applicant. In a variation, the central repository of duplicate licenses would be maintained, but only questionable licenses would be mailed for central verification. There would be no need to verify duplicates if the applicant is known by the driver license examiner or if the applicant can provide information about the driver's record that would be known only by the true owner of the license. Estimated Cost: this option would be relatively expensive, perhaps \$117,000 a year. Increases in postage, files, clerical personnel, office rental and photo equipment would be significant. Raising the fees from \$2.00 to a non-refundable \$5.00 would likely cover additional costs. This option would not prevent the issuance of more than one license number to an individual.
- (d) Use computer-supported finger print identification. Technology exists that allows the electronic memorization of applicant's finger prints. No duplicate would be issued unless the applicant's finger prints match the computer retrievable finger prints of the original licensee. This system would also prevent issuance of Kansas licenses in different names to the same person. Estimated cost: this recommendation is currently judged to be too expensive; but may be feasible in later years. No state now utilizes this system.

3. Many driver license security problems have surfaced. These should be resolved at the same time as the duplicate problem. Possible solutions for each, incorporating earlier recommendations, are offered for your consideration:

- (a) Stolen renewal cards: At the time of renewal, the licensed driver should present not only his/her photo license, but the printed, mailed, renewal card. Printed renewal cards can be stolen from the mail. These can then be used to acquire another person's driver license, with the thief's picture.

Comparing the renewed license to the master copy at a central location, automated finger-printing equipment or driving record/grade school identification (above) are possible solutions. Each solution will cost a considerable amount to implement, but could be recompensed by raising the fee.

- (b) False address: Many licenses, certainly those used for fraud, are issued to persons claiming false addresses. No original license should

be issued without proof of address (above). A postmarked document bearing the applicants address and name/family name should be required. The post mark date should be recent.

- (c) One person holding multiple licenses and license numbers: Quite often persons well past the age of 16 apply for licenses, and claim to have never held a driver license. Most often these persons claim to have just moved to Kansas from another state. This method of obtaining a falsified driver license is the most difficult to guard against.

If a Kansas resident, using a false name, claims to be from another state, no driving record will be found when the examining bureau checks with that state. The fact that no driving record is found in the state of claimed residence thus supports the fraudulent claim of no previous driver license. Many variations of this scheme are possible. For example, a 30 year old California truck driver can apply for a Kansas license by claiming to have moved here from Texas. This person can support a claim of no previous license very easily, because in fact Texas will not have a record of any license in his name. As you can see, a fake name is not necessary to accumulate a pocket full of various state driver licenses.

As recommended earlier, requiring a utility bill (or property tax statement, etc.) in the applicant's name to verify his last address (state) should allow acceptable identification of past residence (if the out of state application does not have a driver license issued by another state for verification of past residence). A period of several months immediate past residence could be verified with utility bills or old mortgage or rental papers.

- (d) Improper issuance of "valid without photo" licenses: Provisions in Kansas statutes allow for issuance of a "valid without photo" renewal license to those outside the state at renewal time. Each year, 4,500 valid without photo licenses are issued. It is easy to imagine the ease of acquiring a false driver's license when all contact is made through the mail. Once a false license is issued, it can be renewed in perpetuity without personal contact. Mail renewal also allows those persons with driving limitations to escape the normal scrutiny of an in-person renewal. Even the most obvious mental or physical handicaps can be missed if examiners can't observe drivers at least every four years.

With the possible exception of religious demands, there really is no need to issue non-photo licenses. The examining bureau can renew up to one year early to accomodate those who travel frequently or attend an out-of-state school. To further assist Kansas drivers, perhaps an extension of a driver license is in order. This extension could be issued (for a fee) through the mail, instead of a non-photo license, and carried with the expired license. The extension would allow the applicant sufficient time to renew a license or obtain a duplicate, without the time rush that creates the demand for non-photo licenses.

Only one extension should be permitted. Military extensions should be for longer durations, with no limit on the number of extensions for active duty military personnel and their spouses. This extension card could also be used to allow verification of identity prior to issuance of duplicates, if we adopt the idea of maintaining second licenses in a central repository.

I would appreciate your comments and suggestions. My phone number is (913) 296-3601.

Respectfully,



Ron Desch
Driver Licensing/Control Administrator

RD:MC:f/1/S261

cc: Senator Robert Talkington
Representative Rex Crowell
Harley Duncan
Robert Bugg
Fred Carman
Tom Laing

Appendix I

Appendix C
California Population—Driver
Licenses Outstanding

Age Group	Male			Female			Total		
	Driver License	Population	Differential	Driver License	Population	Differential	Driver License	Population	Differential
16 - 19	606,151	816,150	-209,999	507,918	792,140	-284,222	1,114,069	1,608,290	-494,221
20 - 24	1,062,548	1,029,550	+32,998	921,069	1,003,440	-82,371	1,983,617	2,032,990	-49,373
25 - 29	1,036,692	914,520	+122,172	919,444	930,640	-11,196	1,956,136	1,845,160	+110,976
30 - 34	884,090	794,570	+89,520	795,337	802,080	-6,743	1,679,427	1,596,650	+82,777
35 - 39	676,069	627,890	+48,179	603,423	617,710	-14,287	1,279,492	1,245,600	+33,892
40 - 44	581,960	562,130	+19,830	510,963	569,070	-58,107	1,092,923	1,131,200	-38,277
45 - 49	572,959	565,100	+7,859	499,332	597,670	-99,338	1,072,291	1,162,770	-90,479
50 - 54	565,691	567,440	-1,749	521,708	627,910	-106,202	1,087,409	1,195,350	-107,941
55 - 59	521,041	506,350	+14,691	462,151	555,420	-93,269	983,192	1,061,770	-78,578
60 - 64	411,549	412,680	-860	359,151	470,890	-111,739	772,700	883,570	-110,870
65 - 69	308,181	319,020	-10,839	262,705	397,720	-135,015	570,886	716,740	-145,854
70 - 74	204,802	231,810	-27,008	166,523	318,230	-151,707	371,325	550,040	-178,715
75 and over	181,852	303,990	-122,138	130,217	519,520	-389,303	312,069	823,510	-511,441
Total	7,615,585	7,651,200	-135,630	6,659,941	8,202,440	-1,543,499	14,275,526	15,853,640	-1,777,675
15 and under								5,617,235	
								Total population: 21,470,875	

+ = Number of licenses in force exceeding population.

- = Number of licenses in force less than population.

Source: U.S. Department of Transportation
N.H.T.S.A. Driver License Applicant
Identification and Licensing System Security
G.P.O.: Washington, D.C., 1979: 33.