

SESSION OF 2003

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 16**

As Amended by House Committee on  
Judiciary

**Brief\***

SB 16 would amend the Kansas driver's license law to provide the following:

- ! All applicants for a driver's license, permit, or identification card (ID card) would be required to submit their Social Security number, or a taxpayer identification number if the person does not have a Social Security number, to the Division of Vehicles. Applicants would receive a temporary driver's license, permit, or ID card until the Division verifies the identity of the applicant, at which time a permanent license, permit, or ID card will be issued. The Social Security number can only be placed on the driver's license if requested in writing.
- ! Persons would be prohibited from possessing both a driver's license and an ID card.
- ! After July 1, 2004, no driver's license shall be valid until a color photo of the licensee has been taken and verified before placing it on the license. The photo fee would be increased from \$2 to \$4.

The Senate Committee amended the bill to provide the Division of Vehicles shall not disclose a person's Social Security number except as provided in KSA 74-2012.

The Senate Committee of the Whole added a clarification amendment to cover situations when a person does not have a Social Security number.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/kldr>

The House Committee amendments added the term taxpayer identification number (TIN) to those situations when an applicant has neither a Social Security number or a TIN which then requires a sworn statement to that effect. The TIN was also added in appropriate places.

## **Background**

The sponsor of the bill said the amendments would enhance public safety, protect the financial security of persons, and reduce fraud losses due to identity theft.

The bill was supported by the Johnson County District Attorney and an assistant district attorney, due to the accelerated rate of the crime of identity theft. The President of Metcalf Bank in Overland Park supported the bill as a means of combating the use of identification cards to procure funds from counterfeit checks, and to raid the accounts of unsuspecting victims. The Kansas Bankers Association supported the bill as a means of combating identity theft, noting biometric identifiers are the only true identifier of a person.

The Secretary of the Department of Social and Rehabilitation Services said Kansas is not in compliance with federal child support enforcement legislation which requires applicants to submit their Social Security number when applying for a driver's license. If Kansas is found to be out of compliance, this could cost the state over \$31 million a year in federal Title IV funding. A request for an exemption from this requirement was rejected by federal officials. It was noted the state Child Support Enforcement Office must have access to the Social Security number information to comply with federal law.

The bill was endorsed by the Department of Revenue, Division of Vehicles.

A Topeka citizen opposed the bill, saying this legislation was a step toward a requirement of a national identification card for Americans in regard to the use of Social Security numbers as an identifier.

The fiscal note was not available. The Division of Vehicles said the photo fee increase would generate an added \$1.5 million annually to pay the cost of photo comparison software and Social Security number, age, and residency verification.

