

## RÉSUMÉ DIGEST

ACT 552 (HB 450)

2018 Regular Session

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Existing law defines "license" or "driver's license" as any license secured from the Dept. of Public Safety and Corrections (department), in accordance with existing law to operate a motor vehicle on the highways of this state.

New law adds to the definition of "license" and "driver's license" the inclusion of a license that complies with the standards of REAL ID as outlined in existing law.

Existing law authorizes the deputy secretary of public safety services of the department to promulgate rules and regulations necessary to enter into reciprocity agreements with foreign countries, requires the driver's license standards of a foreign country to be comparable to Louisiana's driver's license standards, and specifies that the rules must require foreign drivers to comply with Louisiana's compulsory motor vehicle security laws.

New law amends existing law to authorize reciprocity agreements with jurisdictions or agencies in foreign countries or with foreign governments that issue driver's licenses or the equivalent and requires that the rules specify which licensing requirements may be waived for a driver's license applicant in this state.

New law prohibits issuance of a commercial driver's license pursuant to a reciprocity agreement.

Prior law required a licensee have his license, or a digitized driver's license in his immediate possession at all times when driving a motor vehicle.

New law clarifies that the licensee must have his physical license or digitized driver's license in his immediate possession at all times when driving a motor vehicle.

Existing law defines "digitized drivers license" as a data file available on any mobile device which has connectivity to the internet through an application that allows the mobile device to download the data file from the department or an authorized representative of the department, contains all of the data elements visible on the face and back of the license, and also displays the current status of the license.

New law clarifies that the term "digitized driver's license" includes a license that complies with the standards of REAL ID.

Existing law authorizes the use of a special identification card as valid identification of a person to whom it was issued when presented for the purpose of furnishing proof of identification.

New law maintains existing law and specifies that the special identification card must be accepted as valid identification of a person to whom it was issued when it is presented physically or in the form of a digitized special identification card.

New law defines a "digitized special identification card" as a data file available on any mobile device which has connectivity to the internet through an application that allows the mobile device to download the data file from the department or an authorized representative of the department, contains all of the data elements visible on the face and back of the license and includes any special identification card that complies with the standards of REAL ID as outlined in existing law.

New law specifies that a digital copy, photograph, or image of a special identification card that is not downloaded through the application on a mobile device will not be considered a valid digitized special identification card.

New law authorizes a law enforcement officer, a representative of a state or federal department or agency, or a private entity to require a person to produce a physical special identification card in connection with requests for identification not associated with traffic stops or checkpoints.

New law requires the department to promulgate rules as are necessary to implement a digitized special identification card and specifies that no digitized special identification card will be valid until rules are adopted.

New law specifies that display of a digitized special identification card does not serve as consent or authorization for a law enforcement officer, or any other person, to search, view, or access any data or application on the mobile device and requires that a law enforcement officer promptly return the mobile device to the person once he has had an opportunity to verify the identity of the person.

New law provides that the fee to install the application to display a digitized special identification card cannot exceed \$6.

New law authorizes existing reciprocity agreements to remain in full force and effect until terminated in accordance with its terms and adds that new law does not affect existing reciprocity agreements.

Effective August 1, 2018.

(Amends R.S. 32:401(intro. para.) and (14), 404(F), 411(F)(1) and (3)(a), and R.S. 40:1321(B))