

Date of Hearing: April 17, 2017

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 1255 (Dababneh) – As Amended April 6, 2017

**SUBJECT:** Mobile application: driver's licenses and identification cards

**SUMMARY:** Requires the Department of Motor Vehicles (DMV) to conduct a pilot program to evaluate the use of a digital driver's license (DDL) application for smartphone use. Specifically, **this bill:**

- 1) Requires DMV to issue a request for proposal for a DDL vendor at the same time DMV issues a request for proposal for a traditional driver's license vendor, and requires DMV to select a vendor by October 1, 2019.
- 2) Restricts participation in the pilot program to persons who have voluntarily chosen to participate in the program.
- 3) Limits any data exchanged between DMV and the DDL application or DDL vendor to the types of data accessible on a traditional driver's license and prohibits DMV from receiving or retaining any information generated during the pilot program regarding the movement, location, or use of a person participating in the pilot program.
- 4) Requires DMV to submit a report of the results of the program to the Legislature by July 1, 2023, including an evaluation of the cost-effectiveness of the DDL, an evaluation of the security features necessary to protect against unauthorized access to information, and recommendations, if any, for subsequent actions relating to DDL.

**EXISTING LAW:**

- 1) Authorizes DMV to issue a driver's license or an identification card to an eligible applicant, as specified.
- 2) Requires a driver's license to display specific information including the licensee's true full name, age, mailing address, driver's license number, signature, brief description, and an engraved picture of the licensee for identification purposes.
- 3) Requires a licensee to have his or her valid driver's license in his or her immediate possession at all times when driving a motor vehicle upon a highway and to display his or her driver's license for examination upon demand of a peace officer enforcing the provisions of the Vehicle Code.
- 4) Federal law, the REAL ID Act, imposes standards on state driver's licenses to improve security.
- 5) Authorizes DMV to conduct a pilot program to evaluate alternatives to vehicle license plates, registration stickers, and registration cards until January 1, 2019, and requires DMV to report on the results of the pilot program to the Legislature no later than July 1, 2020.

**FISCAL EFFECT:** Unknown

**COMMENTS:** In 2015, the Iowa Department of Transportation began a pilot program testing the use of a DDL smartphone application. The pilot program, which began internally with Department of Transportation employees, was expected to be made available to the general public in 2017. The pilot identified features such as enhanced security and interoperability as advantages of a DDL application, while attempting to address concerns such as how a mobile device will be handled by law enforcement during a traffic stop, how information will be stored on the application, and how the DDL will comply with federal REAL ID requirements. Tennessee, Arizona, Utah, Louisiana, Illinois, and North Dakota are among the states that have since begun examining the feasibility of developing a DDL option.

This bill would require DMV to conduct a pilot program to evaluate the use of a DDL smartphone application in California. This bill also sets standards for what data may be shared between DMV, a vendor, and application users, and requires DMV to report back to the Legislature upon the pilot's conclusion. According to the author, security features embedded in the application would "make it safer for Californians in the event of theft or loss compared to a traditional driver's license," and would merely offer an alternative to a physical driver's license.

As it is unclear whether a DDL would meet federal requirements under the REAL ID Act, a DDL is unlikely to completely replace a conventional physical driver's license in the immediate future.

DMV is currently conducting a pilot examining alternatives to vehicle license plates, registration stickers, and registration cards, with digital offerings among the alternatives being considered. Synchronization across all of these documents, including a DDL, through a digital platform may eventually enhance the security of motorists' personal information while making it easier and more efficient to comply with traffic laws.

*Previous legislation:* AB 221 (Dababneh) of 2015 would have required DMV to study the feasibility of developing a DDL application for smartphone use, as specified. AB 221 was vetoed by Governor Brown. In his veto message, the Governor stated, "While the idea of a digital license sounds innovative, it poses numerous technical difficulties. Given the many new responsibilities that the Department of Motor Vehicles is already dealing with, I don't believe this bill is advisable."

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Gemalto, Inc.  
HID Global

### **Opposition**

None on file

**Analysis Prepared by:** Justin Behrens / TRANS. /