

Amendment to HB 397-FN

1 Amend the bill by replacing section 1 with the following:

2
3 1 New Section; License for New Hampshire Residents Not Using a Social Security Number for
4 Identification. Amend RSA 263 by inserting after section 39-a the following new section:

5 263:39-b License for New Hampshire Residents Not Using a Social Security Number for
6 Identification.

7 I. The director may issue a driver's license, in compliance with the REAL ID Act of 2005,
8 Public Law 109-13, and its implementing regulations, including not limited to 6 C.F.R. part 37, or
9 RSA 263:40, I, to a resident, who satisfies the residency requirement set forth in RSA 263:5-e and
10 who meets all other requirements in RSA 263:6-a through RSA 263:6-d.

11 II. In lieu of producing a social security card or number, a resident may prove his or her
12 identity and age to the director by producing reliable official documentation of 2 forms of
13 identification, including at least one containing a photograph of the resident, with a certified
14 English translation if the original is in a language other than English, such as:

15 (a) An original or certified copy of the resident's birth certificate.

16 (b) The resident's federal individual tax identification number (ITIN).

17 (c) A photo identification issued by the armed forces or the New Hampshire national
18 guard.

19 (d) The resident's medical insurance card, or documentation of medical insurance
20 coverage or eligibility that contains an identification number.

21 (e) The resident's selective service card.

22 (f) The resident's current or expired alien registration card, employment authorization
23 card, temporary resident card, or any other document issued by the United States Citizenship and
24 Immigration Service.

25 (g) A completed and approved form I-246, Stay of Removal Application, issued by the
26 United States Immigration and Customs Enforcement.

27 (h) A consular report of birth abroad issued by the United States Department of State,
28 Form FS-240, DS-1350, or FS-545.

29 (i) A valid passport issued by the resident's country of birth.

30 (j) An identification card issued by the consulate or embassy of the applicant's country
31 of birth.

32 (k) Any other documentation issued by the government of the applicant's country of

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1 birth.

2 III. The fee for a first-time application under this section shall be \$150, and the fee for a
3 renewal application under this section shall be \$100.

4 IV. Any driver's license issued under this section shall not be considered evidence of any
5 individual's immigration status in the United States.

6 V. No person shall share or distribute information submitted by applicants pursuant to this
7 section to any government agency or official, except as authorized in RSA 260:14 or unless pursuant
8 to a validly executed warrant issued by a state or federal judge. Any person who fails to comply
9 with this paragraph shall be guilty of a class B misdemeanor.