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JAN 30 2012 S.WARD

ELECTIONS/LICENSING  
SECRETARY OF STATE

12:30P.M.

*Be It enacted by the People of the State of Colorado*

*Shall there be an amendment to Colorado Revised Statutes to authorize the division of motor vehicles to issue a driver's license, temporary driver's license or identification card to Colorado resident with either an individual taxpayer identification number or social security number.*

**SECTION 1.** In Colorado Revised Statutes, 42-2-107, **amend**, 1 (a) (II) (b) as follows:

**42-2-107. Licenses for drivers required.** (I) An applicant who submits proof of age or proof of identity issued by an entity other than a state or the United States shall also submit such proof as the department may require that the applicant is lawfully present in the United States OR SHALL SUBMIT PROOF OF COLORADO RESIDENCY ACCORDING TO CRS 23-7-103 (2) (f) AND SHALL SUBMIT COLORADO TAX RETURNS FOR THE LAST FISCAL YEAR, PROOF OF IDENTITY BY PROVIDING AN INDIVIDUAL TAX IDENTIFICATION NUMBER ISSUED BY THE INTERNAL REVENUE SERVICE, AND ONE OF THE FOLLOWING DOCUMENTS:

- (A) PASSPORT FROM COUNTRY OF ORIGIN
- (B) BIRTH CERTIFICATE FROM COUNTRY OF ORIGIN
- (C) MILITARY IDENTIFICATION FROM COUNTRY OF ORIGIN
- (D) VOTER IDENTIFICATION CARD FROM COUNTRY OF ORIGIN

(II) An applicant who submits, as proof of age or proof of identity, a driver's license or identification card issued by a state that issues drivers' licenses or identification cards to persons who are not lawfully present in the United States shall also submit such proof as the department may require that the applicant is lawfully present in the United States OR PROOF OF IDENTITY AND RESIDENCY AS REQUIRED IN 42-2-107 (1) (a) (II) (b) (I).

This section shall take effect January 1, 2013

**SECTION 2.** In Colorado Revised Statutes, 42-2-107, **repeal**, 1 (a) (II) (c) as follows:

**42-2-107. Application for license or instruction permit - anatomical gifts - donations to Emily Maureen Ellen Keyes organ and tissue donation awareness fund - legislative declaration - repeal.** ~~(c) The department may not issue a driver's or minor driver's license to any person who is not lawfully present in the United States.~~

This section shall take effect January 1, 2013

**SECTION 3.** In Colorado Revised Statutes, 42-2-107, **amend**, (3)

**42-2-107. Application for license or instruction permit - anatomical gifts - donations to Emily Maureen Ellen Keyes organ and tissue donation awareness fund - legislative declaration - repeal.** (3) (a) Except as otherwise provided in paragraph (b) of this subsection (3), an application for a driver's or minor driver's license shall include the applicant's social security number OR INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER ISSUED BY THE INTERNAL REVENUE SERVICE, which shall remain confidential and shall not be placed on the applicant's

driver's or minor driver's license; except that such confidentiality shall not extend to the state child support enforcement agency, the department, or a court of competent jurisdiction when requesting information in the course of activities authorized under article 13 of title 26, C.R.S., or article 14 of title 14, C.R.S. If the applicant does not have a social security number, the applicant shall submit a sworn statement made under penalty of law, together with the application, stating that the applicant does not have a social security number.

This section shall take effect January 1, 2013

**SECTION 4.** In Colorado Revised Statutes, 42-2-104, repeal (3) (e) as follows:

**42-2-104. Licenses issued - denied.** ~~(e) Any person whose presence in the United States is in violation of federal immigration laws;~~

This section shall take effect January 1, 2013

**SECTION 5.** In Colorado Revised Statutes, 42-2-114, **amend**, (1) (b) (I) as follows:

**42-2-114. License issued - fees - repeal.** (I) In the event the department issues a driver's license that contains stored information, such license may include only the information that is specifically referenced in paragraph (a) of this subsection (1) and that appears in printed form on the face of the license issued by the department to the licensee; except that such stored information shall not include the licensee's social security number OR INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER ISSUED BY THE INTERNAL REVENUE SERVICE.

This section shall take effect January 1, 2013

**SECTION 6.** In Colorado Revised Statutes 42-2-122, repeal, (1) (f)

**42-2-122. Department may cancel license - limited license for physical or mental limitations.** (1) The department has the authority to cancel, deny, or deny the reissuance of any driver's or minor driver's license upon determining that the licensee was not entitled to the issuance thereof for any of the following reasons:  
(f) ~~The person is not lawfully present in the United States;~~

This section shall take effect January 1, 2013