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AB-790 Identification cards: replacement: reduced fee. (2017-2018)

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Date Published: 09/28/2017 09:00 PM

Assembly Bill No. 790

CHAPTER 348

An act to amend Section 14902 of the Vehicle Code, relating to identification cards.

[Approved by Governor September 28, 2017. Filed with Secretary of State September 28, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 790, Mark Stone. Identification cards: replacement: reduced fee.

Existing law requires, upon an application for an identification card, a fee of \$26 to be paid to the Department of Motor Vehicles. Existing law provides for a fee waiver for an original or replacement identification card to a senior citizen, as specified, or to a person who can verify his or her status as a homeless person or homeless child or youth, as specified. Existing law also provides for a reduced fee of \$6 for an original or replacement identification card to a person who has been determined to have a current income level that meets the eligibility requirements for one of specified assistance programs. Existing law requires that all fees received pursuant to those provisions be deposited in the Motor Vehicle Account.

This bill would provide for a reduced fee of \$8 for a replacement identification card issued to an eligible inmate, as defined, upon release from a state or federal correctional facility or a county jail facility, and to an eligible patient, as defined, treated in a facility of the State Department of State Hospitals. The bill would require, as part of eligibility for the reduced fee, among other things, that the person previously held a California driver's license or identification card, that the person has a usable photo on file with the department that is not more than 10 years old, that the person has no outstanding fees due for a prior California identification card, that the person has provided, and the department has verified, certain identifying information of the person, and that the person has provided the department, upon application, a specified verification. In the case of an inmate, the bill would require the verification to be on state or federal correctional facility letterhead or county sheriff letterhead, and to contain the original signature of an official from those respective entities. By creating new duties for county sheriffs, this bill would impose a state-mandated local program.

This bill would also make technical, nonsubstantive changes to those provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 14902 of the Vehicle Code is amended to read:

14902. (a) Except as otherwise provided in subdivisions (b), (c), (d), (g), and (h) of this section, subdivision (c) of Section 13002, and subdivision (c) of Section 14900, upon an application for an identification card a fee of twenty dollars (\$20), and on and after January 1, 2010, a fee of twenty-six dollars (\$26), shall be paid to the department.

(b) An original or replacement senior citizen identification card issued pursuant to subdivision (b) of Section 13000 shall be issued free of charge.

(c) The fee for an original or replacement identification card issued to a person who has been determined to have a current income level that meets the eligibility requirements for assistance programs under Chapter 2 (commencing with Section 11200) or Chapter 3 (commencing with Section 12000) of Part 3 of, or Part 5 (commencing with Section 17000) of, or Article 9 (commencing with Section 18900) of Chapter 10 of Part 6 of, or Chapter 10.1 (commencing with Section 18930) or Chapter 10.3 (commencing with Section 18937) of Part 6 of, Division 9 of the Welfare and Institutions Code shall be six dollars (\$6). The determination of eligibility under this subdivision shall be made by a governmental or nonprofit entity, which shall be subject to regulations adopted by the department.

(d) A fee shall not be charged for an original or replacement identification card issued to any person who can verify his or her status as a homeless person or homeless child or youth. A homeless services provider that has knowledge of the person's housing status may verify the person's status for purposes of this subdivision. A determination of eligibility pursuant to this subdivision shall be subject to regulations adopted by the department. A person applying for an identification card under this subdivision shall not be charged a fee for verification of his or her eligibility.

(e) All fees received pursuant to this section shall be deposited in the Motor Vehicle Account.

(f) For purposes of this section, the following definitions apply:

(1) A "homeless child or youth" has the same meaning as the definition of "homeless children and youths" as set forth in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).

(2) A "homeless person" has the same meaning as the definition set forth in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).

(3) A "homeless services provider" includes:

(A) A governmental or nonprofit agency receiving federal, state, or county or municipal funding to provide services to a "homeless person" or "homeless child or youth," or that is otherwise sanctioned to provide those services by a local homeless continuum of care organization.

(B) An attorney licensed to practice law in this state.

(C) A local educational agency liaison for homeless children and youth designated as such pursuant to Section 11432 (g)(1) (J)(ii) of Title 42 of the United States Code, or a school social worker.

(D) A human services provider or public social services provider funded by the State of California to provide homeless children or youth services, health services, mental or behavioral health services, substance use disorder services, or public assistance or employment services.

(E) A law enforcement officer designated as a liaison to the homeless population by a local police department or sheriff's department within the state.

(F) Any other homeless services provider that is qualified to verify an individual's housing status, as determined by the department.

(g) The fee for a replacement identification card issued to an eligible inmate upon release from a state or federal correctional facility or a county jail facility is eight dollars (\$8). For purposes of this subdivision, "eligible inmate" means an inmate who meets all of the following requirements:

(1) The inmate previously held a California driver's license or identification card.

(2) The inmate has a usable photo on file with the department that is not more than 10 years old.

(3) The inmate has no outstanding fees due for a prior California identification card.

(4) The inmate has provided, and the department has verified, his or her true full name, date of birth, social security number, and legal presence in the United States.

(5) The inmate currently resides in a facility housing inmates under the control of the Department of Corrections and Rehabilitation, a federal correctional facility, or a county jail facility.

(6) The inmate has provided the department, upon application, a verification of his or her eligibility under this subdivision that meets all of the following requirements:

(A) Be on state or federal correctional facility letterhead or county sheriff letterhead.

(B) Be typed or computer generated.

(C) Contain the inmate's name.

(D) Contain the inmate's date of birth.

(E) Contain the original signature of an official from the state or federal correctional facility or county sheriff's office.

(F) Be dated within 90 days of the date of application.

(h) The fee for a replacement identification card issued to an eligible patient treated in a facility of the State Department of State Hospitals is eight dollars (\$8). For purposes of this subdivision, "eligible patient" means a patient who meets all of the following requirements:

(1) The patient previously held a California driver's license or identification card.

(2) The patient has a usable photo on file with the department that is not more than 10 years old.

(3) The patient has no outstanding fees due for a prior California identification card.

(4) The patient has provided, and the department has verified, his or her true full name, date of birth, social security number, and legal presence in the United States.

(5) The patient is currently preparing to be unconditionally discharged from a facility of the State Department of State Hospitals, or through a conditional release program.

(6) The patient has provided the department, upon application, a verification of his or her eligibility under this subdivision that meets all of the following requirements:

(A) Be on State Department of State Hospitals letterhead.

(B) Be typed or computer generated.

(C) Contain the patient's name.

(D) Contain the patient's date of birth.

(E) Contain the original signature of an official from the State Department of State Hospitals.

(F) Be dated within 90 days of the date of application.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.