



Joseph G. Aninao

Bill Analysis
Legislative Service Commission

S.B. 246*

125th General Assembly
(As Reported by S. Highways and Transportation)

Sens. Spada, Schuler, Jordan

BILL SUMMARY

- Establishes the circumstances under which a person renewing a driver's or commercial driver's license is not required to produce a document bearing the person's social security number.

CONTENT AND OPERATION

Every application for issuance or renewal of a driver's or commercial driver's license must state the applicant's social security number (SSN) if one has been assigned (R.C. 4506.07 and 4507.06). To comply with federal law, the Registrar of Motor Vehicles must require an applicant to submit the applicant's SSN and the Registrar must verify the validity of the SSN (R.C. 4501.31).¹ By rule, the Registrar of Motor Vehicles has established that an applicant for a driver's license must present two identification documents and that "[t]he social security number shall be on either the primary document or the secondary document" (Ohio Admin. Code § 4501:1-1-21). Upon renewal of a license, if the person's SSN does not appear on the license (see **COMMENT 1**), the Registrar or deputy registrar requires production of a secondary document with the SSN.² The failure

** This analysis was prepared before the report of the Senate Highways and Transportation Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.*

¹ *Federal law establishes standards that state-issued drivers licenses and identification documents must meet if the documents are to be accepted by federal agencies for identification purposes. See, subparagraph (b)(1)(B) of section 656 of Public Law No. 104-208, as statutorily noted under 5 U.S.C.A. 301.*

² *The most common secondary document that is available to prove a SSN is the person's SSN card issued by the federal government. A list of acceptable documents is established in Ohio Admin. Code § 4501:1-1-21 and also may be accessed at http://www.bmv.ohio.gov/aid_2.html.*

to provide required documents to prove both the date of birth and social security number results in the denial of the application.

The bill generally continues the requirement that an applicant for a driver's or commercial driver's license submit the applicant's SSN and that the Registrar verify that the number is valid; however, the bill creates an exception to these general requirements by establishing different procedures governing the renewal of a driver's or commercial driver's license (see **COMMENT 2**).

Under the bill, if an applicant for the renewal of a driver's or commercial driver's license presents a license that (1) appears to have been issued by this state, (2) appears to be genuine, and (3) appears to have been issued to the applicant, the Registrar or deputy registrar is required to verify its authenticity by consulting the records of the Bureau of Motor Vehicles (BMV). If the BMV records indicate that the license is authentic, the applicant may not be required to produce any document bearing the applicant's SSN. The bill allows the Registrar or deputy registrar to require that the applicant recite the applicant's SSN in order to verify that the SSN that appears on the applicant's license renewal application is in fact the SSN that has been assigned to the applicant. (R.C. 4506.07(F) and 4507.06(D).)

COMMENT

1. Current law prohibits the display of the SSN on a driver's license unless the person to whom the license is issued specifically requests that the SSN be displayed on the license.

2. Under current law, the requirements to submit a SSN and for the Registrar to verify the SSN also apply to applicants for temporary instruction permits and identification cards. The bill addresses only the renewal of driver's and commercial driver's licenses.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-18-04	pp. 1962-1963
Reported, S. Highways & Transportation	---	---

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