

TITLE 9: VEHICLE CODE
DIVISION 2: REGISTRATION AND LICENSES

§ 2208. Issuance of Licenses and Identification Cards.

(a) Issuance. The Bureau of Motor Vehicles shall issue a driver's license, temporary driver's license, identification card, or temporary identification card to a qualified applicant that has submitted all required documents and has complied with all applicable laws and regulations.

(b) Multiple cards prohibited. An individual may only hold one Real ID Card. An individual may not hold a Real ID driver's license and a Real ID identification card simultaneously.

(c) Information to be displayed. The Bureau of Motor Vehicles, shall include, at a minimum, the following information and features on each card issued to a person by the Bureau of Motor Vehicles:

- (1) The person's full legal name.
- (2) The person's date of birth.
- (3) The person's gender.
- (4) The person's driver's license number.
- (5) A digital photograph of the person.
- (6) The person's address of principle residence.
- (7) The person's signature.
- (8) Physical security features designed to prevent tampering, counterfeiting, or duplication of the document for fraudulent purposes.
- (9) A common machine-readable technology, with defined minimum data elements.
- (10) Any other information or features provided for by Bureau regulations.

(d) Minimum issuance standards. The Bureau of Motor Vehicles shall require, at a minimum, presentation and verification of the following information before issuing a card to a person:

- (1) A photo identity document, except that a non-photo identity document is acceptable if it includes both the person's full legal name and date of birth.
- (2) Documentation showing the person's date of birth.
- (3) Proof of the person's social security account number or verification that the person is not eligible for a social security account number.
- (4) Documentation showing the person's name and address of principal residence.
- (5) Documentation showing that the person:
 - (i) is a citizen or national of the United States;
 - (ii) is an alien lawfully admitted for permanent or temporary residence in the United States;
 - (iii) has conditional permanent resident status in the United States;
 - (iv) has an approved application for asylum in the United States or has entered into the United States in refugee status;
 - (v) has a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States;
 - (vi) has a pending application for asylum in the United States;

(vii) has a pending or approved application for temporary protected status in the United States;

(viii) has approved deferred action status; or

(ix) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States.

(6) Declaration required. Each applicant must sign a declaration under penalty of perjury that the information presented on the application is true and correct, and the Bureau of Motor Vehicles must retain the declaration. An applicant must sign a new declaration when presenting new source documents to the Bureau of Motor Vehicles on subsequent visits.

(7) Regulations. The Bureau of Motor Vehicles shall promulgate regulations describing the documents that it will accept for verification of the data required by this subsection.

(8) Exception process. The Bureau of Motor Vehicles may issue regulations that provide an exception process for persons who, for reasons beyond their own control, are unable to present the necessary documents and must rely on alternate documents to establish identity or date of birth.

(e) The Bureau of Motor Vehicles shall subject each person applying for a card to a facial image capture. Photographs must be stored electronically:

(1) If no card is issued, then for a minimum of five years.

(2) If a card is issued, then for a minimum of two years beyond the expiration of the card.

(f) Verification.

(1) The Bureau shall verify that the applicant does not have a driver's license or Real ID identification card in another State.

(2) If the Bureau receives confirmation that the applicant holds a driver's license or Real ID identification card in another State, then the Bureau shall take measures to confirm that the applicant has terminated or is terminating the license or card issued by the prior State.

(3) The Bureau must verify, to the best of its ability, the documents and information required by this section. The Bureau shall use systems for electronic validation of document and identity data as they become available or use alternate methods approved by DHS.

(4) The Bureau shall promulgate rules and regulations for the verification of information and documents submitted by an applicant for a driver's license.

(g) Alternative to address of principal residence. The Bureau may permit a card to display an alternative address to the address of principal residence under any of the following circumstances:

(1) In areas where a number and street name has not been assigned for U.S. mail delivery, the card shall display the island name and village or area of the island where the person resides.

(2) If the individual is a victim of domestic violence as defined by Commonwealth or state law.

(3) If the individual has or had an order of protection issued by a court of the Commonwealth or any state or federal court.

TITLE 9: VEHICLE CODE
DIVISION 2: REGISTRATION AND LICENSES

(4) If the individual's address is entitled to be suppressed under any Commonwealth law, state law, or federal law, or suppressed by a court order.

(5) If the individual is a member of law enforcement, a judge, an assistant attorney general, a public defender, or an elected official.

(h) Other. The Bureau shall:

(1) Employ technology to capture digital images of identity source documents so that the images can be retained in electronic storage in a transferable format.

(2) Retain paper copies of source documents for a minimum of seven years or, alternatively, images of source documents for a minimum of ten years.

(3) Provide access to all other States to information contained in the database maintained by the Bureau of Motor Vehicles.

(4) Maintain a database that contains:

(i) all data fields printed on drivers' licenses issued by the Bureau; and

(ii) drivers' histories, including motor vehicle violations and suspensions.

Source: [PL 3-61](#), § 1 (§ 219); repealed and reenacted by [PL 18-59](#) § 2 and subsection (d) added by [PL 18-59](#) § 3 (July 31, 2014), modified; amended by [PL 19-58](#) § 4 (Aug. 1, 2016), modified.

Commission Comment: The Commission deleted text that was struck through in [PL 18-59](#). A comma between "unique" and "identifying number" was deleted pursuant to [1 CMC § 3806\(g\)](#). [PL 18-59](#) did not specify where the text of subsection (d) was to be codified. The Commission codified it as subsection (d) pursuant to [1 CMC § 3806\(a\)](#).

[PL 18-59](#) (July 31, 2014) contained, in addition to savings and severability clauses, the following Findings and Purpose section:

Section 1. Findings and Purpose. The Commonwealth Legislature finds that U.S. Customs, Border, and Patrol (U.S. Immigration) will not solely accept a CNMI driver's license as a valid form of identification when traveling to Guam or in other United States jurisdictions because the CNMI driver's license is not in compliance with the Real ID Act of 2005 and, among other things, does not include any information regarding a person's citizenship or legal status.

The Legislature finds that the REAL ID is a coordinated effort by the states and the Federal government to improve the reliability and accuracy of state-issued identification documents, which should reduce fraud and deter acts of terrorism. The REAL ID Act of 2005 enacts a recommendation of the 9/11 Commission report urging the Federal government to "set standards for the issuance of sources of identification, such as driver's licenses." It establishes minimum requirements for the production and issuance of state-issued driver's licenses and identification cards and authorizes grants to assist states in implementing the requirements.

The Real ID Act also prohibits Federal agencies from accepting for official uses driver's licenses and identity cards from states unless the De-

partment of Homeland Security determines that the state meets the requirements. Official uses are defined as accessing Federal facilities, entering nuclear power plants, and boarding federally-regulated commercial aircraft.

The Legislature finds that for safety and other reasons, it is in the best interests of the CNMI and the people to change the CNMI driver's license to comply with the requirements of the Real ID Act of 2005. Accordingly, the purpose of this legislation is to mandate that the CNMI driver's license comply with the requirements of the Real ID Act of 2005.

[PL 19-58](#) became effective on August 1, 2016.

The Commission changed the capitalization of some terms in (b) and (d) for the purpose of conformity pursuant to [1 CMC § 3806\(f\)](#). The Commission changed "drivers' license" to "driver's license" in (a), (b), (f), and (g), struck a repeated "shall require" in (d), and changed the capitalization of several terms in (g)(2)–(4) pursuant to [1 CMC § 3806\(g\)](#).