

OFFICE OF THE DIRECTOR
DEPARTMENT OF MOTOR VEHICLES
P.O. BOX 932328
SACRAMENTO, CA 94232-3280



TITLE 13: DEPARTMENT OF MOTOR VEHICLES

NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (department) proposes to amend Sections 15.07 and 15.08, in Article 2., Chapter 1, Division 1, Title 13 of the California Code of Regulations, regarding the California identification cards to implement provisions relating to Section 14902 of the Vehicle Code.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than midnight, **July 26, 2022**, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt these regulations under the authority granted by Vehicle Code Sections 1651 and 14902, in order to implement, interpret, or make specific Vehicle Code Section 14902.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The department licenses motor vehicle drivers and provides identification documents to California residents, registers vehicles and vessels, and regulates portions of the motor vehicle industry, including sellers, dealers, dismantlers, motor carriers, driving instructors, traffic schools, and others. The department issues identification (ID) cards to California residents under authority of Vehicle Code Section 13000 et seq. A fee is charged for an ID card when an applicant visits a department field office to apply for an ID card and demonstrates his or her identity. The fee increases periodically and is tied to the Consumer Price Index. Recognizing that some residents of California face significant financial limitations, or are homeless, the legislature enacted Vehicle Code Section 14902 in 2004 and amended it in 2014 to provide ID cards at reduced or no fees to these residents.

Section 14902 creates a two-step process for those seeking a reduced fee or no fee ID card. First, an independent entity must verify the low income or homelessness housing status of the

applicant. This signed verification is then brought to the department and submitted with the application for an ID card allowing the department to issue the ID card for a reduced fee or no fee. The department is given the authority in Section 14902 to regulate the qualifications of the verifier, as well as the steps to be taken by the verifier in substantiating the income or homelessness of an applicant. The section describes the qualifying income level for a reduced fee ID card as that which qualifies residents for six types of public assistance for low income households. The section also refers to federal law as providing the definition of homeless person or youth/child entitled to a no fee ID card.

The proposed regulation will remove the requirements that a verification form (DL 937 or DL 933) be presented as an original in person and allow an applicant to upload their completed eligibility form electronically to the department.

The department is committed to making it easier for the public to do business with the department. Reducing the amount of time applicants have to spend at a departmental field office is a priority and being able to upload a completed verification form will help expedite the process.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATION

These regulations will allow the department to continue moving forward with offering two more options for applicants to submit completed verification forms.

CONSISTENCY AND COMPATIBILITY WITH STATE REGULATIONS

The department conducted a review of other state regulations and has concluded there are no other regulations that establish requirements related to the issuance of reduced fee or no fee identification cards. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

COMPARABLE FEDERAL STATUTES OR REGULATIONS

The department is the only agency tasked with issuing California identification cards; therefore, there are no comparable federal statutes or regulations.

Economic and Fiscal Impact Determinations

The department has made the following initial determinations concerning the proposed regulatory action:

- *Cost or Savings to Any State Agency:* None.
- *Other Non-Discretionary Cost or Savings to Local Agencies:* None.
- *Costs or Savings in Federal Funding to the State:* None.
- *Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code Section 17500 et seq.:* None.

- *Effects on Housing Costs:* None.
- *Impacts Directly Affecting Businesses:* None.
- *Significant, Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:* None.
- *Cost Impact on Representative Private Persons or Businesses:* Individuals meeting the eligibility requirements identified in this regulation will be issued an identification card at a reduced fee or no fee. The department is not aware of any cost impacts to a representative verifier of income or housing status.
- *Small Business Impact:* This proposed regulatory action is not expected to affect small businesses. The proposed regulatory action is specific to individuals by allowing individuals to upload their eligibility form to the department rather than requiring in person submission.
- *Local Agency/School Districts Mandate:* The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

RESULTS OF THE ECONOMIC IMPACT STATEMENT

The department has made the following determinations when assessing the economic impact associated with this proposed regulation:

- **Creation or elimination of jobs or creation of new businesses or elimination of existing businesses within the State of California:** As these proposed regulations remove the requirements that a verification form (DL 937 or DL 933) be presented as an original and in person, the department has determined that this proposed action will neither create nor eliminate jobs within the State of California, nor will the proposal create new businesses or eliminate existing businesses within California.
- **The Expansion of Businesses Currently Doing Business Within the State of California:** These regulations are unlikely to expand businesses within the State of California.
- **Benefits of the Regulations to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:** These proposed regulations remove the requirements that a verification form (DL 937 or DL 933) be presented as an original and in person. As a result, this action is unlikely to produce benefits to worker safety or the State's environment. However, the welfare of California residents may benefit when

some applicants for a reduced fee or no fee identification card have easier access to the requirements related to income and housing status verification.

Public Discussion of Proposed Regulations: A pre-notice workshop, pursuant to Government Code Section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

Consideration of Alternatives: The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

Contact Person: Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Tracy Brazil, Regulations Analyst
Department of Motor Vehicles
Legal Affairs Division
P.O. Box 932382, MS C-244
Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 657-6469
Facsimile: (916) 657-6243
E-Mail: LADRegulations@dmv.ca.gov

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Randi Calkins, Regulations Analyst
Department of Motor Vehicles
Telephone: (916) 657-6469

Availability of Statement of Reasons and Text of Proposed Regulations: The department has prepared an Initial Statement of Reasons for the proposed regulatory action and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strikethrough to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, the application forms, and Express Terms) may be accessed at www.dmv.ca.gov/about/lad/regactions.htm.

Availability of Modified Text: Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.