

**§1401. Contents of license**

**1. Required information.** A license must state, at a minimum, the name, date of birth, place of residence or mailing address if different from the residence, of the licensee and the permanent number assigned to that licensee. A name displayed on a license must be as the name appears on a birth certificate or a court order or as the result of marriage.

[PL 1995, c. 482, Pt. A, §24 (AMD).]

**2. Photograph or digital image.** A license, except for a temporary license, must bear a full-face photograph or digital image of the licensee. The following are exempt from the photographic or digital image requirement:

A. [PL 2003, c. 434, §19 (RP); PL 2003, c. 434, §37 (AFF).]

B. A person in active military service stationed outside the State; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. Another person approved by the Secretary of State. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 2017, c. 229, §25 (AMD).]

**3. Signature.** A licensee's signature must appear in the place designated. The signature must be the same as the name displayed on the license. A license is not valid until signed.

[PL 1995, c. 645, Pt. A, §14 (AMD).]

**4. Fee.**

[PL 2003, c. 434, §20 (RP); PL 2003, c. 434, §37 (AFF).]

**5. Record.**

[PL 1999, c. 470, §23 (RP).]

**6. Storage, recording, retention and distribution of digital images and digitized signatures.** Digital images and digitized signatures used to produce a license are confidential and may be distributed only for use by a law enforcement agency in carrying out its functions or as otherwise authorized by rule adopted pursuant to section 256. The Secretary of State may store, record and retain digital images and digitized signatures used only for the purpose of producing a license. A violation of this subsection is a violation of section 2103, subsection 4.

[PL 2017, c. 229, §26 (AMD).]

**7. Graphic design.** The graphic design used on the license may not be reproduced, copied or distributed without the written consent of the Secretary of State. A violation of this subsection is a violation of section 2103, subsection 4.

[PL 1999, c. 470, §24 (NEW).]

**8. Security components.** The security components contained on the license may not be reproduced, copied or distributed without the written consent of the Secretary of State. A violation of this subsection is a violation of section 2103, subsection 4.

[PL 1999, c. 470, §24 (NEW).]

**9. Use of biometric technology.** The Secretary of State may use biometric technology, including, but not limited to, retinal scanning, facial recognition or fingerprint technology, to produce a license or nondriver identification card and may use facial recognition technology to search its image records to provide information, including digital images, to law enforcement agencies only to aid in emergency circumstances involving an immediate threat to the life of a person or pursuant to rules adopted under this subsection. A person, agency or entity other than the Secretary of State may not use biometric technology to search the Secretary of State's image records.

The Secretary of State may adopt rules establishing additional circumstances in which it will provide information, including digital images, produced by searching its records using facial recognition technology to law enforcement agencies. Rules adopted under this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2019, c. 634, §5 (AMD).]

#### SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 65, §B15 (AMD). PL 1995, c. 482, §A24 (AMD). PL 1995, c. 645, §A14 (AMD). PL 1997, c. 437, §§33-35 (AMD). PL 1999, c. 470, §§23,24 (AMD). PL 2003, c. 434, §§19,20 (AMD). PL 2003, c. 434, §37 (AFF). PL 2011, c. 149, §§5, 6 (AMD). PL 2017, c. 27, §3 (AMD). PL 2017, c. 27, §10 (AFF). PL 2017, c. 229, §§25, 26 (AMD). PL 2019, c. 634, §5 (AMD).

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