

REFERENCE TITLE: nonoperating identification; fees; homeless exemption

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1209

Introduced by
Senator Bolick

AN ACT

AMENDING SECTION 28-3165, ARIZONA REVISED STATUTES; RELATING TO THE
DEPARTMENT OF TRANSPORTATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-3165, Arizona Revised Statutes, is amended to
3 read:

4 28-3165. Nonoperating identification license; immunity;
5 rules; emancipated minors

6 A. On receipt of an application from a person who does not have a
7 valid driver license issued by this state or whose driving privilege is
8 suspended, the department shall issue a nonoperating identification
9 license that contains a distinguishing number assigned to the licensee,
10 the full legal name, the date of birth, the residence address and a brief
11 description of the licensee and either a facsimile of the signature of the
12 licensee or a space on which the licensee is required to write the
13 licensee's usual signature with pen and ink. A nonoperating
14 identification license that is issued to a person whose driving privilege
15 is suspended shall not be valid for more than one hundred eighty days from
16 the date of issuance.

17 B. On request of an applicant:

18 1. The department shall allow the applicant to provide on the
19 nonoperating identification license a post office box address that is
20 regularly used by the applicant.

21 2. If the applicant submits satisfactory proof to the department
22 that the applicant is a veteran, the department shall allow a
23 distinguishing mark to appear on the nonoperating identification license
24 that identifies that person as a veteran.

25 3. If the applicant elects to show and submits satisfactory proof
26 to the department that the applicant is an enrolled member of a federally
27 recognized Indian tribe located in this state, the department shall allow
28 a distinguishing mark to appear on the nonoperating identification license
29 that identifies the applicant as a native American. The distinguishing
30 mark may not identify a specific Indian tribe or other specific personal
31 information that is submitted on the documents that provide satisfactory
32 proof that the person is an enrolled member of a federally recognized
33 Indian tribe located in this state. Documents that provide satisfactory
34 proof that the person is an enrolled member of a federally recognized
35 Indian tribe located in this state include:

36 (a) An enhanced tribal card.

37 (b) A tribal identification card.

38 (c) A tribal certificate of Indian blood.

39 (d) A tribal or bureau of Indian affairs affidavit of birth.

40 C. A person who is issued a license pursuant to this section shall
41 use it only for identification purposes of the licensee. The nonoperating
42 identification license does not grant authority to operate a motor vehicle
43 in this state. The department shall clearly label the nonoperating
44 identification license "for identification only, not for operation of a
45 motor vehicle".

1 D. On issuance of a driver license, the holder of a nonoperating
2 identification license shall surrender the nonoperating identification
3 license to the department, and the department shall not refund any fee
4 paid for the issuance of the nonoperating identification license.

5 E. A nonoperating identification license shall contain the
6 photograph of the licensee. When issuing a nonoperating identification
7 license, the department shall use a process that prohibits as nearly as
8 possible the ability to superimpose a photograph on the license without
9 ready detection. The department shall process nonoperating identification
10 licenses and photo attachments in color.

11 F. On application, an applicant shall give the department
12 satisfactory proof of the applicant's full legal name, date of birth, sex
13 and residence address, if the applicant has a residence address, and that
14 the applicant's presence in the United States is authorized under federal
15 law. The application shall briefly describe the applicant, state whether
16 the applicant has been licensed, and if so, the type of license issued,
17 when and by what state or country and whether any such license is under
18 suspension, revocation or cancellation. The application shall contain
19 other identifying information required by the department.

20 G. The department may adopt and implement procedures to deny a
21 nonoperating identification license to a person who has been deported.
22 The department may adopt and implement procedures to reinstate a person's
23 privilege to apply for a nonoperating identification license if the
24 person's legal presence status is restored.

25 H. A nonoperating identification license issued by the department
26 is solely for the use and convenience of the applicant for identification
27 purposes.

28 I. The department shall adopt rules and establish fees for issuance
29 of a nonoperating identification license, except that the department shall
30 not require an examination.

31 J. The fees established pursuant to this section do not apply to
32 any of the following:

- 33 1. A person who is sixty-five years of age or older.
- 34 2. A person who is a recipient of public monies as an individual
35 with a disability under title XVI of the social security act, as amended.
- 36 3. A ~~veteran~~ PERSON who does not have a residence address.
- 37 4. A ~~veteran~~ PERSON whose residence address is the address of a
38 shelter that provides services to the homeless.
- 39 5. A child who is in the custody of the department of child safety.

40 K. If a person qualifies for a nonoperating identification license
41 and is under the legal drinking age, the department shall issue a license
42 that is marked by color, code or design to immediately distinguish it from
43 a nonoperating identification license issued to a person of legal drinking
44 age. The department shall indicate on the nonoperating identification

1 license issued pursuant to this subsection the year in which the person
2 will attain the legal drinking age.

3 L. If a minor has been emancipated pursuant to title 12, chapter
4 15, on application and proof of emancipation, the department shall issue a
5 nonoperating identification license that contains the words "emancipated
6 minor".

7 M. Notwithstanding any other law, if an applicant for a
8 nonoperating identification license is at least sixteen years of age and
9 either does not have a residence address or is in the department of child
10 safety's custody, the applicant does not need a signature of the
11 applicant's parent, guardian, foster parent or employer.

12 ~~N. For the purposes of this section, "veteran" has the same meaning~~
13 ~~prescribed in section 41-601.~~

14 N. EXCEPT AS PROVIDED IN SUBSECTION D OF THIS SECTION, A
15 NONOPERATING IDENTIFICATION LICENSE THAT IS ISSUED BY THE DEPARTMENT FROM
16 AND AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION IS VALID
17 FOR EIGHT YEARS.