

REFERENCE TITLE: licenses; tax number; consular cards.

State of Arizona
House of Representatives
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2026

HB 2878

Introduced by
Representatives Sandoval: Tsosie

AN ACT

AMENDING SECTIONS 28-440, 28-3153, 28-3158, 28-3166 AND 28-3171, ARIZONA
REVISED STATUTES; RELATING TO DRIVER AND NONOPERATING IDENTIFICATION
LICENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-440, Arizona Revised Statutes, is amended to
3 read:

4 28-440. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Bulk records":

7 (a) Means multiple records that are retrieved collectively from the
8 department's database as a result of a single request. ~~Bulk records~~

9 (b) Does not include retrieving one record at a time from a single
10 request.

11 2. "CONSULAR IDENTIFICATION CARD" MEANS A FORM OF IDENTIFICATION
12 THAT MEETS THE REQUIREMENTS PRESCRIBED IN SECTION 41-5001.

13 ~~2.~~ 3. "Duplicate" means a counterpart produced by any of the
14 following:

15 (a) The same impression or from the same matrix as the original.

16 (b) Means of photography, including enlargements and miniatures.

17 (c) Mechanical or electronic rerecording.

18 (d) Chemical reproduction.

19 (e) Any other equivalent technique that accurately reproduces the
20 original.

21 ~~3.~~ 4. "Electronic signature" means an electronic sound, symbol or
22 process attached to or logically associated with a document and executed
23 or adopted by a person with the intent to sign the document.

24 ~~4.~~ 5. "Express consent" means consent in writing, including
25 consent that is conveyed electronically and that bears an electronic
26 signature.

27 ~~5.~~ 6. "Highly restricted personal information" means an
28 individual's photograph or image, social security number, INDIVIDUAL
29 TAXPAYER IDENTIFICATION NUMBER, CONSULAR IDENTIFICATION CARD NUMBER and
30 medical or disability information.

31 ~~6.~~ 7. "Insurance support organization" has the same meaning
32 prescribed in section 20-2102.

33 ~~7.~~ 8. "Medical or disability information" means a restriction or
34 medical code placed on a person's motor vehicle record pursuant to section
35 28-3159, subsection A, paragraph 1 or section 28-3167.

36 ~~8.~~ 9. "Motor vehicle record" means any record that pertains to a
37 driver license or permit, vehicle registration, vehicle title or
38 identification document issued by the department or its duly authorized
39 third parties, agents or contractors that are authorized to issue any of
40 those documents.

41 ~~9.~~ 10. "Opt in" means a customer of the department has provided
42 express consent to the department to allow the release of the customer's
43 personal information, including highly restricted personal information, in
44 a form prescribed by the director.

1 ~~10.~~ 11. "Original":

2 (a) Of a record means the record itself or any counterpart intended
3 to have the same effect by the person executing or issuing it.

4 (b) Of a photograph means the negative or a print from the
5 negative.

6 (c) Of data stored in a computer or similar device means a printout
7 or other output that is readable by sight and that is shown to reflect the
8 data accurately.

9 ~~11.~~ 12. "Personal information" means information that identifies
10 an individual and that includes an individual's photograph, social
11 security number, driver identification number, name, address, telephone
12 number and medical or disability information. Personal information does
13 not include an individual's five-digit zip code and information about
14 vehicular accidents, driving violations and driver status.

15 ~~12.~~ 13. "Photographs" includes still photographs, x-ray films,
16 videotapes, motion pictures and digitized electronic images.

17 ~~13.~~ 14. "Records" has the same meaning prescribed in section
18 41-151.

19 ~~14.~~ 15. "Vehicle history report" means a report that is developed
20 to track the registration and total loss history of a particular vehicle
21 and includes odometer readings and brand codes, title brand codes and any
22 related vehicle data. Vehicle history report does not include names and
23 addresses.

24 Sec. 2. Section 28-3153, Arizona Revised Statutes, is amended to
25 read:

26 28-3153. Driver license issuance; prohibitions

27 A. The department shall not issue the following:

28 1. A driver license to a person who is under eighteen years of age,
29 except that the department may issue:

30 (a) A restricted instruction permit for a class D or G license to a
31 person who is at least fifteen years of age.

32 (b) An instruction permit for a class D, G or M license as provided
33 by this chapter to a person who is at least fifteen years and six months
34 of age.

35 (c) A class G or M license as provided by this chapter to a person
36 who is at least sixteen years of age.

37 2. A class D, G or M license or instruction permit to a person who
38 is under eighteen years of age and who has been tried in adult court and
39 convicted of a second or subsequent violation of criminal damage to
40 property pursuant to section 13-1602, subsection A, paragraph 1 or
41 convicted of a felony offense in the commission of which a motor vehicle
42 is used, including theft of a motor vehicle pursuant to section 13-1802,
43 unlawful use of means of transportation pursuant to section 13-1803 or
44 theft of means of transportation pursuant to section 13-1814, or who has
45 been adjudicated delinquent for a second or subsequent act that would

1 constitute criminal damage to property pursuant to section 13-1602,
2 subsection A, paragraph 1 or adjudicated delinquent for an act that would
3 constitute a felony offense in the commission of which a motor vehicle is
4 used, including theft of a motor vehicle pursuant to section 13-1802,
5 unlawful use of means of transportation pursuant to section 13-1803 or
6 theft of means of transportation pursuant to section 13-1814, if committed
7 by an adult.

8 3. A class A, B or C license to a person who is under twenty-one
9 years of age, except that the department may issue a class A, B or C
10 license that is restricted to only intrastate driving to a person who is
11 at least eighteen years of age.

12 4. A license to a person whose license or driving privilege has
13 been suspended, during the suspension period.

14 5. Except as provided in section 28-3315, a license to a person
15 whose license or driving privilege has been revoked.

16 6. A class A, B or C license to a person who has been disqualified
17 from obtaining a commercial driver license.

18 7. A license to a person who on application notifies the department
19 that the person is an alcoholic as defined in section 36-2021 or a drug
20 dependent person as defined in section 36-2501, unless the person submits
21 a medical examination report that includes a current evaluation from an
22 addiction counselor indicating that, in the opinion of the counselor, the
23 condition does not affect or impair the person's ability to safely operate
24 a motor vehicle.

25 8. A license to a person who has been adjudged to be incapacitated
26 pursuant to section 14-5304 and who at the time of application has not
27 obtained either a court order that allows the person to drive or a
28 termination of incapacity as provided by law.

29 9. A license to a person who is required by this chapter to take an
30 examination unless the person successfully passes the examination.

31 10. A license to a person who is required under the motor vehicle
32 financial responsibility laws of this state to deposit proof of financial
33 responsibility and who has not deposited the proof.

34 11. A license to a person if the department has good cause to
35 believe that the operation of a motor vehicle on the highways by the
36 person would threaten the public safety or welfare.

37 12. A license to a person whose driver license has been ordered to
38 be suspended for failure to pay child support, except that a noncommercial
39 restricted license may be issued pursuant to section 25-518.

40 13. A class A, B or C license to a person whose license or driving
41 privilege has been canceled until the cause for the cancellation has been
42 removed.

1 14. A class A, B or C license or instruction permit to a person
2 whose state of domicile is not this state.

3 15. A class A, B or C license to a person who fails to demonstrate
4 proficiency in the English language as determined by the department.

5 B. The department shall not issue a driver license to or renew the
6 driver license of the following persons:

7 1. A person about whom the court notifies the department that the
8 person violated the person's written promise to appear in court when
9 charged with a violation of the motor vehicle laws of this state until the
10 department receives notification in a manner approved by the department
11 that the person appeared either voluntarily or involuntarily or that the
12 case has been adjudicated, that the case is being appealed or that the
13 case has otherwise been disposed of as provided by law.

14 2. If notified pursuant to section 28-1601, a person who fails to
15 pay a civil penalty as provided in section 28-1601, except for a parking
16 violation, until the department receives notification in a manner approved
17 by the department that the person paid the civil penalty, that the case is
18 being appealed or that the case has otherwise been disposed of as provided
19 by law.

20 C. The magistrate or the clerk of the court shall provide the
21 notification to the department prescribed by subsection B of this section.

22 ~~D. Notwithstanding any other law, the department shall not issue to~~
23 ~~or renew a driver license or nonoperating identification license for a~~
24 ~~person who does not submit proof satisfactory to the department that the~~
25 ~~applicant's presence in the United States is authorized under federal law.~~
26 ~~For an application for a driver license or a nonoperating identification~~
27 ~~license, the department shall not accept as a primary source of~~
28 ~~identification a driver license issued by a state if the state does not~~
29 ~~require that a driver licensed in that state be lawfully present in the~~
30 ~~United States under federal law. The director shall adopt rules necessary~~
31 ~~to carry out the purposes of this subsection. The rules shall include~~
32 ~~procedures for:~~

33 ~~1. Verification that the applicant's presence in the United States~~
34 ~~is authorized under federal law.~~

35 ~~2. Issuance of a temporary driver permit pursuant to section~~
36 ~~28-3157 pending verification of the applicant's status in the United~~
37 ~~States.~~

38 Sec. 3. Section 28-3158, Arizona Revised Statutes, is amended to
39 read:

40 28-3158. Driver license or instruction permit application

41 A. A person who applies for an instruction permit or for a driver
42 license shall use a form furnished by the department.

43 B. An applicant shall pay the fee prescribed by section 28-3002 for
44 a driver license or for an instruction permit issued under section

28-3154, 28-3155, 28-3156 or 28-3225. The department shall refund an application fee pursuant to section 28-373.

C. An applicant for an instruction permit or a driver license shall give the department satisfactory proof of the applicant's full legal name, date of birth, sex and domicile residence address in this state, if the applicant has a residence address, ~~and that the applicant's presence in the United States is authorized under federal law.~~ AND SHALL GIVE THE DEPARTMENT THE APPLICANT'S SOCIAL SECURITY NUMBER, INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER OR CONSULAR IDENTIFICATION CARD NUMBER.

D. The application for an instruction permit or a driver license shall state the following:

1. A brief description of the applicant and any other identifying information required by the department.

2. Whether the applicant has been licensed, and if so, the type of license issued, when the license was issued and what state or country issued the license.

3. If the applicant was never licensed, the applicant's last previous state or country of residence.

4. The social security number, INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER OR CONSULAR IDENTIFICATION CARD NUMBER of the applicant.

E. The department shall:

1. Verify that a social security number, INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER OR CONSULAR IDENTIFICATION CARD NUMBER provided by an applicant is a valid number assigned to that applicant.

2. Retain the social security number, INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER OR CONSULAR IDENTIFICATION CARD NUMBER in its records.

F. The social security number, INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER OR CONSULAR IDENTIFICATION CARD NUMBER provided to the department pursuant to subsection D of this section for an applicant's driver license or instruction permit shall not appear on an applicant's driver license or instruction permit unless the applicant requests that the social security number, INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER OR CONSULAR IDENTIFICATION CARD NUMBER appear on the applicant's driver license or instruction permit as the driver license or instruction permit number. Except as provided in sections 28-455 and 41-1954, the department shall not release the social security number, INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER OR CONSULAR IDENTIFICATION CARD NUMBER to any PERSON, INCLUDING ANY AGENCY OF THE FEDERAL GOVERNMENT FOR THE PURPOSES OF IMMIGRATION, UNLESS the applicant requests that the social security number, INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER OR CONSULAR IDENTIFICATION CARD NUMBER appear on the applicant's driver license or instruction permit as the driver license or instruction permit number. The provisions of this subsection shall be included in each application.

~~G. The department may adopt and implement procedures to deny a driver license or instruction permit to a person who has been deported. The department may adopt and implement procedures to reinstate a person's privilege to apply for a driver license or permit if the person's legal presence status is restored.~~

H. G. On request of an applicant, the department shall allow the applicant to provide on the license or permit a post office box address that is regularly used by the applicant.

~~I.~~ H. The department may request an applicant who appears in person for a license, a duplicate license or reinstatement of a driving privilege to complete satisfactorily the vision screening prescribed by the department.

~~J.~~ I. If a driver license applicant submits satisfactory proof to the department that the applicant is a veteran, on request of the applicant, the department shall allow a distinguishing mark to appear on the license that identifies the person as a veteran.

Sec. 4. Section 28-3166, Arizona Revised Statutes, is amended to read:

28-3166. Driver license content and application: marked licenses; emancipated minors

A. The department shall issue a driver license to a qualified applicant. The driver license shall contain a distinguishing number assigned to the licensee, the license class, any endorsements, the licensee's full name, date of birth and residence address, if the licensee has a residence address, a brief description of the licensee and either a facsimile of the signature of the licensee or a space on which the licensee is required to write the licensee's usual signature with pen and ink. A driver license is not valid until it is signed by the licensee. On request of an applicant:

1. The department shall allow the applicant to provide on the driver license a post office box address that is regularly used by the applicant and that is located in the county in which the applicant resides.

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

3. If the applicant elects to show and submits satisfactory proof to the department that the applicant is an enrolled member of a federally recognized Indian tribe located in this state, the department shall allow a distinguishing mark to appear on the license that identifies the applicant as a native American. The distinguishing mark may not identify a specific Indian tribe or other specific personal information that is submitted on documents that provide satisfactory proof that the person is an enrolled member of a federally recognized Indian tribe located in this

1 state. Documents that provide satisfactory proof that the person is an
2 enrolled member of a federally recognized Indian tribe located in this
3 state include:

- 4 (a) An enhanced tribal card.
- 5 (b) A tribal identification card.
- 6 (c) A tribal certificate of Indian blood.
- 7 (d) A tribal or bureau of Indian affairs affidavit of birth.

8 B. An application for a driver license and the driver license
9 issued shall contain the photo image of the applicant or licensee. When
10 issuing a driver license, the department shall use a process that
11 prohibits as nearly as possible the ability to alter or reproduce the
12 license or that prohibits the ability to superimpose a photo image on the
13 license without ready detection. The department shall process driver
14 licenses and photo images in color.

15 C. An applicant who is at least sixteen but under twenty-four years
16 of age shall provide the department with satisfactory proof of the
17 applicant's legal name and date of birth.

18 D. If a person is qualified for a driver license and is under the
19 legal drinking age, the department shall issue a license that is marked by
20 color, code or design to immediately distinguish it from a license issued
21 to a person of legal drinking age. The department shall indicate on the
22 driver license issued pursuant to this subsection the year in which the
23 person will attain the legal drinking age.

24 E. The department shall mark a special ignition interlock
25 restricted driver license issued pursuant to chapter 4, article 3.1 of
26 this title by color, code or design to immediately distinguish it from
27 other licenses issued by the department.

28 F. If a person is qualified for a driver license but is subject to
29 the certified ignition interlock device limitations prescribed in section
30 28-1381, 28-1382, 28-1383 or 28-3319, the department shall issue a license
31 that is marked by color, code or design to immediately distinguish it from
32 other licenses issued by the department.

33 G. The department shall not include information in the magnetic
34 stripe and bar code of a driver license other than information that the
35 department is authorized to obtain and place on a driver license pursuant
36 to this article.

37 H. If a minor has been emancipated pursuant to title 12, chapter
38 15, on application and proof of emancipation, the department shall issue a
39 driver license that contains the words "emancipated minor".

40 I. IF A PERSON IS QUALIFIED FOR A DRIVER LICENSE AND DOES NOT
41 PROVIDE A SOCIAL SECURITY NUMBER TO THE DEPARTMENT ON THE DRIVER LICENSE
42 OR INSTRUCTION PERMIT APPLICATION PURSUANT TO SECTION 28-3158, THE
43 DEPARTMENT SHALL ISSUE A DRIVER LICENSE THAT CONTAINS THE WORDS "FOR
44 DRIVING PRIVILEGES ONLY. NOT VALID FOR IDENTIFICATION".

1 Sec. 5. Section 28-3171, Arizona Revised Statutes, is amended to
2 read:

3 28-3171. Driver license expiration and renewal; exception;
4 extension

5 A. Except as provided in subsection B, D, ~~or~~ E OR F of this section
6 and unless medical restrictions require a shorter expiration period, a
7 driver license is:

8 1. Except as provided in paragraph 3 of this subsection, valid
9 until the applicant's sixty-fifth birthday.

10 2. Renewable for successive periods of five years after the
11 applicant's sixtieth birthday.

12 3. Valid for a period of up to five years if initially issued to an
13 applicant who is sixty years of age or older.

14 B. Notwithstanding subsection A of this section AND EXCEPT AS
15 PROVIDED IN SUBSECTION F OF THIS SECTION, on presentation of satisfactory
16 proof of qualification, the director may issue a class D, G or M license
17 or permit for a period of up to five years to:

18 1. A person who is an out-of-state student or who is the spouse of
19 an out-of-state student. For the purposes of this paragraph,
20 "out-of-state student" has the same meaning prescribed in section 28-2001.

21 2. An immediate family member of any active duty military personnel
22 temporarily stationed in this state.

23 3. Any other person for whom the director determines other
24 circumstances justify the issuance.

25 C. An applicant shall apply for renewal of a driver license before
26 the expiration of a current license. The department may require an
27 examination of a renewal applicant for a class D, G or M license as
28 required of an original applicant.

29 D. A veteran, as defined in section 41-601, whose driver license
30 expires is not required to renew the veteran's driver license for six
31 months after the date of the veteran's discharge from military service.

32 E. The department may extend the expiration date of a class D or M
33 license for a resident if the applicant is not in this state at the time
34 the license expires and will not be in this state for at least thirty
35 consecutive days after the expiration of the driver license. On payment
36 by the applicant of the fee prescribed in section 28-3002, the department
37 shall issue a certificate of extension that is valid only if accompanied
38 by the applicant's previous license. An applicant for extension of a
39 license shall comply with the following:

40 1. The application requirements of section 28-3158.

41 2. The licensing requirements of section 28-3153.

42 3. Medical requirements applicable to all license applicants,
43 except that the applicant is not required to obtain an eyesight
44 examination.

1 F. A DRIVER LICENSE IS VALID FOR A PERIOD OF EIGHT YEARS IF THE
2 DRIVER LICENSE APPLICANT DOES NOT PROVIDE THE APPLICANT'S SOCIAL SECURITY
3 NUMBER ON THE DRIVER LICENSE APPLICATION.

4 Sec. 6. Short title

5 This act may be cited as the "Safe Mobility Act".