
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1032 Session of
2024

INTRODUCED BY FLYNN, FONTANA AND COSTA, JANUARY 8, 2024

REFERRED TO TRANSPORTATION, JANUARY 8, 2024

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; in licensing of drivers, further providing for
4 issuance and content of driver's license and for carrying and
5 exhibiting driver's license on demand; and, in fees, further
6 providing for driver's license and learner's permit.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The definition of "driver's license" in section
10 102 of Title 75 of the Pennsylvania Consolidated Statutes is
11 amended and the section is amended by adding definitions to
12 read:

13 § 102. Definitions.

14 Subject to additional definitions contained in subsequent
15 provisions of this title which are applicable to specific
16 provisions of this title, the following words and phrases when
17 used in this title shall have, unless the context clearly
18 indicates otherwise, the meanings given to them in this section:

19 * * *

20 "Data field." A discrete piece of information that is

1 printed or otherwise appears on a product.

2 * * *

3 "Driver's license." A license or permit, including a
4 physical or electronic driver's license, issued by the
5 department under this title to drive a motor vehicle [issued
6 under this title].

7 * * *

8 "Electronic driver's license." An electronic representation
9 of a physical driver's license or identification card that is
10 viewable on an electronic product system.

11 "Electronic identification card." An electronic
12 representation of a physical identification card that is
13 viewable on an electronic product system.

14 "Electronic product." An electronic representation of a
15 physical driver's license or identification card that is
16 viewable on an electronic product system.

17 "Electronic product device." A computer, tablet, smart phone
18 or other electronic personal device used by an electronic
19 product holder to access or display an electronic product or
20 electronic proof of financial responsibility.

21 "Electronic product system." The processes, equipment,
22 programming and hardware that:

23 (1) is used to issue electronic products and to
24 administer the use of issued electronic products, including
25 verification of the information contained in a product and
26 displaying a product holder's profile; and

27 (2) is designed to comply with the most recently
28 applicable standards of the American Association of Motor
29 Vehicle Administrators and International Organization for
30 Standardization for electronic products and electronic

1 product systems.

2 * * *

3 "Full profile." All the data included on a physical driver's
4 license or identification card regarding the holder of the
5 product.

6 * * *

7 "Identification card." A physical or electronic
8 identification card issued by the department under this title
9 that identifies the individual to whom the card was issued.

10 * * *

11 "Limited profile." An electronic representation created by
12 the department containing less than all of the data fields
13 printed or otherwise displayed on an individual's product.

14 * * *

15 "Physical driver's license." A product issued under this
16 title in a physical format, such as paper or plastic, that
17 identifies the individual to whom the card was issued.

18 "Physical identification card." A product issued under this
19 title in a physical format, such as paper or plastic, that
20 identifies the individual to whom the card was issued.

21 * * *

22 "Product." A driver's license or an identification card
23 issued under this title.

24 "Product holder." An individual to whom a product has been
25 issued.

26 * * *

27 "Third-party electronic product system." An electronic
28 product system that is not maintained by the department or an
29 agent acting on behalf of the department. The term includes,
30 without limitation, an electronic wallet.

1 * * *

2 "Verification system." A computer system operated by the
3 department, or a person authorized by the department, that is
4 used to verify the authenticity and validity of electronic
5 products issued under this title.

6 "Verifier." A person that seeks to confirm information about
7 an electronic product holder via the department's verification
8 system and the electronic product's data fields.

9 * * *

10 Section 2. Section 1510 of Title 75 is amended by adding
11 subsections to read:

12 § 1510. Issuance and content of driver's license.

13 * * *

14 (k) Electronic products.--The department may issue an
15 electronic product to an individual if the individual has paid
16 the access fee to an electronic product system and holds a
17 physical driver's license issued under this title. The
18 department may create an electronic product system that a
19 licensee may access via an electronic device, including, but not
20 limited to, a smart phone or tablet, to display the licensee's
21 electronic driver's license on the device.

22 (l) Electronic identification card.--The department may
23 issue an electronic identification card to an individual if the
24 individual has paid the access fee to an electronic product
25 system and holds a physical identification card issued under
26 this title. The department may create an electronic product
27 system that an identification card holder may access via an
28 electronic device, including, but not limited to, a smart phone
29 or tablet, to display the electronic identification card on the
30 device.

1 (m) Regulations regarding electronic driver's licenses and
2 electronic identification cards.--The department shall
3 promulgate regulations as necessary to issue and verify
4 electronic products issued by the department under this title or
5 by other government entities.

6 (n) Electronic products.--

7 (1) The department may issue only one electronic product
8 to an individual. The data fields in the electronic product
9 shall match the data fields held by the department for the
10 product holder at the time the electronic product is issued.

11 (2) Changes and updates to data fields held by the
12 department shall be reflected in the data fields in the
13 electronic product. The department shall update the data
14 fields of electronic products when the department updates the
15 records of holders of electronic products, but not later than
16 30 days of updating the records. An electronic product device
17 shall permit the update of the data fields of the electronic
18 product with the department periodically to determine the
19 operating system and application compliance and to update the
20 data fields on the electronic product.

21 (o) Third-party electronic product systems.--The department
22 may issue electronic products through an electronic product
23 system owned, operated or controlled by a third party. Prior to
24 issuing electronic products through a third-party electronic
25 product system, the department must enter into an agreement with
26 the third party to protect the confidentiality of the
27 information contained in records held by the department or the
28 data fields of electronic credentials as required by this title.

29 (p) Electronic driver's license and electronic
30 identification card verification system.--

1 (1) The department shall develop a verification system
2 that operates when the department issues electronic products.

3 (2) An individual who is issued an electronic product
4 may give consent to a verifier to verify information about
5 the product holder via the department's verification system.

6 (3) The product holder shall determine which data fields
7 are available to the verifier via the product holder's
8 electronic product device. The product holder may make either
9 a full profile, a limited profile or no data fields available
10 to the verifier.

11 (4) If there is a discrepancy between the information on
12 an individual's physical driver's license or physical
13 identification card and the information in a verification
14 from the department via the verification system, the
15 information from the verification system shall be considered
16 the accurate and current information.

17 (5) The department may enter into agreements with other
18 government entities that issue electronic credentials to
19 allow for verification of those credentials through the
20 department's verification system. The department may enter
21 into agreements with other government entities and
22 jurisdictions that operate a similar verification system for
23 the purpose of verifying electronic products issued under
24 this title.

25 (g) Medical-related indicator.--

26 (1) The department shall include a medical-related
27 indicator, designed by the department, on an electronic
28 product upon application by an individual. The application
29 shall include:

30 (i) A self-attestation that the individual:

1 (A) has a medical condition that could affect
2 communication or account for a medical emergency;
3 (B) is deaf or has a hearing impairment; or
4 (C) has a developmental disability.

5 (ii) A statement from the individual that the
6 individual has voluntarily provided the self-attestation
7 and other information verifying the individual's
8 condition.

9 (iii) For an individual under 18 years of age, the
10 signature of the individual's parent, legal guardian,
11 person in loco parentis or spouse who is at least 18
12 years of age.

13 (iv) Additional documentation required by the
14 department.

15 (2) A medical-related indicator shall only be accessed
16 by law enforcement or emergency personnel during an
17 interaction with law enforcement or in response to an
18 accident or emergency situation. Information contained in a
19 medical-related indicator shall be kept confidential by law
20 enforcement and emergency personnel. The inclusion of a
21 medical-related indicator shall not be construed as a blanket
22 waiver to an individual's right to privacy.

23 Section 3. Section 1511 of Title 75 is amended to read:

24 § 1511. Carrying and exhibiting driver's license on demand.

25 (a) General rule.--Every licensee shall possess a physical
26 driver's license issued to the licensee at all times when
27 driving a motor vehicle and shall exhibit [the] either an
28 electronic driver's license or physical driver's license upon
29 demand by a police officer, and when requested by the police
30 officer the licensee shall write the licensee's name in the

1 presence of the officer in order to provide identity.

2 (b) Production to avoid penalty.--No person shall be
3 convicted of violating this section or section 1501(a) (relating
4 to drivers required to be licensed) if the person:

5 (1) produces at the headquarters of the police officer
6 who demanded to see the person's license, within 15 days of
7 the demand, a driver's license valid in this Commonwealth at
8 the time of the demand; or

9 (2) if a citation has been filed, produces at the office
10 of the issuing authority, within 15 days of the filing of the
11 citation, a driver's license valid in this Commonwealth on
12 the date of the citation.

13 (c) Surrender of electronic product device not required.--A
14 statute or regulation that requires an individual to surrender a
15 driver's license or identification card to law enforcement does
16 not apply to an electronic product device.

17 (d) Privacy of information on electronic product device.--

18 (1) If a licensee exhibits an electronic driver's
19 license upon demand by a police officer under this section,
20 the police officer may review only the full profile of the
21 product holder's electronic driver's license via the
22 electronic product device.

23 (2) If the police officer inadvertently reviews
24 information on the electronic product device in addition to
25 the licensee's full profile, the inadvertently reviewed
26 information may not be used as evidence in a civil or
27 criminal trial.

28 Section 4. Section 1951 of Title 75 is amended by adding a
29 subsection to read:

30 § 1951. Driver's license and learner's permit.

1 * * *

2 (e) Electronic product.--The amount of the fee for an
3 electronic product shall be set by the department, and the fee
4 shall be paid in addition to the other fees imposed in this
5 section.

6 Section 5. This act shall take effect in 15 months.