

**DEPARTMENT TRAFFIC COORDINATOR
TRANSIT SERVICES BUREAU**

NOTICE
8.1.3

January 22, 2024

TO: All Department Personnel

FROM: Department Traffic Coordinator, Transit Services Bureau

SUBJECT: DEPARTMENT OF MOTOR VEHICLES LAW ENFORCEMENT
INFORMATION MEMO – CALIFORNIA MOBILE DRIVER’S LICENSE
PILOT PROGRAM

PURPOSE

The purpose of this Notice is to inform Department personnel of a Mobile Driver’s License (mDL)/Identification Card (ID) pilot program initiated by the California Department of Motor Vehicles (DMV).

BACKGROUND

The DMV has been continuing efforts to modernize customer experiences and the mDL pilot program allows community members a secure and convenient method to access their driver’s license (DL) or identification card via a digitized version on their mobile devices. The mDL is a direct access link to the DMV mobile application via electronic devices and this website does not allow for screenshots of the participant’s own mDL/ID. The other option that the participant can use in the DMV mobile application is a QR Code for law enforcement personnel to scan to view the participant’s mDL, which is in progress by the DMV. The mDL/ID can be used for age and identity verifications at select locations, such as beer, wine, tobacco, and vape retail establishments, and select airports. This pilot program is limited to 1.5 million participants.

The following are some keys aspects of this program:

- Participation is voluntary;
- Participants are required to carry and present their physical DL/ID cards;
- This pilot program **does not** authorize the mDL holders to present their mDL to law enforcement personnel in lieu of their physical DL/ID cards;
- Participants are not required to turn over their electronic device (e.g., cellphones) to any other person or entity in order to use their mDL for identity verifications;
- Participants showing or turning over their electronic device to any other person or entity in order to use the mDL or ID card for identity verification shall not constitute consent to a search, nor shall it constitute consent for access to any information other than that which is immediately available on the mDL or ID card;

- Information incidentally obtained in the process of viewing an mDL or ID card in order to verify the identity of the holder shall not be used to establish probable cause for a warrant to search the electronic device;
- Any request for remote access to the participant's mDL or ID card for identity verification shall require the express consent of the holder of the mDL or ID card, shall be limited to the content of the mDL or ID card specified in the request for remote access, and shall not exceed the information available on a physical DL or ID card;

Note: The Information Policy and Liaison Branch, California DMV, indicated that the Los Angeles Police Department should be guided by the Los Angeles Office of the City Attorney relative to remote accessing; however, California Vehicle Code (CVC) Section 13020 delineates mDL guidelines, which mentions that the participants are not required to turn over their electronic device (e.g., cellphones) to any other person or entity in order to use their mDL for identity verifications.

- The consent for remote access to an mDL or ID card by the holder shall not constitute consent to a search, nor shall it constitute consent for access to any information other than that which is immediately available on the mDL or ID card;
- Information incidentally obtained in the process of remotely accessing an mDL or ID card shall not be used to establish probable cause for a warrant to search the electronic device; and,
- This pilot program will be operational until June 30, 2026.

PROCEDURES

The ability to identify a community member is a critical aspect in law enforcement. The primary method utilized to identify an individual is through a government-issued identification card, such as a driver's license or identification card. Although the DMV has begun testing mDL/ID as a method to modernize their operations, those community members who are participating are still required to carry and present their physical DL/ID cards, when requested by law enforcement.

Unlike a traditional driver's license or identification card, the mDL/ID has limited information. This mobile version contains the participant's photograph, name, date of birth, and identification number. When a community member is encountered in the field and only possesses an mDL/ID, and not have a physical driver's license on their person (violation of CVC Section 12951), the following procedures should be taken:

- Advise the community member that they are required to carry and present their physical DL/ID card;
- Attempt to verify the community member's identification through additional means; and,
- Once a community member's identity is verified, proceed with issuing a traffic citation on the Notice to Appear (Traffic), TR-130, Form 04.50.00 (02/15) or warning, as appropriate.

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If you have any questions, contact Traffic Coordination Section, Traffic Group, at
(213) 486-0690.



DONALD R. GRAHAM, Jr., Deputy Chief
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APPROVED:



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