

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

DARCY CORBITT, DESTINY CLARK, and)
JOHN DOE,)

Plaintiffs,)

v.)

Civil Action No.
2:18-cv-00091-MHT-GMB

HAL TAYLOR, in his official capacity as)
Secretary of the Alabama Law Enforcement)
Agency; Colonel CHARLES WARD, in his)
official capacity as Director of the Department)
of Public Safety; DEENA PREGNO, in her)
official capacity as Chief of the Driver License)
Division, and JEANNIE EASTMAN, in her)
official capacity as Driver License Supervisor)
in the Driver License Division,)

Defendants.)

**JOINT STIPULATION ON THE APPLICABILITY OF POLICY ORDER 63
TO NONDRIVER IDENTIFICATION CARDS**

The parties to this case, by and through the undersigned counsel, hereby jointly stipulate that “[t]he same degree of proof of identification required of applicants for driver’s licenses in this state shall be required of applicants for nondriver identification cards,” Ala. Code 32-6-1(c), and Alabama Law Enforcement Agency Policy Order No. 11 states that “[i]ssuance and cancellation of the non-driver identification card will be limited to the same terms and conditions that apply to an Alabama driver license.” *See* Exhibit A. Defendants represent that the requirements of Policy Order 63 apply to requests to change the sex designation on a nondriver identification card issued by the Alabama Law Enforcement Agency pursuant to Alabama Code § 32-6-1(c), and Plaintiffs have no information to the contrary.

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Respectfully submitted,

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Exhibit A

to

JOINT STIPULATION ON THE APPLICABILITY OF POLICY ORDER 63
TO NONDRIVER IDENTIFICATION CARDS

DEPARTMENT OF PUBLIC SAFETY

Revised Date: 09-01-2012

Driver License Policy Order No 11

Source: Title 32-6-1
Title 32-6-4.1

I. NON-DRIVER IDENTIFICATION CARD AND SPECIAL NON-DRIVER IDENTIFICATION CARD FOR DISABLED CITIZENS

A. Non-Driver Identification Card

1. It is the policy of the Director and the Driver License Division that the Department of Public Safety will make available a non-driver identification card to any resident of this state that does not hold a valid Alabama Driver License.
2. A person holding a valid non-driver identification card who is a first time applicant, or applies for reinstatement of his or her driving privilege, will be allowed to retain the non-driver identification card. Issuance and cancellation of the non-driver identification card will be limited to the same terms and conditions that apply to an Alabama driver license.

B. Special Non-Driver Identification Card for Disabled Citizens

1. Title 32-6-4.1, makes provision for a lifetime Non-Driver Identification Card to be issued to mentally or physically disabled or legally blind citizens of Alabama who are incapable of obtaining a driver license for a special fee of \$2.50.
2. Application for the Non-Driver Identification Card must be made to the Driver License Examiner accompanied by a statement of certification that the applicant is unable to obtain a driver license based on their disability.
3. Statements of certification will only be accepted if signed by a Medical Doctor whose specialty is in the area of the applicant's disability. The certification should be signed by the doctor making the certification showing his title, agency, office address, and telephone number. The certification statement must contain the applicant's full legal name; date of birth, disability, and a short statement attesting to the fact that the applicant is incapable of obtaining a driver license based on his/her disability.

4. The Alabama Department of Rehabilitation Services has determined that their Rehabilitation Counselors are not trained or qualified to certify that any person is incapable of obtaining a driver license and have ceased issuing certifications.

The Driver License Examiner must check the appropriate block either the one labeled “Physically Disabled” (includes legally blind) or the one labeled “Mentally Disabled”. Then issue the Identification Card following the proper procedure

2006 Alabama Code - Section 32-6-1 — Required; expiration date; renewal; identification cards for nondrivers.

(c) The Department of Public Safety shall make available to any resident of this state who does not hold a valid Alabama driver's license a nondriver identification card to be used for identification purposes only. The nondriver identification card shall be issued only upon application of the nondriver and shall be similar to the driver's license; except, that it shall bear the word "nondriver" in prominent letters on the face of the identification card. Each nondriver identification card shall bear thereon a distinguishing number assigned to the nondriver and a color photograph of the nondriver, as well as the name, birth date, residence address and a brief description of the nondriver who, for the purpose of identification, shall immediately upon receipt thereof, endorse his or her usual signature in ink upon the card in the space provided thereon, unless a facsimile of the nondriver signature appears thereon. The same degree of proof of identification required of applicants for driver's licenses in this state shall be required of applicants for nondriver identification cards.