

HOUSE No. 3725

The Commonwealth of Massachusetts

PRESENTED BY:

Jack Patrick Lewis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act providing for mobile driver’s licenses in the commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/16/2025</i>

HOUSE No. 3725

By Representative Lewis of Framingham, a petition (accompanied by bill, House, No. 3725) of Jack Patrick Lewis that the Registrar of Motor Vehicles establish an electronic credential system. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act providing for mobile driver’s licenses in the commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after
2 section 8N the following section:-

3 Section 8O. (a) For purposes of this section, the following words shall, unless the context
4 clearly requires otherwise, have the following meanings:-

5 “AAMVA”, the American Association of Motor Vehicle Administrators.

6 “Credential”, a license issued pursuant to section 8, a learner’s permit issued under
7 section 8B or an identification card issued under section 8E.

8 “Credential holder”, the individual that has been issued a physical or electronic
9 credential.

10 “Data element”, a distinct component of a customer’s information that is found on a
11 registrar’s customer record.

12 “Electronic credential”, an electronic extension of a physical credential that conveys
13 identity and driving privilege information for purposes of displaying the credential on a mobile
14 telephone or other electronic device and is in compliance with AAMVA’s Mobile Driver License
15 Implementation Guidelines and the ISO/IEC 18013-5 standard.

16 “Electronic credential system” or “system”, a digital process that includes a method for
17 provisioning electronic credentials, requesting and transmitting electronic credential data
18 elements, and performing tasks to maintain the system.

19 “ISO”, the International Organization for Standardization, which creates uniform
20 processes and procedures.

21 “Physical credential”, a credential issued by the registrar in its physical form.

22 “Provision”, the initial loading of an electronic credential onto a device.

23 “Relying party”, the entity to which the credential holder is presenting the electronic
24 credential.

25 “Verification Process”, a method of authenticating the electronic credential through the
26 use of secure encrypted communication.

27 (b) (1) The registrar shall establish an electronic credential system subject to the
28 requirements of this section.

29 (2) The system shall require the registrar to issue an electronic credential to any
30 individual who is otherwise eligible to hold a physical credential. The electronic credential shall
31 be issued in addition to, and not instead of, a physical credential. The data elements used to build

32 an electronic credential shall match the data elements used by the registrar for that individual's
33 physical credential.

34 (3) An electronic credential shall be valid for a specific period of time, to be established
35 by the registrar.

36 (4) The registrar may contract with one or more entities to develop and maintain the
37 electronic credential system.

38 (5) The registrar may enter into an agreement or contract with another department of the
39 commonwealth, another state, the United States or a third party to facilitate the issuance, use or
40 verification of an electronic credential issued under the system.

41 (6) An electronic credential issued by the registrar shall be in accordance with the most
42 recent AAMVA standards.

43 (7) The registrar may assess a fee for the application and provisioning of an electronic
44 credential.

45 (c) The registrar shall ensure that the:

46 (i) electronic credential data and the verification process complies with all data security
47 and privacy protection laws of the commonwealth and the United States; and

48 (ii) verification process requires the relying party to: (A) authenticate electronic
49 credentials in accordance with applicable AAMVA standards prior to acceptance of the
50 electronic credential; and (B) request only electronic credential data elements that are necessary
51 to complete the transaction for which that data is being requested.

52 (d) (1) Relying Parties shall only retain electronic credential data elements for which the
53 relying party explicitly obtained consent from the electronic credential holder. Relying parties
54 shall inform the electronic credential holder of the use and retention period of the electronic data
55 elements.

56 (2) The electronic credential system shall be designed to maximize the privacy of the
57 credential holder in accordance with state and federal law and shall not track or compile
58 information without the credential holder's consent. The registrar shall only compile or disclose
59 information regarding use of the credential as required by state or federal law.

60 (e) (1) The electronic credential holder shall be required to have their physical credential
61 on their person while operating a motor vehicle.

62 (2) The electronic credential system shall be designed so that there is no requirement for
63 the electronic credential holder to display or relinquish possession of their mobile or electronic
64 device to relying parties for the acceptance of an electronic credential.

65 (3) Upon request by law enforcement, an electronic credential holder must provide their
66 physical credential.

67 (4) Any law or regulation that requires an individual to surrender their physical credential
68 to law enforcement does not apply to the device on which an electronic credential has been
69 provisioned.

70 (f) (1) The display of an electronic credential shall not serve as consent or authorization
71 for a law enforcement officer, or any person, to search, view or access any other data or
72 application on the mobile device. If a person presents a mobile or electronic device to a law

73 enforcement officer for purposes of displaying an electronic credential, the officer shall promptly
74 return the device to the person once the officer has had an opportunity to verify the identity of
75 the person.

76 (2) Except for willful and wanton misconduct, any law enforcement office, court or
77 officer of the court presented with a mobile or electronic device for purposes of displaying an
78 electronic credential shall be immune from any liability resulting from damage to the mobile or
79 electronic device.

80 (g) The registrar shall promulgate rules and regulations to implement this section.

81 SECTION 2. The regulations required under subsection (g) of section 80 of chapter 90 of
82 the General Laws, inserted by section 1, shall be promulgated within 270 days after passage of
83 this act.

84 SECTION 3. Section 1 shall take effect 270 days after passage of this act.