

FULL BILL TEXT TEMPLATE

2025–2026 LEGISLATURE

BILL DRAFT —

AN ACT

Relating to: protection of lawful travel; recognition of nonresident and foreign-registration exemptions; constitutional traffic-enforcement standards; stop-basis disclosure; neutral treatment and prohibited pejorative classification in enforcement; vehicle-impoundment procedures; public education regarding motor-vehicle law; creation of an optional lawful-travel notation system; recognition of passports for identification purposes; preservation of records; automated plate-reader safeguards; data reporting; and making an appropriation.

SECTION 1. Legislative findings and purpose.

The legislature finds all of the following:

1. The Ninth Amendment to the Constitution of the United States provides that the enumeration of certain rights in the Constitution shall not be construed to deny or disparage other rights retained by the people.
2. The right of movement and interstate travel is a fundamental constitutional liberty, and constitutional doctrine has recognized that liberty through multiple constitutional sources, including Article IV and the Fourteenth Amendment.
3. Under 8 U.S.C. § 1101(a)(22), the term “national of the United States” means a citizen of the United States or a person who, though not a citizen, owes permanent allegiance to the United States.
4. Under 8 U.S.C. § 1401, persons born in the United States and subject to its jurisdiction are nationals and citizens of the United States at birth, together with other persons identified by federal law.
5. A person who is within the United States and claims a right or privilege as a national of the United States, and is denied that right or privilege on the ground that the person is not a national of the United States, may seek relief under 8 U.S.C. § 1503.
6. Article I, section 1 of the constitution of the STATE OF _____ recognizes that all people are born equally free and independent and possess inherent rights.
7. The law of the STATE OF _____ defines “motor vehicle,” “operator,” and “operator’s license” broadly, and separately defines “commercial motor vehicle” for certain regulated commercial uses.
8. The law of the STATE OF _____ recognizes limited exemptions for qualifying nonresidents and foreign-registered vehicles under STATE CODE _____.

9. Historical terms such as “state citizen,” “native of a state,” and state demonyms may be used descriptively in this act for notice and distinction purposes, but do not alter any legal status recognized by federal or state law.
10. Federal law distinguishes nationality and citizenship as related legal concepts. For purposes of this act, a person may assert private, personal, household, commercial, or official capacity as relevant to the facts of an event; however, an assertion of private capacity or nationality does not itself alter a legal duty otherwise imposed by state or federal law.
11. Historical, inactive, expired, canceled, surrendered, or otherwise closed-out department records should not by themselves be treated as conclusive proof that a person presently holds a current operating privilege in the STATE OF _____, is presently engaged in commercial activity, or has waived any otherwise available statutory exemption or constitutional protection.
12. Public safety is advanced when officers are trained to distinguish between lawful identity documents, lawful operating authority, existing reciprocity-based operation, unlawful misuse of claimed exemptions, and circumstances requiring citation, release, or removal of a vehicle.
13. The use of ideological, political, or pejorative shorthand to classify a person during an enforcement encounter can lead to mistaken risk assessment, unequal treatment, due-process violations, and unnecessary escalation unless tied to independent articulable facts.
14. A U.S. passport book and a U.S. passport card are widely recognized government-issued documents that serve as proof of identity and citizenship for many legal and administrative purposes, but they do not by themselves create operating privilege where a driver license or recognized operating privilege is otherwise required by law.
15. Nothing in this act excuses reckless conduct, negligent operation, injury to persons or property, fraud, obstruction, or prosecution for any criminal offense, including serious felony offenses, and nothing in this act limits the authority of the state to protect roadway safety, investigate crashes, or seek lawful remedies for damages caused by an operator or other responsible person.
16. The purpose of this act is to protect lawful travel, improve constitutional compliance in traffic enforcement, ensure proper recognition of existing nonresident and foreign-registration exemptions, improve agency training, reduce mistaken enforcement actions, preserve public safety and existing remedies, and reduce unnecessary vehicle impoundments and mistaken enforcement actions.

SECTION 2. Section STATE CODE _____ is created to read:

STATE CODE _____ Automobile, private use. “Automobile, private use” means a self-propelled vehicle designed primarily for carrying persons and used by a natural person for personal, family, or household purposes and not in a regulated commercial motor-vehicle capacity. This definition is created for classification, notice, and training purposes under this act and does not by itself create an exemption from otherwise applicable statutes governing vehicle operation, registration, title, insurance, or safety requirements.

SECTION 3. Section STATE CODE _____ is created to read:

STATE CODE _____ Rule of construction. Nothing in this chapter may be construed to deny or disparage constitutional rights retained by the people, including the liberty to move and travel lawfully within and among the several states. This subsection does not create a blanket exemption from an operator-license requirement, registration requirement, certificate-of-title requirement, financial-responsibility requirement, or other requirement expressly imposed by state law; however, each such requirement shall be administered and enforced in a manner consistent with the Constitution of the United States, the constitution of the STATE OF _____, and applicable statutory exemptions.

SECTION 4. Section STATE CODE _____ is created to read:

STATE CODE _____ Private and commercial use. A person's private, personal, family, or household use of an automobile does not, standing alone, establish commercial motor-vehicle status. A person's commercial activity, carriage of persons or property for compensation, or operation within a specifically regulated commercial class may subject the person to additional regulatory requirements imposed by law. Neither the assertion of private-use status nor the assertion of commercial status shall be accepted or rejected without reference to the facts, the statutes, and any applicable reciprocity or exemption provision.

SECTION 5. Section STATE CODE _____ is created to read:

STATE CODE _____ Historical records not conclusive. When a person presents a passport, passport card, state identification card, or other lawful identity document, an officer or agency may verify department records to determine current operating privilege, suspension, revocation, or registration status. An inactive, expired, canceled, surrendered, or historical operator record may not by itself be treated as conclusive proof that the person is presently operating under a current license, is presently engaged in commercial activity, or has waived any otherwise available statutory exemption, reciprocity claim, or constitutional protection.

SECTION 6. Section STATE CODE _____ is created to read:

STATE CODE _____ Notice and verification of claimed nonresident or foreign-registration exemption.

(a) A law-enforcement officer who stops a vehicle displaying a registration plate issued by another jurisdiction shall, before issuing a citation for failure to register under this chapter, reasonably determine whether the vehicle may qualify for an exemption under this section.

(b) If the operator or owner asserts that the vehicle is exempt under this section, the officer shall document the assertion and provide written notice of the basis for any determination that the vehicle does not qualify, and of the procedure for contesting any citation, tow, impoundment, or registration-related enforcement action.

(c) A vehicle displaying a valid registration plate issued by another jurisdiction may not be towed or impounded solely for an alleged violation of this chapter unless the officer has

reasonable grounds to believe that the exemption does not apply and one or more grounds for removal under another law are present.

SECTION 7. Section STATE CODE _____ is created to read:

STATE CODE _____ Recognition; public-safety limitation; noninterference.

(a) A vehicle displaying a registration plate, decal, credential, or other identifier issued by a state, tribal government, foreign jurisdiction, or other governmental entity shall be afforded reasonable recognition for identification and verification purposes.

(b) If a vehicle displays a registration plate issued by another jurisdiction and the vehicle appears to qualify for an exemption under the applicable statutory exemption provision, a law-enforcement officer may not initiate a stop, detention, citation, seizure, tow, or impoundment solely because the vehicle is not registered in the STATE OF _____, unless the officer has reasonable grounds to believe that the exemption does not apply. An officer may take an enforcement action under this paragraph only when the officer has reasonable suspicion, based on specific and articulable facts, that the exemption does not apply or that a traffic, safety, registration, or criminal violation has occurred, is occurring, or is about to occur. An officer may not prolong or expand the encounter solely to seek an unrelated basis for citation, detention, search, seizure, tow, or impoundment.

(c) Nothing in this section exempts any person from compliance with laws concerning speed restrictions, reckless or negligent operation, intoxicated operation, equipment, insurance or financial responsibility requirements, collision reporting, obstruction, fraud, criminal conduct, or a lawful order, signal, or direction of a traffic officer.

(d) Nothing in this section prevents a law-enforcement officer from taking lawful action when the officer has reasonable suspicion or probable cause that a traffic, safety, criminal, registration-fraud, or other violation has occurred.

(e) For purposes of this section, “reasonable recognition” does not require an officer, governmental entity, insurer, rental-car company, or private person to accept an identifier as conclusive proof of ownership, operating privilege, registration validity, insurance, legal status, or exemption. The identifier must be verified through lawful means when verification is reasonably necessary.

(f) A person who lawfully operates a private vehicle under a valid out-of-state registration or foreign registration, reciprocity provision, or statutory exemption may not be subjected to enforcement action solely due to the person’s assertion of private capacity, nationality status, citizenship status, state-native terminology, passport possession, possession of a private identification document, or use of unusual legal or political terminology.

SECTION 8. Section STATE CODE _____ is created to read:

STATE CODE _____ Optional lawful-travel notation or related record.

(a) The department may establish a voluntary program under which a person may request a notation in department records, an optional identification-card notation, or another

administrative indicator showing that the person claims nonresident status, reciprocity-based operation, or another statutory exemption recognized under state law.

(b) Any notation or indicator issued under this subsection is evidentiary and administrative only and does not itself create, expand, or diminish any legal right, exemption, defense, or duty.

(c) Participation in the program is voluntary and may not be required as a condition of invoking any constitutional protection, statutory exemption, or lawful defense.

(d) Participation in, nonparticipation in, or inquiry about the optional lawful-travel notation program may not by itself create reasonable suspicion, probable cause, an adverse law-enforcement flag, or an adverse basis for denial of a public benefit.

SECTION 9. Section STATE CODE _____ is created to read:

STATE CODE _____ Passport recognition for identification purposes. A valid United States passport or passport card shall be accepted by the department and by any state agency, political subdivision, or law-enforcement agency as proof of identity in any matter for which proof of identity is required and for which no more specific form of identification is mandated by statute. A U.S. passport book or passport card may also serve as evidence of U.S. citizenship where citizenship evidence is lawfully required. This subsection does not require acceptance of a passport as a substitute for an operator's license where an operator's license or recognized operating privilege is otherwise required by law.

SECTION 10. Section STATE CODE _____ is created to read:

STATE CODE _____ Constitutional traffic-enforcement training. The appropriate law-enforcement standards board or training authority shall establish minimum curriculum standards for initial and continuing law-enforcement training concerning traffic enforcement. The training shall include all of the following:

(a) Constitutional standards governing traffic stops, detentions, searches, seizures, and vehicle impoundments.

(b) State statutory definitions of operator, operator's license, motor vehicle, and commercial motor vehicle.

(c) The nonresident and foreign-registration exemption under applicable state law.

(d) The legal effect and limits of passports, identification cards, optional notations, and historical department records.

(e) The difference between private automobile use and specially regulated commercial motor-vehicle use under state law.

(f) De-escalation, documentation, release procedures consistent with public safety, and the requirement that no enforcement action be based solely on a claimed status or descriptive term absent an independent lawful basis.

(g) The duty to avoid adverse inference from ideological, political, or pejorative labels, including but not limited to labels such as “sovereign citizen,” “paper terrorist,” or similar terminology, absent independent articulable facts supporting a lawful enforcement inference.

SECTION 11. Section STATE CODE _____ is created to read:

STATE CODE _____ Interagency outreach. The department of justice, in consultation with the department of transportation or analogous agencies, shall develop informational materials and model guidance for use by state agencies and local law-enforcement agencies concerning the matters described in the training section, including lawful invocation of recognized exemptions and unlawful misuse or fraudulent assertion of such status. The guidance shall direct agencies to avoid pejorative, ideological, or shorthand classification of persons absent independent articulable facts and lawful relevance to the enforcement action.

SECTION 12. Section STATE CODE _____ is created to read:

STATE CODE _____ Notice of basis for stop. At the earliest reasonable opportunity after initiating a traffic stop, the officer shall state the objective factual and legal basis for the stop. If the basis materially changes during the encounter, the officer shall document the additional facts and legal authority supporting the change.

SECTION 13. Section STATE CODE _____ is created to read:

STATE CODE _____ Enforcement clarification; documents presented; penalties preserved.

(a) Presentation of a passport, passport card, private identification card, or other non-operator identification document during a traffic stop does not by itself establish lawful authority to operate a motor vehicle if an operator’s license or recognized operating privilege is otherwise required by law.

(b) Nothing in this act alters penalties otherwise applicable under current law for speeding, reckless driving, negligent operation, operating without the license or privilege required by law, operating while suspended, operating while revoked, or operating an unregistered or improperly registered vehicle.

(c) If an operator presents a passport, private identification document, optional notation, or documentation of registration from another jurisdiction instead of an operator’s license issued by the STATE OF _____, the officer may use department records and other lawful means to determine identity, current operating privilege, registration status, and the applicability of any statutory exemption. The officer shall release the person without further detention when the original basis for the stop has been resolved and no independent lawful basis exists for continued detention or enforcement action.

(d) A registered driver or other person with valid authority to operate who is present in a private-use automobile may take custody of the automobile in lieu of towing or impoundment when reasonably available and when release would not create an immediate public-safety risk or violate another law.

(e) If an officer has probable cause to believe that a person has made a false statement, misrepresented identity, fraudulently claimed an exemption, or used invalid registration evidence, the officer may proceed under otherwise applicable law. Where identification documents present material inconsistencies, the officer shall document the discrepancy and, when reasonably practicable, request supervisory review before taking custodial action based primarily on the discrepancy.

(f) The use by an officer, agency, database, report, or training material of labels such as “sovereign citizen,” “paper terrorist,” or similar ideological or pejorative terminology does not by itself establish reasonable suspicion, probable cause, dangerousness, fraudulent intent, or noncooperation. Any enforcement inference must rest on independent, articulable, and lawfully relevant facts.

(g) An officer may not prolong, expand, or escalate a traffic encounter solely because a person asserts constitutional rights, requests a supervisor, presents a lawful identity document, invokes a claimed statutory exemption, refuses consent to search, or uses uncommon legal or political terminology. This paragraph does not prohibit lawful action supported by independent reasonable suspicion, probable cause, or another lawful basis.

SECTION 14. Section STATE CODE _____ is created to read:

STATE CODE _____ Protected assertion of rights; neutral treatment. A person’s respectful assertion of constitutional rights, request for legal authority, request for a supervisor, request for recording preservation, claim of nonresident or foreign-registration exemption, presentation of a passport or lawful identity document, refusal to consent to a search, or use of private-capacity, nationality-related, state-native, or other unusual legal or political terminology does not by itself constitute reasonable suspicion, probable cause, obstruction, disorderly conduct, or grounds for citation, arrest, search, seizure, tow, or impoundment absent an independent lawful basis.

SECTION 15. Section STATE CODE _____ is created to read:

STATE CODE _____ Vehicle impoundment; notice; hearing; reimbursement.

(a) A law-enforcement agency or political subdivision may not tow or impound a vehicle solely because the operator is alleged to lack an operator’s license, or solely because the vehicle is alleged to be unregistered, unless public-safety, evidentiary, arrest-related, or other lawful removal grounds are present.

(b) Before authorizing a tow or impoundment, an officer shall reasonably consider whether the vehicle may be safely parked, released to the owner, or released to another authorized person without towing.

(c) Written notice of the basis, location, release procedure, known charges, and review rights shall be provided when practicable.

(d) The registered owner, titled owner, or person with a documented possessory interest may request expedited administrative review within 10 business days after notice. The reviewing

authority shall issue a written determination within 10 business days after receipt of the request.

(e) If the reviewing authority determines that enforcement action was based solely on a mistaken conclusion that a qualifying vehicle registered in another jurisdiction was required to be registered in the STATE OF _____, the agency shall recommend dismissal of the citation and reimburse recoverable towing, storage, and administrative charges.

(f) Nothing in this section limits any remedy otherwise available under federal law, state law, or the constitution of the STATE OF _____.

SECTION 16. Section STATE CODE _____ is created to read:

STATE CODE _____ Preservation request. Upon a written or electronic request submitted within 120 days after an encounter, a law-enforcement agency shall preserve body-worn-camera, dashboard-camera, dispatch, and related records associated with the encounter until final resolution of any citation, administrative review, civil claim, complaint, or judicial proceeding arising from the encounter.

SECTION 17. Section STATE CODE _____ is created to read:

STATE CODE _____ Public education concerning travel, licensing, registration, identification, and reciprocity. The department shall publish and maintain a plain-language guide explaining all of the following:

- (a) When the law of the STATE OF _____ requires a vehicle to be titled or registered.
- (b) The difference between an operator's license, a commercial driver license, an identification card, and identity documents such as passports.
- (c) The nonresident and foreign-registration provisions of applicable state law.
- (d) The difference between private automobile use and specially regulated commercial motor-vehicle operation under state law.
- (e) Existing penalties for speeding, reckless driving, operating without valid authority, and registration-related violations.
- (f) Procedures for contesting citations, suspensions, towing, impoundment, and adverse records use.
- (g) The legal uses of a U.S. passport book and passport card as proof of identity and, where applicable, citizenship evidence, and the limits of those documents with respect to operating privilege.

SECTION 18. Section STATE CODE _____ is created to read:

STATE CODE _____ Notice to insurers and rental-car companies. If the department establishes a program under the optional lawful-travel notation section, the department shall provide public notice to insurers and motor-vehicle rental companies describing the existence, purpose, and legal limits of the program. Any such notice shall explain that a notation or identifier is not itself an operator's license and does not compel a private entity to provide a product or service contrary to law or contract. A valid United States passport or passport card may be accepted as proof of identity where identity is required. Nothing in this section requires an insurer or rental-car company to rent a vehicle or issue coverage without satisfaction of lawful contract, underwriting, age, identity, operating-privilege, and safety requirements.

SECTION 19. Section STATE CODE _____ is created to read:

STATE CODE _____ Automated plate-reader safeguards. A law-enforcement agency using an automated license-plate-reader system shall maintain written policies governing permitted use, access controls, audit logs, retention, sharing, correction of erroneous data, and procedures for responding to a documented claim that a vehicle, plate, identifier, or person has been incorrectly associated with an enforcement alert. The absence of a registration record from the STATE OF _____, lawful-travel notation, commercial record, insurance record, or automated-reader record may not by itself establish reasonable suspicion or probable cause.

SECTION 20. Section STATE CODE _____ is created to read:

STATE CODE _____ Traffic-enforcement data reporting. Every law-enforcement agency that conducts traffic stops shall collect and annually report anonymized information concerning the reason for the stop, whether a citation, search, tow, or impoundment occurred, whether nonresident status, foreign registration, or another claimed exemption was asserted, and whether a passport, private identification, or optional notation was presented. The department of justice or analogous reporting authority shall publish a statewide annual report while protecting personally identifying information.

SECTION 21. Section STATE CODE _____ is amended to read:

The department of transportation, department of justice, or analogous state agencies may promulgate rules necessary to implement this act, including forms, verification procedures, privacy safeguards, training standards, reporting formats, and administrative review procedures.

SECTION 22. No limitation of existing remedies.

Nothing in this act limits any civil, administrative, disciplinary, constitutional, or other remedy otherwise available under state law or federal law for knowingly false, retaliatory, defamatory, discriminatory, malicious, or unlawful statements or records created or used in connection with an enforcement action.

SECTION 23. Severability.

If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application.

SECTION 24. Effective date.

This act takes effect on the date or schedule provided by the law of the STATE OF _____.