

S U M M A R Y

AN ORDINANCE to amend Chapter 27, *Human Rights*, of the 1984 Detroit City Code, by adding Article X, *Municipal Identification Card Program*, by adding Sections 27-10-1 through 27-10-20 to set forth the purpose of the Article and relevant definitions; to provide for the application, issuance and surrender of municipal identification cards; to establish eligibility and point system requirements for obtaining municipal identification cards; to set forth provisions regarding minors; to provide for the setting of fees; to set forth implementation and confidentiality provisions; to require acceptance of municipal identification cards by City departments and set forth exceptions to acceptance; to specify that the City's undertaking in issuing municipal identification cards is limited to the promotion of the general welfare; to set forth criminal penalties for counterfeit or fraudulent activities in the use or application for municipal identification cards; and to set forth annual reporting requirements.

1 BY COUNCIL MEMBER _____:

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3 adding Article X, *Municipal Identification Card Program*, by adding Sections 27-10-1 through 27-10-20 to
4 set forth the purpose of the Article and relevant definitions; to provide for the application, issuance
5 and surrender of municipal identification cards; to establish eligibility and point system requirements
6 for obtaining municipal identification cards; to set forth provisions regarding minors; to provide for
7 the setting of fees; to set forth implementation and confidentiality provisions; to require acceptance
8 of municipal identification cards by City departments and set forth exceptions to acceptance; to specify
9 that the City’s undertaking in issuing municipal identification cards is limited to the promotion of the
10 general welfare; to set forth criminal penalties for counterfeit or fraudulent activities in the use or
11 application for municipal identification cards; and to set forth annual reporting requirements.

12 IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

13 Section 1. Chapter 27, *Human Rights*, of the 1984 Detroit City Code, is amended by adding Article X,
14 *Municipal Identification Card Program*, by adding Sections 27-10-1 through 27-10-20 to read as follows:

15 **ARTICLE X. MUNICIPAL IDENTIFICATION CARD PROGRAM**

16 **Sec. 27-10-1. Purpose.**

17 It is the City’s intent that municipal identification cards will provide residents with an
18 additional means of proving their residency in the City for purposes of accessing City programs,
19 services, and activities, and providing identification to law enforcement. Possession of a municipal
20 identification card is not a pre-requisite to obtaining any City program, service, or activity for
21 residents otherwise eligible for such program, service, or activity.

22 **Sec. 27-10-2. Definitions.**

23 For the purposes of this Article, the following words and phrases shall have the meaning
24 respectively ascribed to them by this section:

1 Administering agency means the Mayor's Office or such other City department or agency
2 as the Mayor may designate to administer the City of Detroit municipal identification card
3 program.

4 Municipal identification card means an individual resident's identification card that is
5 issued by the City pursuant to this Article that shall display, at minimum, the cardholder's name,
6 photograph, address, date of birth, signature, identification card number and an expiration date.
7 The card shall not display gender.

8 Resident means an individual who can establish proof of identity and proof of residency
9 pursuant to the requirements set forth in Sec. 27-10-4 of this code.

10 **Sec. 27-10-3. Issuance and surrender of municipal identification cards.**

11 (a) Upon request, the administering agency shall issue a municipal identification card
12 to any resident who meets the application requirements set forth in Sec. 27-10-4 and pays the
13 applicable fee.

14 (b) The card shall bear the seal of the City. The administering agency shall cause the
15 card to be produced in a form intended to thwart replication or counterfeiting.

16 (c) Cards shall be valid for a maximum of two years and expire the earlier of two years
17 from the date of issuance or when the cardholder is no longer a resident of the City of Detroit.

18 (d) Card holders shall surrender their municipal identification card to the administering
19 agency upon moving residence outside of the City.

20 (e) In the event a municipal identification card is stolen, lost or destroyed the applicant
21 must re-apply and pay the application fee for a replacement card. Replacement card applications
22 shall be treated as new applications and the replacement card shall be valid for a maximum of two
23 years from the date of issuance so long as residency in the City is maintained during that time.

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1 Sec. 27-10-4. Application; Eligibility and point system requirements.

2 (a) To obtain a municipal identification card, a resident shall complete an application,
3 under penalty of perjury, requiring proof of identity and proof of residency within the City. Such
4 forms of proof shall be (1) issued by a governmental entity, or (2) issued by an entity that takes
5 reasonable steps to verify the identity and/or residency of the individual to whom it is issued or (3)
6 of a type that is normally accepted as proof of identity and/or residency in the ordinary course of
7 business. The administering agency shall establish a list of such documents in accordance with
8 Section 27-10-6.

9 (b) The administering agency shall retain the original application and copies of an
10 applicant's supporting documentation, including all proof of identity and proof of residency
11 credentials, pursuant to an approved records retention and disposal schedule. The administering
12 agency shall develop and submit to the State of Michigan for approval an agency-specific retention
13 and disposal schedule setting forth a retention period of two years from the date of issuance.

14 (c) Documentation of an applicant's proof of identity and proof of residency shall
15 include:

16 (1) Any combination of items from Categories A or B, totaling at least 300 points; and

17 (2) A minimum of one identity credential from Category A containing a photograph
18 and date of birth of the applicant; and

19 (3) One item from Category C showing proof of City residency within the previous 30
20 days; and

21 (4) Items presented by applicant shall only be used to satisfy one credential and receive
22 point value for that single credential in any category. Items cannot be used in more
23 than one category or to satisfy more than one credential.

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Category A – Proof of Identity with Photograph and Date of Birth

<u>Credential</u>	<u>Point Value 1</u> <u>(currently valid or</u> <u>expired less than 5 years</u> <u>from date of application)</u>	<u>Point Value 2</u> <u>(expired 5 to 10 years</u> <u>prior to date of</u> <u>application)</u>
1. <u>U.S. or foreign passport</u>	<u>200</u>	<u>100</u>
2. <u>U.S. or foreign driver's license</u>	<u>200</u>	<u>100</u>
3. <u>U.S. state identification card</u>	<u>200</u>	<u>100</u>
4. <u>Consular identification card</u>	<u>200</u>	<u>100</u>
5. <u>U.S. or foreign military or</u> <u>veteran identification card</u>	<u>200</u>	<u>100</u>
6. <u>Visa issued by government</u> <u>agency</u>	<u>200</u>	<u>100</u>
7. <u>Tribal identification card</u>	<u>200</u>	<u>100</u>
8. <u>Elector identification card</u>	<u>200</u>	<u>100</u>
9. <u>City of Detroit Municipal ID</u> <u>card (renewals only, card must</u> <u>be surrendered)</u>	<u>300</u>	<u>100</u>

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Category A – Proof of Identity with Photograph and Date of Birth Continued

<u>Credential</u>	<u>Point Value</u>
10. <u>Criminal Record check (AFIS) with photograph</u>	<u>200</u>
11. <u>Offender Tracking Information System (OTIS) record</u>	<u>200</u>

<u>Credential</u>	<u>Point Value</u>
12. <u>Homeless Management Information System (HMIS) service point ID or record of service transaction history with photograph</u>	<u>200</u>
13. <u>Educational institution identification card</u>	<u>75</u>
14. <u>Education institution records with photo</u>	<u>75</u>
15. <u>Employee identification card</u>	<u>75</u>
16. <u>Michigan Department of Corrections prisoner identification card</u>	<u>75</u>
17. <u>Michigan social services agency identification</u>	<u>75</u>

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Category B- Other Proofs of Identity

<u>Credential</u>	<u>Point Value</u>
1. <u>Electronic benefit transfer (EBT) card</u>	<u>200</u>
2. <u>U.S. or foreign birth certificate (original or certified copy)</u>	<u>125</u>
3. <u>Court order issued by a state or federal court to verify an applicant's identity</u>	<u>125</u>
4. <u>Social Security card</u>	<u>125</u>
5. <u>Military discharge or separation documents (DD-214)</u>	<u>125</u>
6. <u>U.S. marriage license or divorce decree, original or certified copy</u>	<u>125</u>
7. <u>Michigan Driver Education certificate (for applicants</u>	<u>125</u>

Category B- Other Proofs of Identity

<u>Credential</u>	<u>Point Value</u>
<u>aged 17 or younger only)</u>	
8. <u>Michigan adoption record</u>	<u>125</u>
9. <u>U.S. individual taxpayer identification number (ITIN) authorization letter</u>	<u>125</u>
10. <u>Criminal Record check (AFIS) without photo</u>	<u>125</u>
11. <u>U.S. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)</u>	<u>125</u>
12. <u>Emancipation petition with file stamp</u>	<u>125</u>
13. <u>Affidavit of identifying witness (witness must appear with the applicant and present photo ID)</u>	<u>100</u>
14. <u>Criminal complaint or summons with proof of personal service</u>	<u>100</u>
15. <u>Employment verification form (I-9)</u>	<u>100</u>
16. <u>U.S. or individual state tax return</u>	<u>100</u>
17. <u>Financial institution account records</u>	<u>50</u>
18. <u>Employment records (W-4, W-2, 1099 or paystub)</u>	<u>50</u>
19. <u>School or trade school records including diploma and transcripts</u>	<u>50</u>
20. <u>Baptismal records</u>	<u>50</u>

Category C – Proof of City of Detroit Residency

Documents presented must be current or dated within the previous 30 days

1. <u>Utility or credit card bill or statement</u>
2. <u>Employment record including pay stub, W-2, W-4 or earnings statement issued with the name and address of the employer</u>
3. <u>Federal, state, or City of Detroit government-issued document, letter or record</u>
4. <u>Housing lease or rental agreement, unexpired</u>
5. <u>Mortgage or local property tax statement</u>
6. <u>Financial institution account statement</u>
7. <u>Life, health, auto or home insurance policy</u>
8. <u>Michigan title or vehicle registration</u>
9. <u>Letter or record from a religious organization, social services agency, domestic violence shelter or homeless shelter located within the City confirming residency or services provided in the previous 30 days</u>
10. <u>Letter or record from a hospital or medical treatment facility addressed to applicant or letter confirming residency or services provided in the previous 30 days</u>
11. <u>Letter or record addressed to applicant at a Detroit address from a school, college, or university located in the State of Michigan that the applicant or child of the applicant attends</u>

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(d) Any documentation in a language other than English must be accompanied by a certified English translation. Acceptance of such translated documentation is at the discretion of the administering agency. The administering agency may obtain independent translation if it deems it necessary in its discretion.

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2 (e) The administering agency shall not accept any credentials which have been expired
3 more than 10 years prior to the date of application for a municipal identification card.

4 (f) The administering agency shall issue a municipal identification card to the applicant
5 upon receipt and verification of all of the following:

6 (1) Completed application;

7 (2) Proof of identity documentation;

8 (3) Proof of residency documentation; and

9 (4) Payment of applicable fees.

10 **Sec. 27-10-5. Minors.**

11 For purposes of this Article, a minor is an individual aged at least fourteen years but not
12 yet eighteen. An application submitted on behalf of a minor must be completed by such minor's
13 parent or legal guardian. The parent or legal guardian may verify the minor applicant's residency,
14 provided that the parent or legal guardian with whom the minor resides would meet the proof of
15 residency criteria set forth in Sec. 27-10-4.

16 **Sec. 27-10-6. Implementation; language assistance services.**

17 (a) The administering agency shall promulgate rules necessary to effectuate the
18 purpose of this Article. The City shall require applicants to declare the information provided in
19 their applications under penalty of perjury.

20 (b) The administering agency shall identify and implement measures, including but not
21 limited to staff training, community outreach, and language assistance tools, to address the needs
22 of individuals with limited English proficiency in the administration and implementation of the
23 municipal identification card program.

24 **Sec. 27-10-7. Fees.**

1 (a) The City shall charge a fee not to exceed \$25.00 for each application submitted.
2 Such fees shall not exceed the costs reasonably associated with the production of municipal
3 identification cards and administration of the program.

4 (b) The fee charged to minors aged at least fourteen years but not yet eighteen or senior
5 citizens aged 62 or older shall not exceed \$10.00.

6 (c) The fee for renewal of a municipal identification card shall not exceed \$10.00.

7 **Sec. 27-10-8. Acceptance by City departments.**

8 (a) When requiring members of the public to provide identification or proof of
9 residency in the City, each City department or agency shall accept a municipal identification card
10 issued pursuant to this Article as valid identification and as valid proof of residency in the City,
11 unless such City department or agency has reasonable grounds for determining that the card is
12 counterfeit, altered, or improperly issued to the card holder, or that the individual presenting the
13 card is not the individual to whom it was issued. In such cases, the card shall be confiscated and
14 returned to the administering agency with a transmittal letter documenting the circumstances
15 surrounding the confiscation. The administering agency may, after review, revoke the card or
16 return it to the individual.

17 (b) Other than requiring the City to accept the municipal identification card as proof of
18 identification and City residency, this section is not intended to replace, preempt or supersede any
19 other requirements for production of other forms of identification in connection with the
20 administration of City benefits and services. The requirements of this section do not apply under
21 circumstances where:

22 (1) A federal or state statute, administrative regulation, or directive, or court decision
23 requires the City to obtain different identification or proof of residency;

24 (2) A federal or state statute, administrative regulation, or directive preempts local

1 regulation of identification or residency requirements; or

2 (3) The City would be unable to comply with a condition imposed by a funding source
3 which would imperil the City's access to funds from that source or other sources.

4 **Sec. 27-10-9. Confidentiality.**

5 The City shall keep confidential to the extent permitted by applicable laws, any identifying
6 information or other data supporting the applications of persons applying for and receiving
7 municipal identification cards.

8 **Sec. 27-10-10. City undertaking limited to promotion of general welfare.**

9 In undertaking the adoption and enforcement of this Article, the City is assuming an
10 undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its
11 officers and employees, an obligation for breach of which it is liable in money damages to any
12 person who claims that such breach proximately caused injury.

13 **Sec. 27-10-11. Counterfeit and fraudulent municipal identification cards.**

14 (a) It is a misdemeanor violation of this Code, as specified in Sec. 1-1-9, for any person
15 or entity to do any of the following acts:

16 (1) To knowingly present false information to the City in the course of applying for a
17 municipal identification card.

18 (2) To alter, copy or replicate a municipal identification card without the authority of
19 the City.

20 (3) To use the municipal identification card issued to another person, with the intent to
21 cause a third person or entity to believe that the holder of the card is the person to
22 whom the card was issued.

23 (4) To fail to surrender a municipal identification card when ordered to do so by the
24 administering agency or by a City department or agency under Section 27-10-8(a).

1 **Sec. 27-10-12. Annual reporting.**

2 (a) The administering agency shall prepare and submit an annual report to the Mayor
3 and City Council that includes, at a minimum, the following information:

4 (1) The number of applications received by the City for a municipal identification card,
5 disaggregated by City Council district of residency of each applicant.

6 (2) The number of municipal identification cards issued during the preceding year to
7 adults, senior citizens and minors.

8 (3) The number of applications denied.

9 (4) The number of occurrences, if any, of fraud or other criminal activity related to
10 issuance or use of a municipal identification card.

11 (5) The costs associated with the implementation and administration of the municipal
12 identification card program.

13 (6) The total amount of fees collected.

14 (7) The number of training sessions held for City staff regarding the municipal
15 identification card program.

16 (8) The City's efforts to conduct outreach to prospective applicants regarding the
17 municipal identification card program.

18 (9) The City's efforts to promote acceptance of municipal identification cards by banks
19 and other private and public institutions and organizations.

20 (10) Efforts regarding language proficiency accommodations and other measures
21 implemented pursuant to Section 27-10-6(b).

22 **Secs. 27-10-13 – 27-10-20. Reserved.**

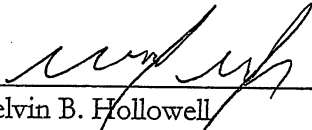
23 Section 2. This ordinance is hereby declared necessary to preserve the public peace, health, safety,
24 and welfare of the People of the City of Detroit.

1 **Section 3.** All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

2 **Section 4.** This ordinance shall become effective six (6) months after publication in accordance

3 with paragraph 3 of Section 4-118 of the 2012 Detroit City Charter.

Approved as to form:



Melvin B. Hollowell
Corporation Counsel