

**BILL ANALYSIS**

Senate Research Center  
89R522 AJZ-D

S.B. 215  
By: West  
Transportation  
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As Filed

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Digital identification or mobile driver's licenses (mDLs) are becoming increasingly prevalent across the United States, with more states adopting legislation to support their issuance. Currently, 14 states, including Arizona, Georgia, and Utah, have adopted some form of digital identification, either through a state-issued app or platforms such as Apple Wallet, Google Wallet, or Samsung Wallet. These digital wallets are built into mobile devices, enabling smoother and more efficient transactions with just a tap of a smartphone.

The 83rd Legislature passed S.B. 181, allowing insurance cards to be displayed on a wireless communication device. Today, digital wallets offer even greater convenience, enabling the storage of debit cards, insurance cards, and boarding passes for flights.

Following the pandemic, the use of mobile wallet payments increased due to the demand for contactless payments and faster, more efficient transactions. Now, according to Forbes, 53 percent of Americans use digital wallet apps and services. As technology continues to evolve, Texas should adapt and innovate alongside it. By integrating digital identification, states can improve identification issuance and enhance data protection.

S.B. 215 will establish a program for the issuance of digital identification. This bill will require the state to assess existing Department of Public Safety (DPS) infrastructure, and based on DPS' findings, the state must provide a digital identification solution. This will include not only driver's licenses but also digital handgun licenses, digital hunting licenses, and digital fishing licenses.

S.B. 215 also mandates that these mobile identifications be usable in any location, regardless of the availability of cellular service or connectivity. Additionally, DPS may charge a fee of no more than \$5 for the issuance of digital identification.

Furthermore, S.B. 215 states that, unless otherwise specified by statute or federal law, businesses and government entities shall accept a legally issued digital identification as valid proof of identity. However, this statute does not permit digital identification to be used for voting purposes.

As proposed, S.B. 215 amends current law relating to the establishment of a program for the issuance of digital identification and authorizes a fee.

**RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Department of Public Safety in SECTION 1 (Section 526.0102, Transportation Code) of this bill.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subtitle B, Title 7, Transportation Code, by adding Chapter 526, as follows:

CHAPTER 526. DIGITAL IDENTIFICATION PROGRAM

Sec. 526.0101. DEFINITIONS. Defines "department," "driver's license," "digital identification," "handgun license," and "hunting or fishing license."

Sec. 526.0102. DIGITAL IDENTIFICATION PROGRAM. (a) Requires the Department of Public Safety (DPS), in consultation with the Texas Parks and Wildlife Department (TPWD), by rule to establish a program for the issuance of digital identification.

(b) Requires DPS, in establishing the digital identification program, to:

(1) assess existing DPS infrastructure and upgrade DPS infrastructure according to DPS's findings;

(2) provide a digital identification solution that:

(A) is capable of presenting digital identification on a wireless communication device that is required to include the information included on a driver's license, as described by Section 521.121(a) (relating to requiring that a driver's license include certain information) and is authorized to include, as applicable, the information included on a handgun license, as required by Subchapter H (License to Carry a Handgun), Chapter 411 (Department of Public Safety of the State of Texas), Government Code, and the information included on a hunting or fishing license, as required by the Parks and Wildlife Code, including a stamp or other authorization issued by TPWD in connection with the hunting or fishing license;

(B) includes an authentication and verification process for a wireless communication device; and

(C) may be used in any location regardless of the location's level of wireless connectivity or cellular telephone service;

(3) deploy the digital identification solution; and

(4) implement any procedures necessary to allow law enforcement officials to accept digital identification.

(c) Authorizes DPS to contract with a third party to establish the program described by this section if the cost of the contract is covered by the fee authorized under Subsection (d).

(d) Authorizes DPS to charge a fee of not more than \$5 for the issuance of digital identification under this section.

(e) Requires a person, except as otherwise provided by this subsection or federal law, to accept digital identification issued under this section as evidence of another person's identity in the same manner as a driver's license. Prohibits digital identification issued under this section from being used for voting purposes.

SECTION 2. (a) Requires DPS by rule to establish and implement the digital identification program under Chapter 526, Transportation Code, as added by this Act, not later than September 1, 2026.

(b) Requires DPS, if before implementing any provision of this Act DPS determines that a waiver or authorization from a federal agency is necessary for the implementation of that provision, to request the waiver or authorization and authorizes DPS to delay implementing that provision until the waiver or authorization is granted.

SECTION 3. Effective date: September 1, 2025.