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DEPARTMENT OF TRANSPORTATION

Driver and Vehicle Services Update

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This bulletin may be downloaded by visiting the Driver and Vehicle Services
website at www.dmv.state.pa.us

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SPECIAL EDITION

Photocopying of Military Identification

As you know, issuing agents are required to attach a legible photocopy of the front and back of an acceptable identification credential, together with any title and/or registration application that the issuing agent submits to the Bureau of Motor Vehicles for processing. A question has been raised as to whether allowing issuing agents to photocopy the front and back of a U.S. Armed Forces Common Access Card (CAC) violates 18 U.S.C. §701 (relating to official badges, identification cards, and other insignia). Based on our review, Section 701 does not preclude photocopying the front and back of a CAC for purposes of completing a motor vehicle transaction that is to be processed by the bureau.

We have found that no regulations have been promulgated that implement 18 U.S.C. §701. However, an instruction issued by the Department of Defense a few months ago provides in pertinent information:

Any person willfully altering, damaging, lending, counterfeiting, or using these cards in any unauthorized manner is subject to fine or imprisonment or both, as prescribed in sections 499, 506, 509, 701, and 1001 of title 18, United States Code (U.S.C.) (Reference (u)). Section 701 of Reference (u) prohibits photographing or otherwise reproducing or possessing DoD ID cards in an unauthorized manner, under penalty of fine or imprisonment or both. Unauthorized or fraudulent use of ID cards would exist if bearers used the card to obtain benefits and privileges to which they are not entitled. ***Examples of authorized photocopying include photocopying of DoD ID cards to facilitate medical care processing, check cashing, voting, tax matters, compliance with appendix 501 of title 50, U.S.C. (also known as “The Service Member’s Civil Relief Act”) (Reference (v)), or administering other military-related benefits to eligible beneficiaries.***

As permitting a military member (or his or her dependent) to use a CAC in order to process a motor vehicle transaction must be considered a “military-related benefit,” there is no prohibition contained in 18 U.S.C. §701 that prevents an issuing agent from photocopying the front and back of a CAC as part of that transaction.

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