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DEPARTMENT OF JUSTICE
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OPINION 25-0055

61 LAWS - General

Honorable Dixon Wallace McMakin
Representative – District 68
3613 Perkins Rd, Unit F
Baton Rouge, Louisiana 70808

La. R.S. 39:17.2

La. R.S. 1:3

LA Wallet must be accepted as a valid form of identification in business establishments in the state of Louisiana.

Dear Representative McMakin:

We received your request regarding the acceptance of digitized credentials, such as LA Wallet, as valid forms of identification in the state of Louisiana. You note that it has come to your attention that some nationwide companies with branches in Louisiana do not accept LA Wallet as proof of identity in their Louisiana stores.

Question: Must LA Wallet be accepted as a valid form of identification in business establishments in the state of Louisiana?

Conclusion: Yes. It is clear that any digitized credential downloaded through an application on a mobile device as provided in La. R.S. 39:17.2 shall be as valid as a tangible credential in the State of Louisiana.

Any credential authorized or required by the state may be made available in digitized format on a program which a user can utilize through an electronic wallet. La. R.S. 39:17.2(A). Any digitized credential downloaded through an application on a mobile device as provided [herein] shall be as valid as a tangible credential. La. R.S. 39:17.2(B). The commissioner of administration is directed by law to promulgate rules and regulations to implement the program and to develop the accessibility of any digitized credential available for use in an electronic wallet. La. R.S. 39:17.2(D).

In compliance with the above provisions, Louisiana developed LA Wallet, a digital driver's license application supported by both Apple iOS and Android.¹ Because a digitized driver's license may be downloaded through this application onto a mobile device, the law mandates it is valid as a tangible credential. See La. R.S. 39:17.2. Louisiana Revised Statute 1:3 states that the word "shall" is mandatory. Therefore, it is the opinion of this office that LA Wallet must be accepted as a valid form of identification in business establishments in the state of Louisiana.

¹ <https://www.doa.la.gov/doa/ots/tech-spotlight/la-wallet/>

We hope that this opinion has adequately addressed the legal issues you have raised. If our office can be of any further assistance, please do not hesitate to contact us.

With best regards,

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