

# House Research Act Summary

**CHAPTER:** 83 (S.F. 1646)

**SESSION:** 2016 Regular Session

**TOPIC:** REAL ID Act initial authorization

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**Date:** June 1, 2016

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## Overview

This act provides authority and direction to the Department of Public Safety concerning the federal REAL ID Act. Its provisions include: (1) directing the department to begin planning; (2) specifying various planning activities; (3) requiring a legislative report, due April 14, 2016, on planning and implementation analysis; (4) directing the department to seek an extension that would lift current federal restrictions on the use of Minnesota-issued driver's licenses and identification cards to enter secured federal facilities; (5) requiring the department to provide testimony, information, and fiscal notes related to REAL ID; and (6) repealing the REAL ID planning ban (but retaining the ban on implementation).

The federal REAL ID Act and its accompanying federal regulations establish various security, data, and identity verification requirements for state-issued driver's licenses and identification cards. One of its features is that it disallows federal agencies from accepting non-compliant state identification in order to enter secured areas of federal buildings and facilities (that is, those areas where identification is necessary). In the future, federal law will also prevent acceptance of non-compliant licenses and identification cards as the only document needed to board federally regulated commercial aircraft.

**Section**

- 1 Noncompliance with REAL ID Act.** Repeals the planning portion of the ban from 2009 on REAL ID Act planning and implementation.
- 2 REAL ID Act plan for implementation.** Establishes various requirements governing planning, reporting, and activities related to the REAL ID Act.

**Subd. 1. Department of Public Safety planning activities.** Paragraph (a) directs the Department of Public Safety to commence planning related to compliance with the federal REAL ID Act, so that the department is prepared to begin issuing REAL ID-compliant driver's licenses and identification cards by October 1, 2016. Prevents associated rulemaking without further authorization.

Paragraph (b) specifies a list of planning activities, including identifying noncompliant law provisions and procedures; analyzing vendor contracts; obtaining federal implementation guidance; developing itemized costs for various aspects of implementation; analyzing data security, privacy, and control issues; and developing approaches to safeguard data protections.

**Subd. 2. Legislative report.** Requires a report to the legislature, due April 14, 2016, on each of the planning activities listed in subdivision 1.

**Subd. 3. Summary of planning activities and fiscal impacts.** Directs the Department of Public Safety to provide testimony and written materials regarding REAL ID Act planning activities, and requires completion of fiscal notes as mandated under state law.

- 3 Extension of time to comply.** Directs the Department of Public Safety to seek a REAL ID Act enforcement extension from the U.S. Department of Homeland Security so that Minnesota-issued identification would be accepted at secured federal facilities.
- 4 Use of existing resources.** Requires the use of current funding for implementation planning under the act.
- 5 Effective date.** Makes the act effective the day after enactment.