

HOUSE RESEARCH

Bill Summary

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Overview

This bill creates enhanced driver's licenses and enhanced Minnesota identification cards, which are optional to obtain, carry the same privileges as current licenses and identification cards, are only issued to U.S. citizens, contain additional identifier technology, and would be a document acceptable to the federal government for purposes of entry to the United States. It makes various changes related to establishment of the enhanced licenses and cards, including eligibility and application requirements, fees, and rulemaking.

Section

- 1 License.** Makes conforming changes, to amend the definition of "license" to include an enhanced driver's license.
- 2 Enhanced driver's license.** Defines an "enhanced driver's license" in the chapter on driver licensing to be an instruction permit, provisional license, or driver's license with security features approved by the U.S. Department of Homeland Security. Provides that enhanced driver's licenses, enhanced provisional licenses, and enhanced instruction permits are subsets of their respective regular licenses.
- 3 Enhanced identification card.** Defines an "enhanced identification card" in the chapter on driver licensing to be an identification card with security features approved by the U.S. Department of Homeland Security.
- 4 Enhanced driver's license.** Allows an enhanced driver's license to work the same way as other driver's licenses, as well as for entrance to the U.S. if allowed by the U.S. Department of Homeland Security. Clarifies that the enhanced license works the same way as other Minnesota licenses and permits, including examination, cancellation, revocation, and reinstatement provisions.
- 5 Persons not eligible for enhanced driver's license.** Restricts a persons from obtaining an

enhanced driver's license if the person is:

- under age 16;
- not a Minnesota resident; or
- not a U.S. citizen.

- 6** **Forms of application.** Makes conforming changes.
- 7** **Fees.** Sets fees for an enhanced driver's license, provisional license, an instruction permit, at an amount that is \$15 above the current respective fee for license. Sets the fee for an enhanced identification card, at an amount that is \$15 above the current fee.
- 8** **Contents of application; other information.** Requires proof of certain applicant information for an enhanced license or identification card, including U.S. citizenship and identity.
- 9** **Identification card; fee.** Restricts a persons from obtaining an enhanced Minnesota identification card if the person is:
- under age 16;
 - not a Minnesota resident; or
 - not a U.S. citizen.
- 10** **Enhanced identification card.** Establishes that the enhanced identification card works the same way as other Minnesota identification cards, as well as for entrance to the U.S. if allowed by the U.S. Department of Homeland Security.
- 11** **Security for enhanced driver's license and identification card.** Requires that enhanced licenses and identification cards must have security features to prevent disclosure of personal information. Authorizes the license and card to include radio frequency identification (RFID) technology, and creates requirements governing use of the technology.
- 12** **Exception.** Prevents certain exemptions from photograph requirements from applying to enhanced licenses and identification cards. The exemptions allow issuance of a license or identification card (1) without a photographic image of the person if there is a religious objection, and (2) with a photographic image that includes a hat or headwear under certain circumstances.
- 13** **Agreement for enhanced license and identification card.** Requires that the Minnesota Department of Public Safety enter into an agreement with the U.S. Department of Homeland Security to make the enhanced driver's license and identification card acceptable documentation for entrance to the United States.
- 14** **Rulemaking.** Requires that the Minnesota Department of Public Safety amend its rules on proof of identity and status in the United States to accommodate the establishment of enhanced licenses and identification cards, following the standard rulemaking process.
- 15** **Effective date.** Makes the bill effective June 1, 2011, for enhanced licenses and

identification cards issued starting January 1, 2011, except that the provisions on federal agreement and rulemaking are effective the day after enactment.