

HOUSE RESEARCH

Bill Summary

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Overview

This bill provides planning authority and direction to the Department of Public Safety concerning the federal REAL ID Act. Its provisions include: (1) authorizing and directing the department to begin planning; (2) specifying various planning activities; (2) requiring a legislative report, due March 31, 2016, on planning and implementation analysis; (3) requiring the department to provide testimony, information, and fiscal notes related to REAL ID; (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; and (5) requiring use of existing funds to perform the planning and reporting requirements in the bill.

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 aspects is that it disallows federal agencies from accepting non-compliant state identification for entering secured areas of federal buildings and facilities (that is, those areas where identification is necessary to enter). In the future the 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.** Amends a 2009 REAL ID prohibition, to permit the Department of Public Safety to perform planning related to REAL ID Act compliance. The ban on implementation remains in place.
- 2 REAL ID plan for implementation.** Establishes 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 activities in preparation for compliance with the federal REAL ID Act, so that following subsequent legislative authorization, the department is prepared to begin issuing REAL ID-compliant driver's licenses and identification cards by October 1, 2016. Prevents adoption of administrative rules related to REAL ID Act compliance.

Paragraph (b) specifies a list of planning activities, including: identifying law and process changes needed to achieve compliance; analyzing vendor contracts; obtaining federal implementation guidance; developing data security and control safeguards; developing recommendations on legislative changes; and developing itemized costs for various specified aspects of implementation.
 - Subd. 2. Legislative report.** Requires a report to the legislature, due March 31 of this year, on each of the planning activities listed in subdivision 1 and any other relevant analysis.
 - 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.

Currently as part of phased enforcement of the REAL ID Act, Minnesota driver's licenses and identification cards are not federally accepted, by themselves, as a sufficient form of identification to enter those federal facilities where there is controlled access (including, for instance, military bases).
- 4 Use of existing appropriations.** Specifies that the Department of Public Safety must perform the planning and reporting activities in the bill using currently available funds.
- 5 Effective date.** Makes the bill effective the day after enactment.