

H.F. 3 – REAL ID Conference Committee

House/Senate Comparison Summary

Rev. Page	HOUSE H.F. 3, 4 th Engrossment (H0003-4)	Comparison & Notes	SENATE H.F. 3, 3rd Unofficial Engrossment (UEH0003-3)
R1	Sec. 1. Noncompliant license; noncompliant identification cards. Defines terms for licenses and identification cards that do not meet the requirements of the federal REAL ID Act.	Same	Sec. 1. See House summary
R1	Sec. 2. REAL ID Act. Defines “REAL ID Act” for the chapter of statutes on driver licensing.	Same	Sec. 2. See House summary
R1	Sec. 3. Temporary lawful status. Defines “temporary lawful status” to use a definition from federal regulations under the REAL ID Act	Same	Sec. 3. See House summary
R1	Sec. 4. Background investigations; driver’s license agents and certain employees. Mandates a background check on employees who can modify the records of applicants and holders of a driver’s license or identification card. Provides for recovery of background check costs.	Similar – technical difference	Sec. 4. See House summary
R2	Sec. 5. REAL ID Act conformity; limitations. Governs Minnesota compliance with REAL ID Act requirements. Subd. 1. Definition. Defines a “federal change” related to the REAL ID Act. Subd. 2. License and Minnesota identification card options. Directs the Department of Public Safety to create both REAL ID Act compliant and noncompliant license and identification card versions, which are in addition to enhanced licenses and identification cards. Subd. 3. Limitations. Prevents the department from taking steps to implement or comply with future changes in federal law, processes, or data practices under the REAL ID Act. Subd. 4. Legislative notification. Requires notification to the legislature regarding any impending or completed changes in federal law, processes, or data practices under the REAL ID Act. Subd. 5. Statutory construction. Establishes that, by default, reference to a driver’s license includes all types of license (both	Similar	Sec. 5. REAL ID Act conformity; limitations. Governs Minnesota compliance with REAL ID Act requirements. Subd. 1. See House summary Subd. 2. See House summary Subd. 3. See House summary, except that the Senate specifically prevents the department from taking steps to implement or comply with future changes to federal rules adopted pursuant to the federal REAL ID Act. Subd. 4. See House summary Subd. 5. See House summary

H.F. 3 – REAL ID Conference Committee

House/Senate Comparison Summary

Rev. Page	HOUSE H.F. 3, 4 th Engrossment (H0003-4)	Comparison & Notes	SENATE H.F. 3, 3rd Unofficial Engrossment (UEH0003-3)
	compliant and noncompliant) and that reference to a Minnesota identification card includes all types of identification card.		
R4	Sec. 6. Temporary lawful admission. Prohibits issuing a license or identification card if the applicant has a temporary admission status to the United States that expires within 30 days of the application.	Same	Sec. 6. See House summary
R4	Sec. 7. Application format and requirements. Requires all applicants for a driver's license or identification card to sign the application and declare that the information in the application is true and correct, with a penalty of perjury for false statements.	Same	Sec. 7. See House summary
R4	Sec. 8. Fees. Clarifies that the same fees apply to REAL ID-compliant and noncompliant licenses and identification cards.	Similar - technical difference	Sec. 8. Fees. Specifies that REAL ID-compliant cards cost the same as non-compliant cards.
R7	Sec. 9. Contents of application; other information. Requires supporting documentation to be provided as part of application for a driver's license or identification card, including: evidence demonstrating the applicant's identity, date of birth, and any name changes; the applicant's lawful status in the United States (which includes various forms of temporary legal presence); and for REAL ID-compliant licenses and cards, principal residence address in Minnesota as well as Social Security number or other permissible documents. Makes technical changes.	Policy difference - House: evidence of lawful status for all applications - Senate: evidence of lawful status for REAL ID-compliant applications	Sec. 9. See House summary, except that Senate requires evidence of lawful status only for REAL ID-compliant applications.
R10	Sec. 10. Information for applicants. Requires the Department of Public Safety to make information available to driver's license and identification card applicants regarding the types of cards offered and their respective limitations. Requires a signed acknowledgement of understanding of limitations on license or identification card use.	Policy difference Senate: additional summary information required	Sec. 10. Information for applicants. Requires the Department of Public Safety to make information available to driver's license and identification card applicants, including: each type of driver's license and identification card; the purpose and limitations on use for each type of license and card; an overview of data shared outside of the state; a statement that a REAL ID compliant license or card is not mandatory; and a website where more information can be found. Renewal notifications must include the website and physical address where more information may be obtained. Requires a signed acknowledgement of understanding of limitations on license or identification card use.

H.F. 3 – REAL ID Conference Committee

House/Senate Comparison Summary

Rev. Page	HOUSE H.F. 3, 4 th Engrossment (H0003-4)	Comparison & Notes	SENATE H.F. 3, 3rd Unofficial Engrossment (UEH0003-3)
R10	Sec. 11. Evidence of identity and lawful presence. Identifies lists of acceptable documents in application for REAL ID-compliant licenses and identification cards (which override any conflicting administrative rules). Subd. 1. Scope of application. Establishes that the section only applies for licenses and identification cards that are compliant with the REAL ID Act. The section overrides any conflicting administrative rules, but other administrative rules on driver licensing continue to apply. Subd. 2. Evidence; identity; date of birth. Identifies acceptable documents for proving identity and date of birth. Subd. 3. Evidence; lawful status. Identifies acceptable documents for proving lawful presence in the United States, which consist of the same documents as listed in subdivision 2. Subd. 4. Evidence; Social Security number. Requires presentation of a Social Security card, or if one is not available, certain W-2 or 1099 forms (unless the applicant demonstrates non-work authorized status). Subd. 5. Evidence; residence in Minnesota. Identifies acceptable documents for proving a residence address in Minnesota. Requires two documents from the listing. Subd. 6. Exceptions process. Allows the department to use a variance process that is in administrative rules to grant some types of exceptions to the evidence requirements.	Similar	Sec. 11. Evidence of identity and lawful presence. Identifies lists of acceptable documents in application for REAL ID-compliant licenses and identification cards (which override any conflicting administrative rules). Subd. 1. See House summary Subd. 2. See House summary Subd. 3. See House summary, except that the Senate also includes documents issued by a federal agency that demonstrates the applicant's lawful presence. Subd. 4. See House summary Subd. 5. See House summary Subd. 6. See House summary
R14	No comparable provision	Senate only	Sec. 12. Application. A person may apply to any driver's license agent for a noncompliant, REAL ID-compliant, or enhanced license.
R15	Sec. 12. License; contents and design. Identifies license marking requirements for REAL ID compliance, REAL ID noncompliance, and temporary status. Requires the license holder's full name or at least 39 characters. Makes a technical clarification and a technical change.	Same	Sec. 13. See House summary

H.F. 3 – REAL ID Conference Committee
House/Senate Comparison Summary

Rev. Page	HOUSE H.F. 3, 4 th Engrossment (H0003-4)	Comparison & Notes	SENATE H.F. 3, 3rd Unofficial Engrossment (UEH0003-3)
R16	Sec. 13. Identification card; content and design; fee. Identifies identification card marking requirements for REAL ID compliance, REAL ID noncompliance, and temporary status. Requires the card holder’s full name or at least 39 characters. Makes a technical clarification.	Same	Sec. 14. See House summary
R17	Sec. 14. Identification card expiration. Sets the expiration for identification cards issued to seniors (age 65 or older) as 1) eight years for REAL ID-compliant cards; or 2) valid for life, for noncompliant cards. Sets the expiration for identification cards issued to people with temporary lawful presence. Makes technical changes.	Same	Sec. 15. See House summary
R18	Sec. 15. Security features. Broadens the physical security features required for driver’s licenses and identification cards. Makes technical changes to substantially reproduce language removed from another section.	Same	Sec. 16. See House summary
R18	Sec. 16. Limitations. Prevents applicants for a REAL ID-compliant license or identification card from foregoing getting a photo taken based on religious objection (so that the provision becomes available only for a noncompliant license or identification card applicant).	Same	Sec. 17. See House summary
R18	Sec. 17. Tribal identification card. Prevents tribal identification cards from being accepted to prove name and identity in application for a REAL ID-compliant license or identification card.	Same	Sec. 18. See House summary
R19	Sec. 18. Driver and vehicle services information system; security and auditing. Establishes requirements for the information technology system used by Driver and Vehicle Services governing data access, removal of privileges, and biennial audits.	Similar	Sec. 19. See House summary
R20	Sec. 19. Record retention; birth certificates. Permits driver’s license and identification card applicants to choose retention by the department of the data contained in the birth certificate rather than retaining a physical or digital copy of the certificate (if the department’s procedures include retention of a birth certificate copy).	Similar – technical difference	Sec. 20. See House summary

H.F. 3 – REAL ID Conference Committee

House/Senate Comparison Summary

Rev. Page	HOUSE H.F. 3, 4 th Engrossment (H0003-4)	Comparison & Notes	SENATE H.F. 3, 3rd Unofficial Engrossment (UEH0003-3)
R20	Sec. 20. Data privacy; noncompliant license or identification card. Prohibits sharing data on noncompliant license or identification card holders outside the state beyond what is shared under current processes, including electronic dissemination of data and use of electronic verification systems, and sharing of information on a firearms safety designation.	Similar – technical difference	Sec. 21. See House summary
R21	Sec. 21. Firearms data. Prohibits the Department of Public Safety from sharing data related to firearms, including on permits to carry firearms, firearms purchases, and firearms safety designation on driver’s licenses and identification cards.	Policy difference - House: broad-based prohibition on sharing firearms data - Senate: prohibits sharing firearm safety data with federal government; classifies firearms data as private	Sec. 22. Other data provisions. Prohibits the Department of Public Safety from sharing firearm safety data maintained by the department with the federal government. Firearm data collected by government entities is private under the Minnesota Government Data Practices Act.
R21	Sec. 22. Expiration of license; military exception. Sets the expiration for driver’s licenses issued to people with temporary lawful presence in the United States. Makes a technical change.	Same	Sec. 23. See House summary
R22	Sec. 23. REAL ID Act implementation. Governs REAL ID Act implementation, including setting an implementation date of no later than October 1, 2018. Subd. 1. Definition. Defines “REAL ID Act” for the section, by referencing the federal law. Subd. 2. Implementation; deadline. Sets an October 1, 2018, deadline for the Department of Public Safety to begin issuing REAL ID-compliant licenses and identification cards. Subd. 3. Mandatory reissuance prohibition. Prohibits the department from requiring that cardholders obtain a new license or identification card earlier than the normal expiration date.	Policy difference - House: no fee for REAL ID-compliant replacement - Senate: 2-yr. expiration date extension for first REAL ID-compliant replacement	Sec. 24. REAL ID Act implementation. Governs REAL ID Act implementation, including setting an implementation date of no later than October 1, 2018. Subd. 1. See House summary Subd. 2. See House summary Subd. 3. See House summary

H.F. 3 – REAL ID Conference Committee
House/Senate Comparison Summary

Rev. Page	HOUSE H.F. 3, 4 th Engrossment (H0003-4)	Comparison & Notes	SENATE H.F. 3, 3rd Unofficial Engrossment (UEH0003-3)
	Subd. 4. Optional early reissuance; fee exemption. Creates an exemption from the standard fees for driver's licenses and identification cards for some renewals. The exemption applies if the license or card: 1) was issued prior to when Minnesota starts issuing REAL ID-compliant documents; and 2) has an expiration date that is after the date when only fully REAL ID-compliant licenses and cards are federally accepted. The fee exemption is available for a year after the date federal full compliance starts. Some fees for optional services such as expedited service remain in effect, and the exemption does not apply for reinstatements and enhanced licenses or identification cards.		Subd. 4. Optional early reissuance and expiration date extension. Eligible applicants who submit a renewal application for a REAL ID-compliant driver's license or identification card will have their next renewal date extended by two years. An eligible applicant is an applicant for a REAL ID-compliant driver's license or identification card who: 1) holds a valid driver's license or identification card that was issued prior to REAL-ID compliant cards becoming available and expires after the date when only fully compliant REAL ID cards are accepted; 2) submits the application no later than October 31, 2020; and 3) is otherwise eligible to obtain the card.
R24	Sec. 24. Revisor's instruction. Makes a technical change, to move a provision on anatomical gifts to a different subdivision.	Same	Sec. 25. See House summary
R24	No comparable provision	Senate only	Sec. 26. Appropriation. Appropriates \$3,270,000 in fiscal year 2019 from the driver services operating account in the special revenue fund to the commissioner of public safety for implementing this act.
R24	No comparable provision	Senate only	Sec. 27. Contingent repealer. If the federal REAL ID Act is repealed or if the federal definition of "official purpose" is changed, the provisions of this act become null and void on June 30 of the following year and the commissioner must stop issuing REAL ID-compliant drivers' licenses and identification cards. Within 90 days of the federal action, the commissioner must report to the legislature on the legislative changes necessary to repeal this act.
R25	Sec. 25. Repealer. Fully repeals the 2009 ban on REAL ID Act implementation (which had been amended in 2016).	Same	Sec. 28. See House summary
R25	Sec. 26. Effective date. Makes the bill effective the day after enactment, and applies the changes to start on the date of full compliance implementation.	Similar – technical difference	Sec. 29. See House summary