

A-Engrossed
Senate Bill 424

Ordered by the Senate May 11
Including Senate Amendments dated May 11

Sponsored by Senator METSGER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Conforms Oregon Vehicle Code to provisions of federal Real ID Act of 2005.]

Prohibits state agency or program from expending funds to implement Real ID Act of 2005 unless federal funds are received by state to cover estimated costs and certain other conditions are met by Department of Transportation.

Allows Attorney General, with approval of Governor, to challenge legality or constitutionality of Real ID Act of 2005.

A BILL FOR AN ACT

1
2 Relating to federal Real ID Act of 2005.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. A state agency or program may not expend funds to implement the Real ID**
5 **Act of 2005, P.L. 109-13, unless:**

6 (1) **Federal funds are received by this state and allocated in amounts sufficient to cover**
7 **the estimated costs to this state of implementing the Real ID Act of 2005; and**

8 (2) **The requirements of section 2 of this 2007 Act are met.**

9 **SECTION 2. (1) The Department of Transportation shall comply with subsection (2) of**
10 **this section and adopt rules that will ensure compliance with subsection (3) of this section**
11 **before:**

12 (a) **Issuing, replacing or renewing a driver license, driver permit or identification card**
13 **that complies with the requirements of the Real ID Act of 2005, P.L. 109-13; and**

14 (b) **Storing or including data about individuals in any database, records facility or com-**
15 **puter system that meets the requirements of the Real ID Act of 2005.**

16 (2) **The department shall ensure that the procedures for issuance, renewal and replace-**
17 **ment of driver licenses, driver permits and identification cards, the procedures for estab-**
18 **lishment of a database and a records facility for the computer system and the procedures for**
19 **personnel screening and training include the following:**

20 (a) **All reasonable security measures to protect the privacy of individuals; and**

21 (b) **All reasonable safeguards against unauthorized disclosure or use of data.**

22 (3) **The department may not charge unreasonable fees or place unreasonable record**
23 **keeping burdens on an applicant for issuance, renewal or replacement of a driver license,**
24 **driver permit or identification card.**

25 **SECTION 3. (1) The Department of Transportation shall prepare a report that analyzes**
26 **the cost to this state of implementing the Real ID Act of 2005, P.L. 109-13, and to applicants**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 for issuance, renewal or replacement of driver licenses, driver permits and identification
2 cards, of implementing the requirements of the Real ID Act of 2005 and any related federal
3 regulations.

4 (2) The department shall prepare a report that analyzes the potential cost to this state
5 of providing the funds to citizens to apply for the original issuance of a passport. The de-
6 partment shall compare the costs of complying with the Real ID Act of 2005 with the costs
7 of providing funds to citizens to apply for the original issuance of a passport.

8 (3) The department shall make the reports available for public inspection.

9 SECTION 4. The Attorney General may, with the approval of the Governor, challenge the
10 legality or constitutionality of the Real ID Act of 2005.

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