

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass

Vote: 9 - 0 - 1

Yeas: Bailey, Bentz, Berger, Boone, Edwards D., Gilman, Kahl, Schaufler, Beyer

Nays: 0

Exc.: Weidner

Prepared By: Patrick Brennan, Administrator

Meeting Dates: 5/18

WHAT THE MEASURE DOES: Prohibits state agencies from expending funds to implement the federal Real ID Act of 2005 unless sufficient federal funds are allocated to cover the estimated costs. Requires the Department of Transportation to analyze and report on the costs of implementing the Real ID Act. Requires the department to provide reasonable security measures to protect individual privacy and to prevent unauthorized disclosure before issuing Real ID-compliant identification. Prohibits participation in multistate or federal shared database unless sufficient security measures to prevent unauthorized disclosures are established.

ISSUES DISCUSSED:

- Requirements of, and costs associated with, federal Real ID Act
- Other states that have passed similar legislation
- Previous measures (Senate Bill 1080 (2008); Senate Bill 640 (2005)) related to license security

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The federal Real ID Act (P.L. 109-13) was signed May 11, 2005. It creates national standards for driver license and identification cards to ensure acceptable documents for security checks at airports and federal facilities. States are not required to comply with the federal law and there is no monetary penalty for noncompliance, but residents of states whose licensing does not meet the minimum standards by December 31, 2009, will not be able to use their state identification for federal identity purposes. To date, 11 states have passed laws prohibiting the implementation of Real ID and 10 states have passed resolutions in opposition to federal Real ID.

Currently, the Department of Homeland Security (DHS) estimates nationwide implementation of Real ID will cost \$9.9 billion, with a cost to states of \$3.9 billion. Congress has appropriated \$48.6 million to assist states with implementation of Real ID, of which \$6 million has been obligated. Oregon has not appropriated money to the implementation of Real ID. The Oregon Department of Transportation (ODOT) has received federal grant funds used for driver license improvements and to implement systems for verification of residency documents.

Senate Bill 1080-A (2008) brought Oregon into compliance with many Real ID requirements, including requiring ODOT's Driver and Motor Vehicle Division (DMV) to verify applicants' social security numbers (SSNs) through the Social Security Online Verification (SSOLV) system, and requiring applicants to provide proof of U.S. citizenship or lawful presence in the United States, as well as a SSN or proof of ineligibility for a SSN, to be eligible for an Oregon driver license, driver permit or ID card.

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This summary has not been adopted or officially endorsed by action of the committee.