

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 1646

(SENATE AUTHORS: DIBBLE)

DATE	D-PG	OFFICIAL STATUS
03/11/2015	685	Introduction and first reading Referred to Transportation and Public Safety
04/07/2015	1453	Comm report: To pass
	1490	Second reading
	4869	Rule 47, returned to Transportation and Public Safety
03/10/2016	4970a	Comm report: To pass as amended and re-refer to Judiciary
03/14/2016	5015a	Comm report: To pass as amended and re-refer to Finance
03/17/2016		Comm report: To pass as amended Second reading

A bill for an act

1.1 relating to transportation; directing the commissioner of public safety to plan for
1.2 eventual implementation of Real ID program; requiring the commissioner to
1.3 appear before legislative committees upon request, to present oral and written
1.4 summaries of Real ID planning activities, and to submit fiscal notes under law;
1.5 directing the commissioner to seek an extension of enforcement of current
1.6 Real ID requirements with respect to this state; amending Laws 2009, chapter
1.7 92, section 1.
1.8

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. Laws 2009, chapter 92, section 1, is amended to read:

1.11 Section 1. **NONCOMPLIANCE WITH REAL ID ACT.**

1.12 The commissioner of public safety is prohibited from taking any action to implement
1.13 ~~or to plan for the implementation by this state of~~ those sections of Public Law 109-13
1.14 known as the Real ID Act.

1.15 Sec. 2. **REAL ID PLAN FOR IMPLEMENTATION.**

1.16 Subdivision 1. Department of Public Safety planning activities. (a) The
1.17 commissioner of public safety shall undertake planning activities within the meaning of
1.18 paragraph (b) to prepare for eventual compliance with the requirements of the REAL
1.19 ID Act of 2005, Public Law 109-13, Division B. Plans must be developed so that,
1.20 following implementation authorization by legislative enactment, the commissioner is
1.21 prepared to begin issuing Real ID-compliant drivers' licenses and identification cards
1.22 no later than October 1, 2016, or a different date authorized by enacted legislation.
1.23 The commissioner shall not adopt rules concerning Real ID or implement changes in
1.24 driver license/identification card requirements to comply with Real ID without specific
1.25 legislative authorization.

2.1 (b) Planning activities include, but are not limited to:

2.2 (1) identifying changes in existing statutes, rules, and procedures that must be
2.3 enacted or adopted in order to achieve compliance with Real ID;

2.4 (2) analyzing vendor contracts and computer operations that may be affected by
2.5 Real ID implementation and outlining procedures necessary to prepare for any necessary
2.6 changes in contracts and computer programs and operations;

2.7 (3) reviewing or seeking implementation guidance or communications from the
2.8 United States Department of Homeland Security;

2.9 (4) preparing draft certification documents developed under Code of Federal
2.10 Regulations, title 6, section 37.55;

2.11 (5) developing approaches to safeguard under a planned Real ID program, to the
2.12 greatest possible extent consistent with Minnesota law, the privacy and protection of data
2.13 concerning Minnesota applicants for and holders of drivers' licenses and identification
2.14 cards;

2.15 (6) determining feasibility of utilizing an applicant's membership in a Department
2.16 of Homeland Security Trusted Traveler Program, such as Transportation Security
2.17 Administration precheck, to reduce or eliminate the need for further documentation upon
2.18 license application;

2.19 (7) providing recommendations to the legislature for changes in law that would be
2.20 necessary or desirable in the event of legislative authorization to implement Real ID; and

2.21 (8) itemizing costs involved in planning and implementation of Real ID, including,
2.22 but not limited to:

2.23 (i) achieving compliance with Real ID requirements;

2.24 (ii) optimizing privacy and protection of data concerning Minnesota applicants
2.25 and license/card holders;

2.26 (iii) equipping, training, and qualifying driver's license agents to process Real ID
2.27 compliant driver's license and state identification card applications; and

2.28 (iv) implementing a two-tier license program, to offer applicants a choice between
2.29 Real ID-compliant licenses and noncompliant licenses.

2.30 **Subd. 2. Summary of planning activities and fiscal impacts.** (a) The
2.31 commissioner and Department of Public Safety representatives shall appear before
2.32 legislative committees upon request and testify fully, both orally and by presentation of
2.33 detailed written summaries, concerning progress and results of planning activities.

2.34 (b) The commissioner of public safety shall comply in all respects with Minnesota
2.35 Statutes, section 3.98.

3.1 Sec. 3. **EXTENSION OF TIME TO COMPLY.**

3.2 The commissioner of public safety shall act as soon as possible, in coordination with
3.3 the governor and legislature, to seek an extension from the United States Department
3.4 of Homeland Security to meet Real ID Act requirements, in order to allow holders of
3.5 Minnesota-issued drivers' licenses or identification cards to access military bases and other
3.6 restricted federal facilities while the state completes full planning and implementation
3.7 of the Real ID Act.

3.8 Sec. 4. **EFFECTIVE DATE.**

3.9 Sections 1 to 3 are effective the day following final enactment.