

HOUSE BILL 1381

R4

71r3283

By: **Delegate Heller**

Introduced and read first time: March 5, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Administration – Federal REAL ID Act of 2005 – Cost Estimate**
3 **Report**

4 FOR the purpose of requiring the Motor Vehicle Administration to submit a certain
5 report on the implementation of the federal REAL ID Act of 2005 to the General
6 Assembly and the Governor on or before a certain date; providing for the
7 termination of this Act; and generally relating to the implementation of the
8 federal REAL ID Act of 2005.

9 WHEREAS, The federal REAL ID Act of 2005 establishes a national
10 identification card by mandating federal standards for state drivers' licenses and
11 identification cards and requires states to share their motor vehicle databases; and

12 WHEREAS, The REAL ID Act mandates the documents that states must
13 require to issue drivers' licenses and identification cards and requires states to place
14 uniform information on every driver's license and identification card in a standard,
15 machine-readable format; and

16 WHEREAS, Under the REAL ID Act, states must verify applicants' documents
17 and retain paper copies for at least 7 years or digital copies for at least 10 years; and

18 WHEREAS, The REAL ID Act prohibits federal agencies and federally
19 regulated commercial aircraft from accepting a driver's license or identification card
20 issued by a state that has not fully complied with the Act; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, Federal funding for financing the implementation of the REAL ID
2 Act is authorized but not mandated and such funding has not yet been provided to any
3 state; and

4 WHEREAS, The REAL ID Act places a costly, unfunded mandate on the people
5 of this State and all other states to verify documents that must be presented to obtain
6 or renew a driver's license or identification card; and

7 WHEREAS, The REAL ID Act will place enormous burdens on all Americans
8 seeking driver's licenses or identification cards, such as longer lines, increased
9 document requests, higher costs, and longer waiting periods; and

10 WHEREAS, The State Joint Committee on Federal Relations heard testimony
11 from the National Conference of State Legislatures in 2005 and met with the
12 Maryland Congressional Delegation during the 2005 and 2006 legislative interims to
13 discuss concerns surrounding the implementation of the REAL ID Act; and

14 WHEREAS, The National Governors Association (NGA) determined that the
15 REAL ID Act imposes an \$11 billion unfunded mandate on the states and the NGA
16 has requested 10 years for states to enact laws, pass budgets, develop technology, hire
17 staff, and educate the public to phase in changes mandated by the Act; and

18 WHEREAS, The REAL ID Act mandates implementation of the provisions of
19 the Act by May 11, 2008; now, therefore,

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That:

22 The Maryland Motor Vehicle Administration shall report on or before October 1,
23 2007, to the Governor and, subject to § 2-1246 of the State Government Article, to the
24 General Assembly on:

25 (1) the additional Motor Vehicle Administration staff and technology
26 required to implement the federal REAL ID Act of 2005, including:

27 (i) computer systems needed to allow Motor Vehicle
28 Administration staff to verify birth certificates, Social Security numbers, and
29 citizenship status;

30 (ii) the security measures needed to safeguard the national
31 database required under the REAL ID Act; and

1 (iii) the additional number of staff needed to verify documents
2 required under the REAL ID Act;

3 (2) the estimated additional State funding required to implement the
4 REAL ID Act within the State;

5 (3) the estimated additional costs to State residents due to the
6 implementation of the REAL ID Act, including:

7 (i) any increase in driver's license and identification card fees
8 and all other fees imposed by the Motor Vehicle Administration;

9 (ii) any increase in local or State taxes rates; and

10 (iii) any fees imposed by local governments or the State;

11 (4) the percentage of the Motor Vehicle Administration's fiscal year
12 2008 budget intended to fund the implementation of the REAL ID Act;

13 (5) the estimated number of State residents who will be affected by the
14 new driver's license and identification card requirements under the REAL ID Act
15 during calendar years 2008 through 2018; and

16 (6) the estimated costs of implementing the REAL ID Act in every
17 other state that has published its implementation cost estimates to date.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2007. It shall remain effective for a period of 4 months and, at the end of
20 October 31, 2007, with no further action required by the General Assembly, this Act
21 shall be abrogated and of no further force and effect.