



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary

March 9, 2021

The Honorable Luke Clippinger
Chair, House Judiciary Committee
Room 101, House Office Building
Annapolis MD 21401

Re: Letter of Information – House Bill 1233 – Correctional Services – Inmates – Intake and Release Requirements (Reentry Success Act of 2021)

Dear Chair Clippinger and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on House Bill 1233 but offers the following information for the committee's consideration.

House Bill 1233 requires the MDOT Motor Vehicle Administration (MVA) to issue an identification (ID) card to an inmate before release from a correctional facility, and further specifies the ID card be issued in accordance with existing statutory provisions for a state ID card under TR §12-301. The requirements for a state ID card set out in Maryland law meet the federal REAL ID standards, and include documentary proof of age and identity, lawful status, and social security number. The mandate to issue an ID card could create several conflicts with the federal REAL ID Act if the inmate is unable to provide the required documents.

MVA recognizes and appreciates the importance of a valid form of identification to a newly released individual, which is why MVA and the Department of Public Safety and Correctional Services (DPSCS) currently have an active, successful program that assists inmates in securing Maryland ID cards, which are federally compliant with REAL ID, before release. MVA's inmate outreach procedures have been carefully crafted to comply with Maryland and federal laws for REAL ID, and since FY2012 have resulted in 12,180 inmates obtaining identification before release and another 8,594 within 90 days following release.

Under the existing program, DPSCS staff assist inmates scheduled for release within 60 days with securing the required REAL ID supporting documents and deliver the application and supporting documents to MVA for processing. The new or replacement ID and documents are transferred to DPSCS staff and issued to the inmate upon their release. MVA also offers direct on-site assistance facilitating ID card applications in county detention centers in every county in the State and in federal facilities. Individuals may also visit an MVA branch within 90 days of release to receive an ID for \$1.

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However, under House Bill 1233, if an inmate applicant for a Maryland ID card, despite the assistance of MVA and DPSCS, is nevertheless unable to satisfy the document requirements for a REAL ID-compliant ID, it is unclear how MVA would reconcile the mandate that an ID card must be made available with the inability to produce documents required by state and federal law.

The Maryland Department of Transportation respectfully requests the Committee take this information into consideration when deliberating House Bill 1233.

Respectfully submitted,

Christine E. Nizer
Administrator
Maryland Motor Vehicle Administration
410-787-7830

Melissa Einhorn
State Legislative Officer
Maryland Department of Transportation
410-865-1102