

SENATE BILL REPORT

SJM 8037

As Reported By Senate Committee On:
Transportation, February 6, 2006

Brief Description: Calling on the President and Congress to repeal the REAL ID Act of 2005.

Sponsors: Senators Haugen, Mulliken, Spanel, Benson and Benton.

Brief History:

Committee Activity: Transportation: 2/2/06, 2/6/06 [DP, DNP, w/oRec].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Poulsen, Vice Chair; Benson, Ranking Minority Member; Berkey, Eide, Mulliken, Sheldon, Spanel, Swecker and Weinstein.

Minority Report: Do not pass.

Signed by Senator Esser.

Minority Report: That it be referred without recommendation.

Signed by Senator Jacobsen, Vice Chair.

Staff: Dory On (786-7321)

Background: In 2004, Congress established a cooperative state-federal process to create federal standards for drivers' licenses. On May 11, 2005, President Bush signed into law the REAL ID Act of 2005 (REAL ID Act). The REAL ID Act repeals the negotiated rulemaking process and directly imposes federal standards intended to improve security for state issued drivers' licenses and personal identification cards. The REAL ID Act requires that verified, uniform information be placed on every state driver's license in a standard, machine readable format.

Beginning in 2008, no federal agency may accept for any official purpose a driver's license or identification card that does not meet the requirements of the REAL ID Act.

Summary of Bill: The Washington Legislature acknowledges that federal, state, and local governments have responsibilities to protect the public from terrorist attacks, and supports new security measures that enhance public safety without unconstitutionally impairing civil rights or liberties. Citing onerous document verification requirements, overly burdensome costs of implementation, infringement of civil rights, susceptibility to fraud, and insufficient security benefits, the Washington Legislature calls upon Congress to repeal the REAL ID Act of 2005.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Testimony For: The REAL ID Act of 2005 was passed as part of a much larger appropriations bill, without the opportunity for specified public debate or a separate vote. Estimates suggest that implementing the requirements of the REAL ID Act will cost Washington \$50,000,000 per year during the first five years of implementation, due largely to the need to train Department of Licensing employees in procedures for recognizing and validating between 400 and 600 types of documents. The availability of the information in the motor vehicle database to every other state, and the potential for incorrect information to be entered therein, are grave privacy concerns. Complying with the requirements of the REAL ID Act will be overwhelming for citizens and public authorities.

Testimony Against: None.

Who Testified: PRO: Jennifer Shaw, American Civil Liberties Union of Washington State; Dean Sampson, Citizen; Robin Appleford, Clipper Navigation.