

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 513

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE FEDERAL REAL ID ACT OF 2005; AMENDING SECTION 40-322, IDAHO
2 CODE, TO REMOVE CERTAIN LEGISLATIVE FINDINGS, TO PROVIDE FOR PARTIC-
3 IPATION IN THE IMPLEMENTATION OF THE REAL ID ACT OF 2005 BY THE STATE
4 OF IDAHO, THE IDAHO TRANSPORTATION BOARD AND THE IDAHO TRANSPORTATION
5 DEPARTMENT, TO PROVIDE FOR THE SUBMISSION OF COMPLIANCE EXTENSION RE-
6 QUESTS AND STATUS REPORTS TO THE UNITED STATES DEPARTMENT OF HOMELAND
7 SECURITY, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL COR-
8 RECTIONS.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section 40-322, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 40-322. DIRECTIVE ON IMPLEMENTATION OF THE FEDERAL REAL ID ACT OF
14 2005. (1) ~~The legislature finds that the enactment into law by the U.S. con-~~
15 ~~gress of the REAL ID act of 2005, as part of public law 109-13, is inimical to~~
16 ~~the security and well-being of the people of Idaho, will cause unneeded ex-~~
17 ~~penditure and inconvenience to those people and was adopted by the U.S. congress~~
18 ~~in violation of the principles of federalism contained in the 10th amendment~~
19 ~~to the constitution of the United States.~~

20 (2) The legislature hereby declares that the state of Idaho shall ~~not~~
21 participate in the implementation of the REAL ID act of 2005, ~~except to and~~
22 shall submit compliance extension requests and status reports to the United
23 States department of homeland security. The Idaho transportation board and
24 the Idaho transportation department, including the motor vehicles division
25 of the Idaho transportation department, are directed ~~not~~ to implement the
26 provisions of the REAL ID act of 2005, ~~except and~~ to submit compliance exten-
27 sion requests and status reports to the United States department of homeland
28 security.

29 (3) Nothing in this act shall prevent the Idaho transportation board
30 and the Idaho transportation department from taking reasonable and neces-
31 sary steps to enhance the security of Idaho state driver's licenses and iden-
32 tification cards to ensure their acceptance for commercial airline travel
33 within the United States.

34 (4) Beginning January 1, 2016, the department shall report to the
35 senate transportation committee and the house of representatives trans-
36 portation and defense committee on the acceptance of compliance extension
37 requests and status reports to the United States department of homeland se-
38 curity, as set forth in subsection (2) of this section. Such report shall be
39 submitted concurrently with the department's report on progress the depart-
40 ment is making toward upgrading and implementing the division of motor vehi-
41 cles' automated system. Such report shall be submitted no later than January
42 1 of each year through 2020, unless extended or revoked by the legislature.