

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Tuesday, March 14, 2017

TIME: Upon Adjournment

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, DeMordaunt, Syme, King, Wintrow, Gannon

**ABSENT/
EXCUSED:** Vice Chairman Shepherd

GUESTS: Ramon Hobdey-Sanchez, Government Affairs Program Specialist, Brian Goecke, Motor Vehicle Program Supervisor, Motor Vehicle Program Manager, Idaho Transportation Department; Kathy Griesmeyer, American Civil Liberties Union

Chairman Palmer called the meeting to order at 2:45 P.M.

S 1069: **Senator Vick** presented **S 1069**. The purpose of this legislation is to assure the citizens of Idaho that they will be offered the option of a REAL ID compliant or noncompliant drivers license or identification card, be informed of the different purposes of a compliant and noncompliant license, and be notified of what documents will be retained by the department. The implementation of the Federal REAL ID Act in Idaho was approved in 2016 after 8 years of noncompliance.

Senator Vick stated the Idaho Transportation Department is planning on making two different types of driver's licenses, one compliant and one noncompliant. If the ITD decides to rescind their decision to make both compliant and noncompliant licenses, the Legislature should be involved. Constituents and the general public may be unwilling or unable to purchase a REAL ID compliant license for various reasons, including an inability to provide a certified birth certificate or a passport. A noncompliant driver's license will be permissible for the purposes of driving, identification, voting, police proceedings, health services, and receiving federal benefits, but only a REAL ID compliant driver's license will gain access to federal facilities, nuclear power plants, and for boarding commercial flights. REAL ID compliant licenses will be differentiated from their noncompliant counterparts with writing and symbols on the licenses themselves. Travelling via commercial flights with a noncompliant license is still possible with one of the following documents: a passport, a passport card, a military identification card, a permanent resident card, or tribal identification. Giving the public these options allows them to make the best decision for themselves.

In response to committee questions, **Senator Vick** deferred to **Mollie McCarty**, Government Affairs Program Manger, Idaho Transportation Department before deferring to **Alan Frew**, Division of Motor Vehicles Administrator, Idaho Transportation Department.

In response to committee questions, **Senator Vick** stated the issuance of Real ID licenses does not change the established process of obtaining a noncompliant driver's license. It is not easier to obtain a noncompliant driver's license, though it may be slightly more inconvenient to obtain a compliant Real ID license because of the enhanced requirements to get one.

In response to committee questions, **Alan Frew** stated Idaho Code 49-306 sets the parameters for what information the Idaho Transportation Department may keep on file. Every application must state the true and full name of the applicant, sex, date of birth, clarification of Idaho residency, address, mailing address, height, weight, hair color, eye color, the applicant's Social Security number as verified by the Social Security Administration, and a copy of the applicant's birth certificate. ITD has elaborate and highly vested security measures to protect the retained Social Security information, and has never been breached.

In response to committee questions, **Alan Frew** stated the price of a noncompliant license will be the same as that of a Real ID compliant license.

Kathy Griesmeyer, Policy Director, American Civil Liberties Union, spoke in support of **S 1069**. The ACLU has been adamantly opposed to the implementation of the Real ID Act since it was passed in 2008 due to privacy concerns associated with the collection and storage of individual's personal identifying documents in a sharable database. Given that the ITD has been collecting information since before 2008 and the state of Idaho is participating in a pilot database project under the Real ID Act, the measures of **S 1069** are a good start to providing options for Idaho citizens to decide with their own privacy in mind. Citizens will be able to either opt-in or opt-out, and can still find other means for accessing federal buildings and airplanes. The ACLU would like to see additional amendments made to the bill regarding privacy, specifically document retention time periods, and additional protections for applications, social security numbers, and birth certificates. This is an ongoing conversation, but the ACLU accepts **S 1069** in its current form.

MOTION: **Rep. Dixon** made a motion to send **S 1069** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Dixon** will sponsor the bill on the floor.

SCR 116: **Senator Brackett** presented **SCR 116**. This Concurrent Resolution authorizes the Legislative Council to appoint an interim-committee to undertake and complete that study. In 2015, the Idaho Legislature passed **H 312** with the intent to study the legislature imposing all commercial vehicles and farm equipment exceeding 60,000 pounds with an annual registration fee; in addition, imposing a quarterly operating fee based on weight class for all miles driven on Idaho roadways.

MOTION: **Rep. King** made a motion to send **SCR 116** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. King** will sponsor the bill on the floor.

MOTION: **Rep. Wintrow** made a motion to approve the minutes of the February 28, 2017 meeting. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:03 P.M.

Representative Palmer
Chair

Jasmine Platt
Secretary