



REAL ID Act of 2005

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REAL ID Act



- Division B of H.R. 1268 – Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005.
- After May 11, 2008 a Federal agency may not accept for official purpose a driver's license or identification card unless the issuing State meets requirements.
- Official purpose includes but is not limited to accessing Federal facilities, boarding federally regulated commercial aircraft, entering nuclear power plants, and any other purpose determined by the Secretary of Homeland Security.



REAL ID Act



- Minimum document requirements:
 - The person's full legal name.
 - The person's date of birth.
 - The person's gender.
 - The person's driver's license or identification card number.
 - A digital photograph of the person.
 - The person's address of principle residence.
 - The person's signature.
 - Physical security features designed to prevent tampering, counterfeiting, or duplication.
 - A common machine-readable technology, with defined minimum data standards.



REAL ID Act



- Minimum issuance standards:
 - A photo identity document (non-photo identity document acceptable if includes both full legal name and date of birth).
 - Documentation showing the person's date of birth.
 - Proof of the person's social security account number (or verification that the person is not eligible for a social security account number).
 - Documentation showing the person's name and address of principal residence.



REAL ID Act



- Special Requirements:
 - Evidence of lawful status
 - Temporary driver's licenses and identification cards
- Verification of Documents:
 - State shall verify with issuing agency the validity and completeness of each document.
 - State shall not accept any foreign document, other than an official passport.
 - State shall utilize the Systematic Alien Verification for Entitlements (SAVE) system to verify the legal presence status of a person.



REAL ID Act



- Other Requirements:
 - Employ technology to capture digital images of identity source documents in transferable format.
 - Retain images of source documents for 10 years.
 - Subject each person to a mandatory facial image capture.
 - Confirm with the Social Security Administration the validity of the presented social security account number. The State shall resolve any discrepancy and take appropriate action.
 - Confirm termination of out-of-state driver licenses prior to issuance of a new driver license or identification card.
 - Ensure the physical security of locations where drivers' licenses and identification cards are produced.
 - Subject all persons authorized to manufacture or produce drivers' licenses to appropriate security clearance requirements.



REAL ID Act



- Other Requirements (cont.):
 - Establish fraudulent document recognition training programs.
 - Limit period of validity of all driver's licenses and identification cards to a period not exceeding 8 years.
 - State may issue driver's licenses and identification cards that do not satisfy the requirements but must clearly state on its face that it does not meet requirements for federal use.
 - Provide electronic access to other States for information contained in the motor vehicle database of the State.
 - States must maintain a motor vehicle database that contains at a minimum
 - all data fields printed on driver's licenses and identification cards; and
 - motor vehicle drivers' histories – including violations, suspensions, and points on licenses.



REAL ID Act



- The DMV is actively engaged with the U.S. Department of Homeland Security in the development of the regulations.
- The DMV is also participating with the National Governors Association (NGA), the National Conference of State Legislators (NCSL), the American Association of Motor Vehicle Administrators (AAMVA), and the National Association of State Chief Information Officers (NASCIO).
- California impact includes state agencies and departments, local governmental agencies, businesses (financial institutions, retail establishments, etc.), and the public.



REAL ID Act



- Federal regulations are currently being developed to provide clarifying details of the Act's provisions.
- California currently in compliance with some provisions:
 - Confirmation of social security account numbers
 - Capture and use of digital photographs
 - Utilization of the Systematic Alien Verification for Entitlements (SAVE) system to verify the legal presence status
- Other provisions will be challenging:
 - Digital imaging and storage of documents
 - Verification of issuance, validity, and completeness of presented documents
 - Providing electronic access for all other States to specific information in the DMV's database
 - Expansion of the name field



REAL ID Act



- The California REAL ID Steering Committee has been formed:
 - The Governor's Office
 - Business, Transportation & Housing Agency
 - Health and Human Services Agency
 - Department of Motor Vehicles
 - California Office of Homeland Security
 - California Highway Patrol
 - Department of Justice
 - Department of Health Services
 - Department of Finance
 - Department of General Services



REAL ID Act



- Federal regulations expected for public comment in Fall 2006
- Known components include:
 - Pending applications for permanent residence will be acceptable
 - Development of a national database of driver's license and identification cards
 - Development of a national database of birth certificate information
 - Requirements on physical construction and material properties of cards
 - Federal background check and credit check for employees
 - Use of two dimensional (2D) barcode technology
 - Expansion of name field to accommodate 175 characters