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To: Marcia.Adams@scdmv.net Marcia.Adams@scdmv.net
CC: Blair Goodrichbgoodr@gov.sc.gov
Marisa Crawfordmcrawf@gov.sc.gov
Date: 3/17/2005 7:33:35 PM
Subject: Fwd: Driver's License Negotiated Rulemaking

Marcia--

I have asked Blair Goodrich in our Washington office to touch base with you regarding this issue.

As you may know, the Governor currently chairs the Economic Development and Commerce Committee at the National Governor's Association. The NGA has been designated as one of the representatives on a committee to work on negotiating rulemaking on drivers' licenses with the U.S. Department of Transportation. The rep. from the NGA will likely be someone on staff, but since this issue will be reviewed by the Governor's Committee along the way, we also want to make sure that we are well-prepared to advise the NGA representative on where we would like to see things come down.

We would appreciate if you could identify a liaison at DMV to work with Blair as this process moves forward.

Please let me know if you have any questions.

Thanks and take care.

Scott

>>> "Quam, David" <DQuam@NGA.ORG> 3/17/05 11:39:30 AM >>>

TO: Parties Interested in Driver's License and ID Card Issuance

FR: Nolan Jones, David Quam

Re: Request for names of state officials to serve on Negotiated Rule Making

Pursuant to last year's Intelligence Reform Act, the Department of Transportation has initiated a negotiated rulemaking process to develop recommendations for minimum standards to improve the security for driver's licenses and personal identification cards issued by states. The proposed rule for the process was printed in the Federal Register on February 23rd, 2005. A facilitator has been hired to establish the rulemaking committee and manage the process through to completion by the statutory deadline of September 17, 2005.

The National Governors Association was specifically named as a participant in the negotiated rulemaking process. Last week, NGA staff met with the facilitator to review the proposed schedule, identify governor concerns, and discuss who could serve as NGA's representative to the rulemaking process.

The Rulemaking Committee and NGA Representation:

The negotiated rulemaking committee will be composed of no more than 15 to 20 individuals. The committee will be led by the Department of Transportation and the Department of Homeland Security, and the remaining members will be representative of the groups identified by the statute (NGA, NCSL, AAMVA, NAAG, etc.) and other "interested parties" as identified by DOT and DHS. Each organization is expected to identify one individual who will serve as their primary representative throughout the rulemaking process, and one alternate. Once NGA has identified its primary and alternate negotiators, we will establish an advisory committee composed of interested governors' representatives to help guide their participation.

The Schedule:

The facilitator has outlined a very aggressive and time consuming schedule. Negotiators should be prepared to participate in all of the meetings. The following identified dates consist of 3 ½ full days of meetings:

April 5-8

April 19-22

May 10-13

May 31-June 3

June 21-24

Areas of Concern:

Three preliminary principles guiding NGA's involvement are as follows:

- Any required change to driver's license or Identification Card documents should only apply to newly issued, renewed, and duplicate driver's licenses and ID Cards.
- An assessment of the costs associated with any recommendation requiring major changes to driver's licenses or ID cards must be made, [i.e. biometrics etc., including the storage of documents required in obtaining license and ID cards], and a plan for how those costs will be covered should be discussed.
- The technology required for implementing any new requirement or design of driver's licenses and ID cards must be readily available.

Next Steps:

We must quickly identify who will serve as NGA's principle negotiator and alternate negotiator. Given the significant time commitment required from this process, we are anticipating that NGA staff may have to be appointed. However, should you have a candidate that you would like to forward, please send their name, contact information, a brief statement of their qualifications and an indication of their availability to Nolan Jones by Monday, March 21. Any proposed candidates will be reviewed by a steering committee composed of the chairs and vice chairs of NGA, the Economic Development & Commerce Committee and the Homeland Security leadership, with final decisions made in time for the first round of meetings, scheduled for the first full week of April.

If you have any questions, please call me or Nolan Jones at 202-624-5360.

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