

**H. R. 418: REAL ID ACT OF 2005
H.R. 368: DRIVER'S LICENSE SECURITY AND MODERNIZATION ACT**

Area of Impact	Amount of Impact
Customer Service Center/Customer Contact Center Additional Staffing (1,463 FTE)	\$62,199,452
Criminal History Checks (1,755 FTE)	35,100
New Facilities (40 Driver License/ID Centers)	118,560,000
Equipment/Supplies (50 Driver License/ID Centers)	15,169,948
Fraudulent Document Training (1,755 FTE)	583,625
Capture Full Legal Name (requires system re-design)	33,000,000
SSN Discrepancies Additional Staff (10 FTE)	406,900
SSN Verification for all Customers*	184,714
Storage of Additional Document Images	134,000
New DL/ID Format	50,000
Systematic Alien Verification for Entitlements (on all Non-U.S. Citizens)	15,283
Driver Record Verification System (DRIVER-S)	6,604,860
Total Cost	\$236,943,882

* Any additional electronic verification systems would cost \$331,447 (\$146,733 programming costs and \$184,714 SSN Verification for all customers) per system.

02/28/05

IMPACT OF H.R. 418 ON DL PROCESSES

BILL SECTIONS	H.R. 418 – SENSENBRENNER REAL ID Act Of 2005	CHANGES NEEDED							COMMENTS
		VA. LAW	POLICY	STAFFING	SYSTEM	FUNDING	MCU	ADDL EQUIP & CSCS	
MINIMUM DOCUMENT REQ. AND ISSUANCE STANDARDS	Minimum Document Requirements: DL/ID Card must include at a minimum <ul style="list-style-type: none"> • Full legal name • Date of birth • Gender • DL/ID card number • Digital photo • Principal residence address • Signature • Security features • Machine-readable technology 	Y	Y		Y	Y			Partial Compliance: DMV is in compliance with all of these provisions except full legal name and principal residence address. Statutory Changes: Va. Code sections will have to be amended to align name and address provisions with this bill. The current "stalking protection law" will be eliminated. System Change: CSS will have to be redesigned to accommodate space for full legal name on DL/ID. May have impact on AAMVA DL data conventions. Policy Change: Policy/procedures will have to be amended to include requirements for full legal name and principal residence address.
	Minimum Issuance Standards: Applicant must provide at a minimum <ul style="list-style-type: none"> • Photo ID document, or nonphoto ID if includes full legal name and DOB • Date of birth documentation • SSN proof or SSN non-eligibility verification • Proof of name and principal address 	Y	Y		Y	Y	Y		Statutory Change: Va. Code §§ 46.2-323 and 46.2-345 will need to be amended to include provisions concerning SSN noneligibility. Policy Change: Policy/procedures will have to be modified to eliminate acceptance of address change from 3 rd parties. DMV does not currently specifically require photo ID as proof of identity. Must specify that non-photo IDs must include DOB. Must add provisions for proving non-eligibility for SSN.

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		VA. LAW	POLICY	STAFFING	SYSTEM	FUNDING	MON	ADDL EQUIP & CSOS	
MINIMUM DOCUMENT REQ. AND ISSUANCE STANDARDS	Evidence of Lawful Status: Applicant must provide at a minimum proof of i) Citizenship, or ii) Permanent or temporary alien residency iii) Conditional permanent residence status iv) Approved application for asylum status or refugee status v) Valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry vi) Pending or approved asylum status vii) Pending or approved temporary protected status viii) Approved deferred action status ix) Pending application for status adjustment for alien lawfully admitted.	Y	Y	Y	Y	Y		Y	All Customers: Provisions will apply to all customers for DL/ID original, renewal and reissue. Alternative Renewals: Would not be possible under these provisions. Statutory Change: May cause Legal Presence provisions (Va. Code § 46.2-328.1) to be amended.
	Temorary DL/ID Issuance: Must issue only temporary DL/ID to anyone presenting proof shown above as v – ix above.	Y	Y	Y	Y	Y		Y	
	Temorary DL/ID Expiration date: Must match validity period of visa or if no definite end period, expiration date is one year from date of issue.	Y	Y	Y	Y	Y		Y	
	Temorary DL/ID Display on DL/ID: Expiration date must be displayed clearly. Temporary status must be clearly shown on DL/ID. Temorary DL/ID Renewal: Only upon presentation of valid documentary evidence that status has been extended.	Y	Y	Y	Y	Y		Y	Design and systems changes will be needed for display of status.

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		VA. LAW	POLICY	STAFFING	SYSTEM	FUNDING	MOU	ADDITIONAL EQUIP & CSRS	
MINIMUM DOCUMENT REQ. AND ISSUANCE STANDARDS	Verification of Documents with Issuing Agency: For each source document presented as proof, must verify with the issuing agency <ul style="list-style-type: none"> • Issuance • Validity • Completeness (Applies to documents presented under Issuance Standards and Evidence of Lawful Status.)	Y	Y	Y	Y	Y	Y	Y	Statutory Changes: Will need new statutory authority to mandate verification from any entity issuing documents used to provide necessary proof at time of application. Entities would include institutions and businesses such as schools, banks, utilities, mortgage and lending institutions, property leasing companies, etc. Staffing and Facilities: Will need new facilities to handle traffic and increased transaction times. Dedicated DL centers will be required, eliminating one-stop shopping. Will need additional staff to handle verification process. Additional telephones will be needed for the documentation verification process. Systems Changes: Will need redesign of current customer records system to incorporate document verification requirements. Need to develop electronic verification exchanges not in place today.
	Foreign Documents: Other than an official passport, no foreign documents will be accepted. (Applies to documents presented under Issuance Standards and Evidence of Legal Status.)	Y	Y						Statutory Change: All statutes relating to DIID will need to be amended or made parallel with the requirements of this bill. Policy Change: Policy/procedures will have to be updated. Currently accept specified documents in addition to foreign passport. Must specify that foreign passport only is acceptable and issuance must be verified.

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		VA LAW	POLICY	STAFFING	SYSTEM	FUNDING	MOU	ADDL EQUIP & CSCS	
	MOU: By 9/11/05, must enter into agreement with Sec. of Homeland Security to verify legal presence through the Systematic Alien Verification for Entitlements (SAVE) automated system.		Y	Y	Y	Y	Y		Current MOU will need to be revised. New MOU will be needed for verification and exchange of data. Additional volume of verification that will be required will increase costs and require systems changes.
OTHER REQUIREMENTS	Digital Images and Source Documents: Must use technology to capture and save digital images of sources documents in transferable formats. Must be kept for a minimum of 10 years or keep paper copies of source documents for a minimum of 7 years.		Y	Y	Y	Y		Y	Statutory Change: Will need enabling legislation. Systems Changes: Will need redesign of current customer records system to capture and store document images. Equipment: Scanners will be needed for the source document imaging process. Staffing: Will need additional staff to handle source document imaging process. Transaction Times: Increase in time to process DL/ID transactions will necessitate additional facilities.
	Biometrics: Must use mandatory facial image capturing for all DL/ID applicants.								Full Compliance.

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OTHER REQUIREMENTS	Renewal Confirmation: Must establish effective procedure to confirm/verify renewal applicant's information.	Y	Y	Y	Y	Y	Y	Y	<p>Statutory Changes: Will need new statutory authority to obtain verification from any entity issuing documents used to provide necessary proof at time of application.</p> <p>Entities would include institutions and businesses such as schools, banks, utilities, mortgage and lending institutions, property leasing companies, etc.</p> <p>Alternative Renewals: DMV will no longer be able to offer alternative renewals (by mail, Internet, etc.) All applicants must renew in person.</p> <p>Staffing and Facilities: Will need new facilities to handle traffic and increased transaction times. Dedicated DL centers will be required, eliminating one-stop shopping. Will need additional staff to handle verification process.</p> <p>Additional telephones will be needed for the source documentation verification process.</p> <p>Systems Changes: Will need redesign of current customer records system to incorporate document verification requirements.</p>

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OTHER REQUIREMENTS	SSN Confirmation: Must confirm SSN with SSA. If discrepancy, must resolve with SSA.	Y	Y	Y	Y	Y	Y	Y	Statutory Change: Va. Code §§ 46.2-323 and 46.2-345 may need to be amended to include provisions concerning SSN noneligibility. Policy Change: Policy/procedures will have to be updated. Do not currently require verification from SSA of eligibility for a SSN. Staffing: Will need additional staff to handle SSN discrepancy process. Additional Costs: Costs will increase because every applicant will have to be verified with SSA. MOU: Current MOU will need to be revised.
	DL/ID from Another State: Refuse to issue DL/ID if cannot confirm person has terminated DL/ID issued by another state.	Y	Y		Y	Y	Y		AAMVA DRIVERS system must be operational before this provision can feasibly be implemented.
	Secure Location: Ensure physical security of locations where DL/IDs are issued. Secure documents, materials and paper used to issue.		Y		Y	Y			Implementation of DL/ID central issue will assist/support compliance with this requirement.
	Security Clearance: All persons/employees who issue or manufacture DL/IDs must undergo security clearance requirements.		Y	Y		Y	Y		Increased Costs: Background checks for security clearance are not currently done on employees or vendors.
	Fraudulent Documents Training: Establish fraudulent document recognition training programs for employees issuing/manufacturing DL/IDs.					Y			Training: Will require funds for development of and presentation of training modules. Staffing: Impact on staffing as employees are pulled from workplace to attend training.

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	Validity Period: Maximum of 8 years validity for all non-temporary DL/IDs.		Y		Y	Y			Statutory Changes: Will require changes to Va. Code to allow for 8-year validity period if DMV opts to increase DL/ID validity period.
DATABASES	<p>Participation in Agreement: Participation in Driver License Agreement interstate compact required for eligibility for grants or financial assistance under this Act.</p> <p>Database Information Elements: Shall include at a minimum</p> <ul style="list-style-type: none"> • All fields printed on DL/ID cards • Driver history information to include MV violations, suspension and points on licenses. 	Y	Y		Y	Y	Y		<p>Statutory Changes: Would repeal two existing Compacts – The Driver Licensing Compact and the Nonresident Violator Compact.</p> <p>System Changes: Will be needed to comply with data exchange elements of the DLA.</p> <p>Full compliance.</p>
CRIMINAL CODE	Updates U.S. Criminal Code to include trafficking in false or actual authentication documents as a criminal offense.								None.
GRANTS TO STATES	Secretary may make grants to states. Grants are authorized but no funding source or mechanism is identified.								Separate appropriations bill will need to be passed.

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AUTHORITY	<p>Regulations, Standards and Grants: The Secretary of Homeland Security will issue all regulations, set standards and issue grants in consultation with the Secretary of Transportation and the States.</p> <p>Compliance with Standards: Secretary of Transportation will certify compliance.</p> <p>Extension of Deadlines: Secretary of Homeland Security may grant a time extension if State provides adequate justification.</p>								Unknown impact at this time. Depending on the changes required, would impact design of DL/ID and would require systems changes and possible changes to the Va. Code. Costs would be incurred for systems changes and changes to design.
REPEAL	Repeals DL/ID issuance provisions of last year's S. 2845 (Public Law 108-458).								None.