

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 96

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO DRIVER'S LICENSES AND IDENTIFICATION CARDS; AMENDING SECTION
2 40-322, IDAHO CODE, TO PROVIDE FOR THE SUBMITTAL OF COMPLIANCE EXTEN-
3 SION REQUESTS TO THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, TO
4 PROVIDE THAT THE IDAHO TRANSPORTATION BOARD AND THE IDAHO TRANSPORTA-
5 TION DEPARTMENT ARE NOT PREVENTED FROM TAKING NECESSARY STEPS TO ENSURE
6 THE ACCEPTANCE OF DRIVER'S LICENSES AND IDENTIFICATION CARDS FOR COM-
7 Mercial AIRLINE TRAVEL AND TO PROVIDE THAT THE DEPARTMENT SHALL REPORT
8 SPECIFIED INFORMATION TO CERTAIN LEGISLATIVE COMMITTEES; AND DECLARING
9 AN EMERGENCY.
10

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

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

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

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

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

35 (4) Beginning January 1, 2016, the department shall report to the
36 senate transportation committee and the house of representatives trans-
37 portation and defense committee on the acceptance of compliance extension
38 requests and status reports to the United States department of homeland se-
39 curity, as set forth in subsection (2) of this section. Such report shall be
40 submitted concurrently with the department's report on progress the depart-
41 ment is making toward upgrading and implementing the division of motor vehi-

1 cles' automated system. Such report shall be submitted no later than January
2 1 of each year through 2020, unless extended or revoked by the legislature.

3 SECTION 2. An emergency existing therefor, which emergency is hereby
4 declared to exist, this act shall be in full force and effect on and after its
5 passage and approval.