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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 876 Session of  
2017

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INTRODUCED BY LAWRENCE, CUTLER, DEAN, DUNBAR, ENGLISH, KAUFFMAN,  
MILLARD, B. MILLER, MURT, READSHAW, TAYLOR, WARD AND  
ZIMMERMAN, MARCH 16, 2017

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 16, 2017

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AN ACT

1 Amending the act of May 8, 2012 (P.L.254, No.38), entitled "An  
2 act relating to compliance with the Federal REAL ID Act of  
3 2005," further providing for short title; providing for  
4 definitions; further providing for participation in the REAL  
5 ID Act of 2005; and providing for compliance by residents of  
6 this Commonwealth, for costs and for report to General  
7 Assembly.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 1 of the act of May 8, 2012 (P.L.254,  
11 No.38), known as the REAL ID Nonparticipation Act, is amended to  
12 read:

13 Section 1. Short title.

14 This act shall be known and may be cited as the REAL ID  
15 [Nonparticipation] Act.

16 Section 2. The act is amended by adding a section to read:

17 Section 1.1. Definitions.

18 The following words and phrases when used in this act shall  
19 have the meanings given to them in this section unless the  
20 context clearly indicates otherwise:

1 "Department." The Department of Transportation of the  
2 Commonwealth.

3 "Eligible applicant." An individual who is a resident of  
4 this Commonwealth and who is eligible to obtain a photo  
5 identification card or driver's license under 75 Pa.C.S. Ch. 15  
6 (relating to licensing of drivers) or 16 (relating to commercial  
7 drivers).

8 "REAL ID Act of 2005." Division B of the Emergency  
9 Supplemental Appropriations Act for Defense, the Global War on  
10 Terror and Tsunami Relief, 2005 (Public Law 109-13, 119 Stat.  
11 302).

12 "Voluntary travel ID." A photo identification card or  
13 driver's license issued by the department under 75 Pa.C.S. Ch.  
14 15 or 16 that complies with the REAL ID Act of 2005.

15 Section 3. Section 2 of the act is amended to read:

16 Section 2. Participation in the REAL ID Act of 2005.

17 (a) Prohibition.--[Neither] Except as otherwise provided  
18 under subsection (a.1), neither the Governor nor the [Department  
19 of Transportation] department or any other Commonwealth agency  
20 shall participate in the REAL ID Act of 2005 or regulations  
21 promulgated [thereunder] under that act.

22 (a.1) Exception.--The department may issue, upon request, a  
23 voluntary travel ID to an eligible applicant who meets the  
24 criteria necessary for issuance of the voluntary travel ID.

25 [(b) Definition.--As used in this section, the term "REAL ID  
26 Act of 2005" means Division B of the Emergency Supplemental  
27 Appropriations Act for Defense, the Global War on Terror and  
28 Tsunami Relief, 2005 (Public Law 109-13, 119 Stat. 302).]

29 Section 4. The act is amended by adding sections to read:

30 Section 4. Compliance by residents of this Commonwealth.

1 No individual may be compelled by the Commonwealth to apply  
2 for a voluntary travel ID, nor shall the Commonwealth  
3 exclusively mandate a voluntary travel ID for any reason.

4 Section 5. Costs.

5 (a) Source of funding.--The department may use funding  
6 provided by the Federal government for implementation of the  
7 REAL ID Act of 2005.

8 (b) Authority to charge fee.--The department may charge a  
9 fee as determined by the department for a voluntary travel ID.  
10 The fee shall be used for costs related to the issuance and  
11 maintenance of a voluntary travel ID.

12 Section 6. Report to General Assembly.

13 (a) Duty to submit.--The department shall submit a report to  
14 the General Assembly, on an annual basis no later than July 1,  
15 providing details on costs incurred by the department under this  
16 act. The report shall be submitted to the President pro tempore  
17 of the Senate, the Majority Leader and Minority Leader of the  
18 Senate, the chairperson and minority chairperson of the  
19 Appropriations Committee of the Senate, the chairperson and  
20 minority chairperson of the State Government Committee of the  
21 Senate, the Speaker of the House of Representatives, the  
22 Majority Leader and Minority Leader of the House of  
23 Representatives, the chairperson and minority chairperson of the  
24 Appropriations Committee of the House of Representatives and the  
25 chairperson and minority chairperson of the State Government  
26 Committee of the House of Representatives.

27 (b) Contents of report.--At a minimum, the report shall  
28 include:

29 (1) The cost to the department to issue voluntary travel  
30 ID cards.

1           (2) The total number of voluntary travel ID cards  
2 applied for.

3           (3) The total number of voluntary travel ID cards  
4 issued.

5           (4) Funding from the Federal government for the  
6 implementation of the REAL ID Act of 2005.

7           (5) Fees collected from eligible applicants.

8           Section 5. This act shall take effect in 360 days.