

PENNSYLVANIA STATE POLICE

HOUSE TRANSPORTATION COMMITTEE

DIGITAL DRIVER'S LICENSES

March 5, 2024



Good afternoon, Chairman Neilson, Chairman Benninghoff, and members of the House Transportation Committee. The Pennsylvania State Police (PSP) appreciates the opportunity to offer remarks on digital driver's licenses. As technology evolves to allow individuals to carry their most personal information in virtual format, providing convenience in everyday activities, it makes sense that digital driver's licenses have become part of the conversation.

Both identity theft and other identity fraud crimes continue to impact our communities. The potential increase in the safety and security of an individual's basic identifying information using a digital driver's license seems to be a practical preventative measure. By allowing an individual to control how much personal information they are sharing, their identity can be confirmed without compromising their physical, digital, or financial safety. Security features on digital devices also provide an added layer of required authentication and protection against loss that cannot be replicated with a physical identification card.

Because information on digital driver's license is not constrained by the physical size of a card, pertinent medical information or other safety information may be added. An individual could opt to include information that might allow law enforcement and medical personnel to take more appropriate action in an emergency.

Despite certain advantages of digital driver's licenses, we would ask the legislature to strike a balance between those benefits and law enforcement's responsibilities. The PSP

does not have technology – such as scanners for QR codes or smart phones issued to every Trooper – to access the information presented in the form of a digital driver's license. Even if there was an inclination and funding to acquire such devices, officer safety concerns should be considered in implementation. Any practice that increases the amount of time a law enforcement officer is standing along the highway increases the risk to the officer. Additionally, trying to view a device displaying a digital driver's license in varying weather conditions could impede a law enforcement officer's awareness of threats both within a vehicle and those posed by passing traffic.

Should the provisions of HB 1247 require law enforcement officers to handle an individual's device displaying a digital driver's license, not only does the chance of inadvertent damage to the device increase, but so does the time it will take the officer to free their hands and react.

One of law enforcement's chief responsibilities is enforcing the laws of the Commonwealth. The provision of HB 1247 that requires a law enforcement officer to ignore indications of criminal activity inadvertently reviewed while viewing a digital driver's license is concerning. If a law enforcement officer exceeds their authority as it relates to the Fourth Amendment, there is a judicial process in place to determine whether to allow the evidence to be used in a civil or criminal action.

For these reasons, PSP strongly encourages the General Assembly to consider maintaining the requirement for drivers to carry and exhibit their physical driver's license upon demand by a law enforcement officer. Doing so would help address our concerns related to officer safety, Fourth Amendment, and liability with the current language of the bill.

Thank you for the opportunity to provide you with the PSP perspective. The PSP is committed to improving the safety and security of all Pennsylvanians and we look forward to participating in any future discussions on this topic.