

AMENDMENTS TO SENATE BILL NO. 133

Sponsor: REPRESENTATIVE METCALFE

Printer's No. 555

1 Amend Bill, page 1, lines 1 through 4, by striking out all of
2 said lines and inserting

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

10 Amend Bill, page 1, lines 7 through 18; page 2, lines 1
11 through 30; page 3, lines 1 through 25; by striking out all of
12 said lines on said pages and inserting

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

16 Section 1. Short title.

17 This act shall be known and may be cited as the Pennsylvania
18 REAL ID [Nonparticipation] Act.

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

20 Section 1.1. Definitions.

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

24 "Department." The Department of Transportation of the
25 Commonwealth.

26 "Eligible applicant." An individual who is a resident of
27 this Commonwealth and who is eligible to obtain a photo
28 identification card or driver's license under 75 Pa.C.S. Ch. 15
29 (relating to licensing of drivers) or 16 (relating to commercial
30 drivers).

31 "REAL ID Act of 2005." Division B of the Emergency
32 Supplemental Appropriations Act for Defense, the Global War on
33 Terror and Tsunami Relief, 2005 (Public Law 109-13, 119 Stat.
34 302).

35 "Voluntary travel ID." A photo identification card or

1 driver's license issued by the department under 75 Pa.C.S. Ch.
2 15 or 16 that complies with the REAL ID Act of 2005.

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

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

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

10 (a.1) Exception.--The department and any other Commonwealth
11 agency may comply with the REAL ID Act of 2005 and regulations
12 promulgated under that act only to the extent necessary to allow
13 the department, beginning no later than the date specified in
14 the notice under section 7(a):

15 (1) to issue, upon request, a voluntary travel ID to an
16 eligible applicant who meets the criteria necessary for
17 issuance of the voluntary travel ID; and

18 (2) to prominently mark on each driver's license or
19 identification card that does not comply with the REAL ID Act
20 of 2005 a written statement clearly indicating that the
21 driver's license or identification card is not compliant with
22 that act.

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

27 Section 4. The act is amended by adding sections to read:
28 Section 4. Compliance by residents of this Commonwealth.

29 No individual may be compelled by the Commonwealth to apply
30 for a voluntary travel ID, nor shall the Commonwealth
31 exclusively mandate a voluntary travel ID for any reason.
32 Section 5. Costs.

33 (a) Source of funding.--The department may use funding
34 provided by the Federal Government for implementation of the
35 REAL ID Act of 2005.

36 (b) Authority to charge fee.--The department shall charge a
37 fee to the applicant for a voluntary travel ID as determined by
38 the department to cover the fully allocated costs of a voluntary
39 travel ID. The fee shall be used for costs related to the
40 issuance and maintenance of a voluntary travel ID. A person who
41 applies for a photo identification card or driver's license
42 issued by the department under 75 Pa.C.S. Ch. 15 (relating to
43 licensing of drivers) or 16 (relating to commercial drivers)
44 that does not comply with the REAL ID Act of 2005 shall not be
45 charged for the costs associated with issuing and maintaining
46 voluntary travel IDs.

47 Section 6. Reports to General Assembly.

48 (a) Initial report.--Within 90 days of the effective date of
49 this section, the department shall present a report to the
50 individuals listed under subsection (c) providing details on
51 estimated costs associated with the implementation and

1 maintenance of all requirements for compliance with the REAL ID
2 Act of 2005 as determined by the United States Department of
3 Homeland Security. The report shall also include all estimated
4 initial and recurring costs to establish and maintain a two-
5 tiered system which allows individuals to apply for either a
6 voluntary travel ID or a photo identification card or driver's
7 license that does not comply with the REAL ID Act of 2005.

8 (b) Annual reports.--The department shall submit a report to
9 the individuals listed under subsection (c) no later than July 1
10 each year, providing details on costs incurred by the department
11 under this act. At a minimum, the report under this subsection
12 shall include:

13 (1) The cost to the department to issue voluntary travel
14 IDs.

15 (2) The total number of voluntary travel IDs applied
16 for.

17 (3) The total number of voluntary travel IDs issued.

18 (4) Funding from the Federal Government for the
19 implementation of the REAL ID Act of 2005.

20 (c) Recipients of reports.--The reports prepared under
21 subsections (a) and (b) shall be submitted to the President pro
22 tempore of the Senate, the Majority Leader and Minority Leader
23 of the Senate, the chairperson and minority chairperson of the
24 Appropriations Committee of the Senate, the chairperson and
25 minority chairperson of the State Government Committee of the
26 Senate, the chairperson and minority chairperson of the
27 Transportation Committee of the Senate, the Speaker of the House
28 of Representatives, the Majority Leader and Minority Leader of
29 the House of Representatives, the chairperson and minority
30 chairperson of the Appropriations Committee of the House of
31 Representatives, the chairperson and minority chairperson of the
32 State Government Committee of the House of Representatives and
33 the chairperson and minority chairperson of the Transportation
34 Committee of the House of Representatives.

35 Section 7. Publication.

36 (a) Notice.--The department shall provide notice of the date
37 on which it will commence issuance of voluntary travel IDs by
38 publishing the date in the Pennsylvania Bulletin.

39 (b) Date of publication.--The date of publication shall be
40 no later than 60 days prior to the date of issuance identified
41 under subsection (a).

42 Section 5. This act shall take effect immediately.