
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 1114 Session of
2015

INTRODUCED BY NEILSON, NOVEMBER 3, 2016

REFERRED TO COMMITTEE ON TRANSPORTATION, NOVEMBER 3, 2016

A RESOLUTION

1 Urging the Department of Transportation to implement all
2 necessary and permissible security standards to meet Federal
3 requirements under the REAL ID Act of 2005.

4 WHEREAS, The Federal REAL ID Act of 2005 (Public Law 109-13,
5 119 Stat. 302) established security standards for state-issued
6 driver's licenses and identification cards and prohibited
7 Federal agencies and facilities from accepting these forms of
8 identification from states that did not meet compliance
9 standards; and

10 WHEREAS, Concerned for the privacy of Pennsylvanians and the
11 significant cost to meet Federal compliance, the General
12 Assembly passed the act of May 8, 2012 (P.L.254, No.38), known
13 as the REAL ID Nonparticipation Act (Act 38), which prohibited
14 the Governor and State agencies from participating in the REAL
15 ID Act of 2005; and

16 WHEREAS, The REAL ID Act of 2005 was a result of
17 recommendations made by the National Commission on Terrorist
18 Attacks Upon the United States, also known as the 9-11
19 Commission, to set standards for the issuance of sources of

1 identification, such as driver's licenses; and

2 WHEREAS, In response to the passage of the REAL ID Act of
3 2005, the United States Department of Homeland Security provided
4 a phased enforcement plan to implement restricted areas of entry
5 for those states remaining noncompliant with REAL ID standards;
6 and

7 WHEREAS, Despite efforts of the Department of Transportation
8 (PennDOT) to strengthen the security of driver's licenses issued
9 by the Commonwealth, the United States Department of Homeland
10 Security has indicated that additional compliance extensions
11 will not be granted; and

12 WHEREAS, An extension will only be granted to the
13 Commonwealth if PennDOT provides new developments or information
14 on why Federal security standards remain unmet as well as the
15 reasoning for continued noncompliance; and

16 WHEREAS, Officials at PennDOT have indicated that the
17 remaining improvements necessary to meet compliance with Federal
18 standards are prohibited due to Act 38; and

19 WHEREAS, Beginning January 30, 2017, Pennsylvania licenses
20 will no longer be accepted as identification for the purpose of
21 entry into Federal facilities, military bases and nuclear power
22 plants; and

23 WHEREAS, Should Pennsylvania remain out of compliance,
24 beginning January 22, 2018, Pennsylvania driver's licenses will
25 not be accepted by the Transportation Security Administration to
26 board domestic flights; and

27 WHEREAS, Despite the unfunded and unnecessary mandate that
28 the Federal Government has imposed on the states in order to
29 adopt heightened security standards under the REAL ID Act of
30 2005, Pennsylvanians should not be inconvenienced or unfairly

1 burdened due to the noncompliance by the Commonwealth; and

2 WHEREAS, As the enforcement of the REAL ID Act of 2005
3 continues, as well as any potential consideration of the General
4 Assembly to repeal Act 38, the cooperation of PennDOT to
5 effectively and efficiently implement changes to meet security
6 and compliance standards is of utmost importance to minimize the
7 inconveniences borne by Pennsylvanians; therefore be it

8 RESOLVED, That the House of Representatives urge the
9 Department of Transportation to implement all necessary and
10 permissible security standards to meet Federal requirements
11 under the REAL ID Act of 2005; and be it further

12 RESOLVED, That the Department of Transportation consider any
13 reasonable preparations for the implementation of security
14 features required by the REAL ID Act of 2005 should Act 38 be
15 repealed.