

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 133 Session of 2017

INTRODUCED BY WARD, MCGARRIGLE, RAFFERTY, VULAKOVICH, SCHWANK, FONTANA, SABATINA, WAGNER, MENSCH, KILLION, SCAVELLO, WHITE, ALLOWAY, YAW, STEFANO, BROWNE, LEACH AND DINNIMAN, JANUARY 24, 2017

AS AMENDED ON SECOND CONSIDERATION, MARCH 21, 2017

AN ACT

1 Imposing a duty on the Department of Transportation to file with
2 the Department of Homeland Security a request for extension
3 of time to comply with the REAL ID Act of 2005; and making a
4 related repeal.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 SECTION 1. SHORT TITLE.

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8 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE REAL ID
9 COMPLIANCE ACT.

10 SECTION 2. DEFINITIONS.

11 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
12 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
13 CONTEXT CLEARLY INDICATES OTHERWISE:

14 "DEPARTMENT." THE DEPARTMENT OF TRANSPORTATION OF THE
15 COMMONWEALTH.

16 "REAL ID ACT." THE PROVISIONS OF DIVISION B OF THE EMERGENCY
17 SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON
18 TERROR AND TSUNAMI RELIEF, 2005 (PUBLIC LAW 109-13, 119 STAT.

1 231).

2 "SECRETARY." THE SECRETARY OF TRANSPORTATION OF THE
3 COMMONWEALTH.

4 "STANDARD-ISSUED DRIVER'S LICENSE OR IDENTIFICATION CARD." A
5 DRIVER'S LICENSE OR IDENTIFICATION CARD ISSUED BY THE DEPARTMENT
6 THAT DOES NOT MEET THE REQUIREMENTS OF THE REAL ID ACT.

7 "REAL ID COMPLIANT DRIVER'S LICENSE OR IDENTIFICATION CARD."
8 A DRIVER'S LICENSE OR IDENTIFICATION CARD ISSUED BY THE
9 DEPARTMENT THAT MEETS THE REQUIREMENTS OF THE REAL ID ACT.

10 Section ~~4~~ 3. Duty to submit request for extension. <--

11 ~~The Department of Transportation of the Commonwealth~~ <--

12 DEPARTMENT shall submit a written request to the UNITED STATES <--

13 Department of Homeland Security that seeks an extension of time

14 for the Commonwealth to comply with the ~~provisions of Division B~~ <--

15 ~~of the Emergency Supplemental Appropriations Act for Defense,~~

16 ~~the Global War on Terror and Tsunami Relief, 2005 (Public Law~~

17 ~~109-13, 119 Stat. 231)~~ THE REAL ID ACT. The amount of time <--

18 requested for the extension shall be at the discretion of the

19 Secretary of Transportation.

20 SECTION 4. COMPLIANCE WITH THE REAL ID ACT. <--

21 IN COMPLYING WITH THE REQUIREMENTS OF THE REAL ID ACT AS

22 DETERMINED BY THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY,

23 THE DEPARTMENT SHALL PROVIDE INDIVIDUALS SEEKING APPLICATION FOR

24 A DRIVER'S LICENSE OR IDENTIFICATION CARD UNDER 75 PA.C.S. §

25 1510 (RELATING TO ISSUANCE AND CONTENT OF DRIVER'S LICENSE) OR

26 RENEWAL UNDER 75 PA.C.S. § 1514 (RELATING TO EXPIRATION AND

27 RENEWAL OF DRIVER'S LICENSES) AN OPTION TO OBTAIN EITHER A

28 STANDARD-ISSUED DRIVER'S LICENSE OR IDENTIFICATION CARD. THE

29 DEPARTMENT SHALL ENSURE THAT EACH STANDARD-ISSUED DRIVER'S

30 LICENSE OR IDENTIFICATION CARD OR REAL ID COMPLIANT DRIVER'S

1 LICENSE OR IDENTIFICATION CARD CLEARLY INDICATES ITS DESIGNATION
2 AS COMPLIANT WITH THE REAL ID ACT OR NOT.

3 SECTION 5. LEGISLATIVE REPORT.

4 WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THIS ACT, THE
5 SECRETARY SHALL PRESENT A REPORT TO THE CHAIR AND MINORITY CHAIR
6 OF THE COMMUNICATIONS AND TECHNOLOGY COMMITTEE OF THE SENATE,
7 THE CHAIR AND MINORITY CHAIR OF THE TRANSPORTATION COMMITTEE OF
8 THE SENATE AND THE CHAIR AND MINORITY CHAIR OF THE
9 TRANSPORTATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES
10 PROVIDING DETAILS AND ALL ESTIMATED COSTS ASSOCIATED WITH THE
11 IMPLEMENTATION AND MAINTENANCE OF ALL REMAINING REQUIREMENTS FOR
12 COMPLIANCE WITH THE REAL ID ACT AS DETERMINED BY THE UNITED
13 STATES DEPARTMENT OF HOMELAND SECURITY. THE REPORT SHALL ALSO
14 INCLUDE ALL ESTIMATED INITIAL AND RECURRING COSTS TO ESTABLISH
15 AND MAINTAIN A TWO-TIERED SYSTEM WHICH PROVIDES INDIVIDUALS A
16 CHOICE BETWEEN BEING ISSUED EITHER A STANDARD DRIVER'S LICENSE
17 OR IDENTIFICATION CARD OR A DRIVER'S LICENSE OR IDENTIFICATION
18 CARD WHICH IS COMPLIANT WITH THE REAL ID ACT.

19 Section ~~2~~ 6. Repeal. <--

20 (a) General rule.--The General Assembly finds that the
21 repeal under subsection (b) is necessary to effectuate this act.

22 (b) Specific repeal.--The act of May 8, 2012 (P.L.254,
23 No.38), known as the REAL ID Nonparticipation Act, is repealed.

24 Section ~~3~~ 7. Effective date. <--

25 This act shall take effect immediately.