



Real ID Advisory Committee
July 13, 2006 1:30 p.m.
House Room 2, Patrick Henry Building

- **Call to order, roll call.**

Delegate Kenneth C. Alexander, chairman of the Real ID Advisory Committee, called the meeting to order. After the roll call, the members of the advisory committee and JCOTS staff introduced themselves.

- **Overview of the role of JCOTS advisory committees.**

Staff provided a brief introduction to the committee about the role of JCOTS in establishing science and technology policy in the Commonwealth, and how the various advisory committees work with JCOTS in establishing this policy. A copy of this presentation is available on the JCOTS website.

- **Overview of Real ID Technology Issues.**

Staff provided a summary of the Real ID Act, and some of the technology issues raised by the Act. Generally, the Real ID Act would require all 50 states to require certain documents and undertake certain verification procedures in order to issue a driver's license or identification card to an applicant. If the parameters of the federal Act were not followed in issuing licenses and identification cards, the card holder would not be able to use card to access federal facilities or services.

As part of the verification process, each state would be required to capture a digital image of the verification documents provided by the applicant, and retain these images in electronic storage. Each state would also be required to maintain a database of driver's license information, and make this information available to all other states.

The purpose of forming the Real ID Advisory Committee is to allow discussion as to technology issues, about the implementation of the Act, and about the possible concerns or opportunities presented by these technologies to the Commonwealth.

- **Discussion & formulation of work plan.**

Dave Burhop, a member of the advisory committee representing the Department of Motor Vehicles, began the discussion by updating the committee as to DMV's current work regarding the Real ID Act. He said that DMV's primary concern, at this point, is with the timeline for implementation of the Act. The Act states generally that it will be effective three years after its enactment, which would be May, 2008. However, the federal government has not yet issued regulations as to the particular requirements of the Act, and are not likely to do so until late this fall. As a result, DMV does not know if every driver's license must be compliant with the new requirements by May, 2008, or whether beginning in May DMV will issue compliant licenses as applicants come in for new or renewed licenses.

DMV is also in the process of reviewing what technology currently exists. He noted that there is already a verification system amongst the fifty states for social security numbers and commercial driver's licenses. This will be just one piece of the entire verification process under the Real ID Act, but might be a model to use.

He noted that collaboration amongst the fifty states will be a challenge. In order for interoperability to exist, the states should agree upon the technology to be used.

Privacy issues are also raised by the Real ID Act. For instance, until regulations are issued, we will not know whether each state will use standard data elements regarding licenses, or whether each state must be allowed actual access into other state's databases. Access into the database leads to privacy and security questions.

The cost of implementation is a frequent topic of discussion in implementing the Real ID Act. Mr. Burhop noted that the National Conference of State Legislatures, the American Association of Motor Vehicle Administrators, and the National Governors Association are in the process of compiling together a fiscal impact estimate, which will likely be released in August. Again, however, because federal regulations have not yet been released, it will be impossible to make an exact estimate.

Mr. Burhop said that DMV's movement towards the centralized issuance of driver's licenses and its document imaging project should all help with Real ID Act implementation. DMV will submit a report to the General Assembly as to its progress in December.

After Mr. Burhop's summary, other members of the advisory committee brought there issues and concerns to the table. It was mentioned that interoperability will be a key challenge. It was asked whether there was any discussion of creating a federal database of driver's license information, instead of creating fifty state databases. In light of the privacy concerns raised by the Act, and the "treasure trove" of data that will be created, need to be carefully considered. It was suggested that perhaps citizens of the Commonwealth should be given a choice as to whether or not they want to receive a Real ID Act-compliant license. This would give citizens more control over their data. If they did not care that they could not access federal services or areas with their license, then they would not need to submit as much data.

The long term impact of the new licenses was also discussed. For instance, would it be feasible and desirable to expand the functionality of the driver's license? With the

growth of identify theft, would it be desirable to recommend the inclusion of a biometric feature on the card? It is possible that federal regulations will require a biometric feature on the card through its regulations. It was suggested that the financial industry might be interested in using such a feature to verify the identity of a payer

One committee member noted the current federal initiative to issue one common federal identification for federal employees. It was suggested that the state might also look into such an option. Once Real ID licenses are issued, the state might be able to use these same cards to establish government agency access for state employees, access to government services, etc., and avoid duplicative tops on costs. The Real ID Act will result in a trusted data source as to the identify of individuals, which might have other state applications.

It was also suggested that because of the large number of federal employees and contractors in the Commonwealth, that we might look at whether the credentialing that they currently undergo in order to receive a federal identification card might be used in lieu of additional verification for a driver's license. For instance, if a federal employee has already undergone rigorous verification in order to work for the federal government, should they be given an exemption from the Real ID verification process for a license, since the verification would be redundant. This might provide some cost savings for the Commonwealth.

• **Public comment.**

No public comment was received.

• **Actions for next meeting.**

The advisory committee asked DMV to let them know what they can do to assist in implementation. The members also expressed an interest in pursuing the following issues:

- * What might a Real ID look like and contain? The advisory committee would like to hear from some private companies that might be involved in the actual production of the licenses.
- * What are the particular privacy issues, and how can they be addressed?
- * What are the biometric possibilities of the Real ID Act?
- * Are there potential ways to share the costs of implementation with industry?