

SB 464

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THE STATE SENATE
Monday, February 19, 2007

Senate Bill No. 464

SENATE BILL NO. 464 - By: JOHNSON (Constance) of the Senate and KEY of the House.

An Act relating to motor vehicles; stating purpose of delayed compliance with REAL ID Act of 2005; entitling the Governor of Oklahoma to delay compliance with REAL ID Act of 2005 until certain regulations are promulgated and reviewed; providing for codification; providing for noncodification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The Legislature finds that:

1. The federal REAL ID Act of 2005, Public Law Number 109-13, establishes standards that state-issued driver licenses and identification cards must meet by May 11, 2008, if the licenses or identification cards are to be accepted as valid identification documents for any purposes, services, or activities over which the federal government claims jurisdiction, yet the United States Department of Homeland Security has not yet promulgated regulations for such documents, if they are to meet those standards, and has delayed the release of such regulations on multiple occasions;

2. The REAL ID Act of 2005 does not expressly provide for information privacy or data security, yet creates national standards

1 for driver licenses and identification documents that may increase
2 such documents' vulnerability to counterfeiting, and creates
3 nationally synchronized databases that may allow criminals to access
4 the information of drivers in any state from tens of thousands of
5 locations; and

6 3. A report from the National Conference of State Legislatures,
7 the National Governors Association, and the American Association of
8 Motor Vehicle Administrators estimates that the requirements of the
9 REAL ID Act of 2005 will cost states at least Eleven Billion Dollars
10 (\$11,000,000,000.00) over the first five (5) years of the program,
11 with financial impact for the State of Oklahoma estimated by the
12 Department of Public Safety at over Eight Million Eight Hundred
13 Thousand Dollars (\$8,800,000.00) in total one-time costs and over
14 Twenty-three Million Dollars (\$23,000,000.00) in total annual costs,
15 yet the United States Congress has not appropriated any money to
16 assist states in meeting the demands of the Act.

17 B. It is therefore the purpose and intent of this act to
18 entitle the Governor of Oklahoma to delay compliance with the REAL
19 ID Act of 2005 until such time as he or she has reviewed regulations
20 promulgated by the United States Department of Homeland Security
21 regarding the Act and determined if they adequately safeguard and
22 restrict the use of information in order to protect the privacy
23 rights of the citizens and residents of Oklahoma.

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 6-101a of Title 47, unless there
3 is created a duplication in numbering, reads as follows:

4 The Governor of the State of Oklahoma, or his or her designee,
5 is authorized to delay compliance with certain provisions of the
6 federal REAL ID Act of 2005, Public Law Number 109-13, until it is
7 expressly guaranteed by the United States Department of Homeland
8 Security, through adequately defined safeguards, that implementation
9 of the REAL ID Act of 2005 will not compromise the economic privacy
10 or biological sanctity of any citizen or resident of the State of
11 Oklahoma.

12 SECTION 3. This act shall become effective November 1, 2007.

13 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY & HOMELAND SECURITY,
14 dated 2-13-07 - DO PASS, As Coauthored.