

VOTE “NO” ON REAL ID — BIG GOVERNMENT “DUAL-TRACK” BILLS

HF 3959 (Smith)/SF 3589 (Dibble)

1) **NO SUCH THING**: There’s no such thing as a “non-compliant” driver’s license. The House and Senate bills require all cards to be compliant with the federal REAL ID Act.

2) **“DUAL-TRACK” MEANS**:

- Two types of REAL ID-compliant driver’s licenses and MN ID cards: one set of DL/ID “for federal purposes” and one set of DL/ID “not for federal purposes,” but both sets under federal control through Congress’s REAL ID Act of 2005 and its 2008 Rule.
- MN House and Senate bills authorize a REAL ID card “for federal purposes” and a REAL ID card “not for federal purposes.”
- Both MN DL and ID cards would be under the REAL ID Act, according to **HF3959/SF3589**.
 - HF3959/SF3589 mandate unconstitutional compliance with federal REAL ID Act.
 - HF3959/SF3589 mandate unconstitutional compliance with federal REAL ID Rule.

3) **REAL ID ACT HAS CONTROL**: If bills adopted, both the “for federal purposes” and “not for federal purposes” licenses/IDs and the issuing of each are under the federal REAL ID law:

“To meet the requirements of this section, a State shall adopt the following practices in the issuance of drivers’ licenses and identification cards: ...

(11) In any case in which the State issues a driver’s license or identification card that does not satisfy the requirements of this section ensure that such license or identification card –

- (A) Clearly states on its face that it may not be accepted by any Federal agency for federal identification or any other official purpose; and
- (B) Uses a unique design or color indicator to alert Federal agency and other law enforcement personnel that it may not be accepted for any such purpose.

(12) Provide electronic access to all other States to information contained in the motor vehicle database of the State.

(13) Maintain a State motor vehicle database that contains, at a minimum—

- (A) All data fields printed on drivers’ licenses and identification cards issued by the State; and
- (B) motor vehicle drivers’ histories, including motor vehicle violations, suspensions, and points on licenses.” [all emphasis added]