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**HOUSE JOINT RESOLUTION NO. 162**  
**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
(Proposed by the Senate Committee on Rules  
on March 5, 2004)

(Patron Prior to Substitute—Delegate Byron)

*Establishing a joint subcommittee to study the desirability and feasibility of issuing "smart" driver's licenses and identification cards in Virginia. Report.*

WHEREAS, state-issued driver's licenses and identification cards have become the most generally accepted form of personal identification in the United States; and

WHEREAS, many of these documents are easily forged or altered, contributing to an alarming rise in identity theft and related crimes; and

WHEREAS, emerging micro-electronic technology may make it possible, through use of a computer chip embedded in a state-issued driver's license or identification card, to protect holders of "smart" driver's licenses and identification cards from identity theft and thwart use of these documents by terrorists and other criminals; and

WHEREAS, regardless of its potential advantages, possible issuance of "smart" driver's licenses and identification cards raises other concerns, including, among others, those of cost and privacy protection; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the desirability and feasibility of issuing "smart" driver's licenses and identification cards in Virginia. The joint subcommittee shall consist of six members appointed as follows: four members of the House of Delegates, appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates, and two members of the Senate, appointed by the Senate Committee on Rules. The joint subcommittee shall elect a chairman and vice chairman from among its membership.

In conducting its study, the joint subcommittee shall consider all the potential benefits as well as the costs and risks associated with issuance by the Commonwealth of driver's licenses and identification cards with an embedded computer chip that can store biometric identification information and other personal data associated with the persons to whom they are issued.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. The joint subcommittee shall solicit input from the Department of State Police, local law-enforcement agencies, the Secretary of Technology, and the Commissioner of the Department of Motor Vehicles. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2004 interim, and the direct costs of this study shall not exceed \$6,000.

No recommendation of the joint subcommittee shall be adopted if a majority of the House members or a majority of the Senate members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

The joint subcommittee shall complete its meetings by November 30, 2004, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2005 Regular Session of the General Assembly. The executive summary shall state whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a document. The executive summary and the report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or delay the period for the conduct of the study, or authorize additional meetings during the 2004 interim.