

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: SB492

House of Origin	<u> X </u>	Introduced	<u> </u>	Substitute	<u> </u>	Engrossed
Second House	<u> </u>	In Committee	<u> </u>	Substitute	<u> </u>	Enrolled

2. Patron: Hanger

3. Committee: Transportation

4. Title: Real ID; alternative verification system.

5. Summary: This bill requires the Department of Health's Office of Vital Records, along with the Department of Motor Vehicles and other appropriate state and local agencies, to develop and implement a plan to provide Virginia resident verification, as an alternative to the requirements of the federal Real ID Act of 2005. The measure specifies that Virginia shall not comply with the unfunded mandates of the Real ID Act.

6. Fiscal impact estimates: Indeterminate. See Item #8.

7. Budget amendment necessary: No.

8. Fiscal Implications: The Real ID Act was enacted as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and the Tsunami Relief Act (P.L. 109-13) which was signed by President Bush on May 11, 2005. The Department of Homeland Security (DHS) was charged with promulgating regulations to govern implementation of Real ID.

The DHS Secretary released the final regulations January 11, 2008. The regulations are currently being analyzed by various groups such as the National Governors Association, the National Conference of State Legislatures and the American Association of Motor Vehicle Administrators, as well as by the Virginia Department of Motor Vehicles. While complete analysis is not yet available, early indications show that some implementation problems have been addressed, and the date by which compliant credentials must be issued has been extended to 2014 or 2017, depending on the credential holder's date of birth.

It is unclear what purpose the Virginia resident verification plan will serve as it pertains to replacing the federal Real ID Act. The Real ID Act is a federal program to be implemented nationwide as defined and required by the final regulations. The purpose is to provide a secure identification for air travel and access to federal buildings. A Virginia Resident card would not be accepted for either purpose. The Office of Vital Records does not track resident information for Virginia residents; it instead is the agency of record for major life events (births, deaths, marriages and divorces).

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Health, Department of Motor Vehicles, appropriate state and local agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/21/2008/jlv

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cc: Secretary of Transportation