

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: SB841

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Cuccinelli

3. Committee: Transportation

4. Title: **Real ID Act and citizens' privacy.**

5. Summary: This bill prohibits the Department of Motor Vehicles or any other agency of the Commonwealth from using any type of computer chip or radio-frequency identification on licenses and identification cards and from sharing certain data with other states or with any federal government agency. The bill further provides that no biometric data will be gathered or retained.

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

7. Budget amendment necessary: No.

8. Fiscal implications: This bill would prohibit agencies, including the Department of Motor Vehicles (DMV), from collecting fingerprints for use on or with driver's licenses or identification cards. Federal law requires DMV to collect fingerprints from commercial drivers applying for an endorsement to transport hazardous materials (HAZMAT). In FY 2008, DMV collected net revenue of \$236,600 from the licensing of HAZMAT drivers. Under the provisions of the bill, this revenue would be lost each year, since the agency would no longer be able to license HAZMAT drivers. However, the total loss of revenue is apt to be even higher, since commercial drivers who could not obtain a HAZMAT endorsement in Virginia would also not be likely to apply for a commercial driver's license in the Commonwealth.

The prohibition on biometric data would have a statewide impact on other state agencies that also utilize fingerprint identification, including Public Safety and Transportation agencies.

9. Specific agency or political subdivisions affected: Department of Motor Vehicles, Virginia Department of Transportation.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 1/15/09/jlv

Document: G:\08-10\09 FIS\SB841.Doc Janet Vogelgesang

cc: Secretary of Transportation