
DIGEST

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HB 701 Original

2016 Regular Session

Stokes

Abstract: Provides for the issuance of REAL ID compliant driver's licenses and special identification cards.

Present law (Act No. 807 of the 2008 R.S.) directs the Dept. of Public Safety and Corrections, including the office of motor vehicles, not to implement the provisions of the REAL ID Act.

Proposed law repeals present law.

Present law (Act No. 151 of the 2010 R.S.) directs the Dept. of Public Safety and Corrections, including the office of motor vehicles, not to implement the provisions of the PASS ID Act.

Proposed law repeals present law.

Proposed law requires that the department provide for the option of the issuance of driver's licenses and special identification cards that are compliant or not compliant with the standards of the REAL ID Act of 2005 and federal rules adopted as of Jan. 1, 2016 in the manner set forth in proposed law.

Proposed law specifies that a person can only be issued a REAL ID compliant driver's license or REAL ID compliant special identification card. Prohibits a person from having more than one REAL ID compliant credential.

Proposed law provides that any person applying for a driver's license or special identification card may elect to apply for a driver's license or special identification card that complies with the standards of REAL ID. Specifies that if that person is eligible for a driver's license or special identification card and meets all requirements of the U.S. Dept. of Homeland Security for a REAL ID compliant credential, that person shall be issued a driver's license or special identification card which bears a U.S. Dept. of Homeland Security approved security marking reflecting that such credential meets REAL ID standards.

Proposed law provides that if a person applying for a driver's license does not elect to apply for a driver's license or special identification card that complies with REAL ID standards and that person is otherwise eligible to be issued a driver's license or special identification card pursuant present law, that person shall be issued a driver's license or special identification card which indicates the driver's license or special identification card is not in compliance with REAL ID.

Proposed law provides that if a person elects not to apply for a REAL ID compliant driver's license

or special identification card, the department shall not require the applicant to comply with any of the REAL ID requirements which were not required by the state as of Jan. 1, 2016.

Proposed law requires the Dept. of Public Safety and Corrections and the office of motor vehicles to inform applicants for driver's licenses or special identification cards that they are not required by law to be issued a REAL ID compliant driver's license or special identification card and may be issued a driver's license or special identification card which is not REAL ID compliant. Requires the applicant indicate on his driver's license application whether he is applying for a REAL ID compliant driver's license or special identification card or a driver's license or special identification card that is not REAL ID compliant.

Proposed law requires the Dept. of Public Safety and Corrections and the office of motor vehicles to post a sign in each of their locations that provides a complete description of the REAL ID compliant driver's license and special identification card, including but not limited to an explanation of what the license or special identification card does, what information is collected and maintained, who has access to the data collected, how the data collected will be utilized, and that persons are not required by the state to accept the REAL ID compliant driver's license or special identification card.

Proposed law requires that compliance with REAL ID referenced in proposed law be limited to those standards in effect as of Jan. 1, 2016.

Proposed law specifies that any subsequent changes or additions to federal laws or rules for implementation of REAL ID can only be implemented by the state if such changes are approved by the legislature by a favorable vote of a majority of the elected members of each house.

Proposed law provides that any eligible person electing to obtain a driver's license or special identification card which bears a U.S. Dept. of Homeland Security approved security marking reflecting that such credential meets REAL ID standards prior to the renewal date of his driver's license or special identification card may be issued a duplicate license or card.

Proposed law provides that the Dept. of Public Safety and Corrections, office of motor vehicles, shall provide to the House and Senate Committees on Transportation, Highways and Public Works a specific and detailed list of those standards in effect as of Jan. 1, 2016, to which compliance with REAL ID in La. is limited in this Subsection.

(Adds R.S. 32:410(E) and R.S. 40:1321(O); Repeals Act No. 807 of the 2008 R.S. and Act No. 151 of the 2010 R.S.)