

# ALASKA LEGISLATURE

## *House State Affairs Committee*

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### **HB 74**

#### **Sectional Analysis, ver U**

##### **Section 1:**

A REAL ID compliant identification card costs \$20 more than a noncompliant ID card.

##### **Section 2:**

Requires applicants for an ID card to choose, on the application form, whether he or she wants a REAL ID compliant ID card or a noncompliant ID card.

##### **Section 3:**

Section 3 (on ID cards) mirrors section 5 (on driver's licenses).

Section 3(m) allows the Department of Administration to issue ID cards that are compliant with the REAL ID Act, but makes clear that in doing so the Department can retain only the minimum number of documents necessary to comply with the REAL ID Act, and shall destroy all documents it retains as soon as allowed to by the REAL ID Act and other law.

Section 3(n) requires the Department to continue issuing noncompliant ID cards. It also requires that a person clearly choose to receive a REAL ID compliant ID card, and prohibits the state or a municipal government from requiring a person to have a REAL ID compliant ID card. The state and municipal governments must treat compliant and noncompliant ID cards the same. The Department can't retain photos of people who have noncompliant ID cards for longer than one year after the card's expiration. The Department can't retain any supporting documents brought in as part of the application for a noncompliant ID card; it can only retain the application itself.

Section 3(o) copies language from AS 28.15.101(d) to clarify that the state can issue ID cards for less than eight years if the applicant for the card is legally allowed to be in the US for less than eight years.

Section 3(p) requires the Department to provide public information on the differences between REAL ID compliant ID cards and noncompliant ID cards.

Section 3(q) defines “identification card that is federally compliant.”

#### **Section 4:**

In complying with the REAL ID Act, the Department of Administration cannot convey, distribute, or communicate any data to a system managed by an entity other than the Department unless that data must be shared in order for the state to be in compliance with REAL ID.

#### **Section 5:**

Section 5 (on driver’s licenses) mirrors section 3 (on ID cards).

Section 5(d) allows the Department of Administration to issue driver’s licenses that are compliant with the REAL ID Act, but makes clear that in doing so the Department can retain only the minimum number of documents necessary to comply with the REAL ID Act, and shall destroy all documents it retains as soon as allowed to by the REAL ID Act and other law.

Section 5(e) requires the Department to continue issuing noncompliant driver’s licenses. It also requires that a person clearly choose to receive a REAL ID compliant license, and prohibits the state or a municipal government from requiring a person to have a REAL ID compliant license. The state and municipal governments must treat compliant and noncompliant driver’s licenses the same. The Department can’t retain photos of people who have noncompliant licenses for longer than one year after the license expires. The Department can’t retain any supporting documents brought in as part of the application for a noncompliant license; it can only retain the application itself.

Section 5(f) requires the Department to provide public information on the differences between REAL ID compliant driver’s licenses and noncompliant driver’s licenses.

#### **Section 6:**

Requires applicants for a driver's license to choose, on the application form, whether he or she wants a REAL ID compliant license or a noncompliant license.

#### **Section 7**

Lengthens the validity of a driver's license from five to eight years.

#### **Section 8:**

Lengthens the possible validity, from five to eight years, of a driver's license issued to someone authorized to stay in the US for less than eight years. Also removes the requirement that the Department of Administration issue only one-year licenses to those whose authorized stay in the US is indefinite.

#### **Section 9**

Removes requirement to display color photographs on licenses and ID cards. This allows the Department of Administration to move to the highest security cards available, where photos are etched onto the IDs to provide a more secure and better likeness of the customer.

#### **Section 10**

Prohibits the Department of Administration from bulk sharing photos captured in the process of issuing non-commercial driver's licenses with non-state-established databases. Also requires that commercial driver's licenses be compliant with the REAL ID Act.

#### **Section 11:**

A REAL ID compliant driver's license costs \$20 more than a noncompliant driver's license.

#### **Section 12:**

Defines "driver's license that is federally compliant."

#### **Section 13**

Repeals prohibition on using state or municipal resources to implement the REAL ID Act.

#### **Sections 14-16**

Provides a delayed effective date of January 1, 2019. The Department of Administration can write regulations to implement the bill prior to that date.