

ALASKA STATE LEGISLATURE  
SENATE RULES COMMITTEE



**Sectional/Explanation of Changes**  
**SCS HB 16(RLS)**  
**Version: 30-LS0194\O**

- Section 1:** Intent language that provides that the State of Alaska should continue efforts to amend the REAL ID Act to protect the privacy of Alaskans.
- Section 2:** Amends AS 18.65.220 to include statutory language that expands the duties of the police standards council's training program to include training in recognizing and interacting with a person with disabilities, as well as familiarization with resources that are available to those with hidden disabilities.
- Section 3:** Amends 18.65.310(a) to set the fee for REAL ID compliant identification cards at \$20
- Section 4:** Amends 18.65.310(b) to require an application for an identification card to include a provision that the applicant understands the options between the identification card types and what type of card is being selected.
- Section 5:** Adds new subsections to 18.65.310:
- (m) Provides that a person may voluntarily designate on their state identification card that the person has a disability and what proof the individual needs to provide in order to receive the designation.
  - (n) Requires the department to adopt regulations to issue federally compliant identification cards and requires an applicant for an identification card to specifically choose one. Limits the documents that can be copied/scanned and retained to the minimum of what is required by REAL ID and codifies the retention period of 15 years, which matches what is currently in regulation.
  - (o) Requires the state to continue to offer non-compliant identification cards and requires an applicant to specifically choose a federally compliant identification card. Prohibits the State or a municipality from requiring a person to get a federally compliant identification card, but allows for an exception when the State or a municipality is acting as an employer and the job duties require use of a compliant identification card.

For non-compliant identification cards, it limits retention of facial images to 15 years, prohibits retention if a card is not issued, and limits retention of verification documents to a year after the expiration date of the license.

(p) Allows the department to issue an identification card with a validity of less than eight years if it matches the amount of time that a person is legally authorized to be in the country. Allows the department more discretion with the expiration date for a card when the authorized stay of an individual is indeterminate – provides that an identification card to be valid “up to eight years.”

Provides when an identification card can be renewed and guidelines for renewal by mail or via the department’s website.

(q) Requires the department to provide the public with information about the differences between current cards (non-compliant) and federally compliant cards, including what a federally compliant identification card is required for and what alternatives are available.

(r) Provides a definition of “identification card that is federally compliant”

**Section 6:** Amends AS 18.65.670(c) to include disability training to village public safety officers.

**Section 7:** Amends AS 28.05.011 by adding a new subsection that provides that if the department publishes a manual related to safe and lawful operation of a motor vehicle, the manual must include the rights and responsibilities of drivers when encountering or being stopped by an officer.

**Section 8:** Adds new subsections to 28.05.068:

(a) Provides that if data is being shared with other entities to comply with the REAL ID Act, limits that data to what is required.

(b) – (e): Adds language relating to the sending of social security numbers to other entities for verification that a person who is applying for a driver’s license is not already licensed in another state. The language requires the department to take “all steps necessary” to eliminate the use of social security numbers, or otherwise minimize the number of digits of a social security number required to be stored or shared.

(f) Requires an annual report of the efforts made in (b) – (e); this section is repealed in 2021 by section 18 of this bill.

**Section 9:** Adds new subsections to 28.15.041, relating to the issuance of driver’s licenses, to mirror the provisions in section 5 of the bill for identification cards.

(d) Requires the department to adopt regulations to issue federally compliant driver’s licenses. Limits the documents that can be copied/scanned and retained to the minimum of what is required by REAL ID and codifies the retention period of 15 years, which matches what is currently in regulation.

(e) Requires the state to continue to offer non-compliant licenses. Requires an applicant to specifically choose a federally compliant license. Prohibits the State or a municipality from requiring a person to get a federally compliant license, but

allows for an exception when the State or a municipality is acting as an employer and the job duties require use of a compliant license.

For a non-compliant license, it limits retention of facial images to 15 years, prohibits retention if a license is not issued, and limits retention of verification documents to a year after the expiration date of the license.

(f) Requires the department to provide the public with information about the differences between current driver's licenses (non-compliant) and federally compliant licenses, including what a federally compliant identification card is required for and what alternatives are available.

**Section 10:** Adds a new subsection to 28.15.061(b) that mirrors the language for identification cards in section 4. Requires that an application for a driver's license includes a provision that the applicant understands the options between the driver's license types and what type of license is being selected.

**Section 11:** Amends 28.15.101 (a) to extend the validity of a driver's license to eight years (from the current five).

**Section 12:** Amends 28.15.101 (d), similar to the provisions in section 5, subsection (o) of this bill, to allow the department to issue a driver's license with a validity of less than eight years if it matches the amount of time that a person is legally authorized to be in the country and also repeals language allowing a person to renew their license for free if the license was valid for less than the maximum.

Allows the department some discretion with the expiration date for a license when the authorized stay of an individual is indeterminate – provides that an identification card to be valid “up to eight years.”

**Section 13:** Amends 28.15.111(a) to update the security requirements of cards to the highest security standards available.

**Section 14:** Amends AS 28.15.111 by adding new subsections:

(d) Provides that a person may voluntarily select a disability designation on their driver's license. This subsection also establishes the proof required for the designation and fees that may be charged.

(e) Provides that the department may not engage in bulk sharing of facial images captured during the application process for driver's licenses( other than commercial driver's licenses) with entities outside the state; and requires a commercial driver's license to be federally compliant.

**Section 15:** Amends 28.15.271(b) to charge a \$20 fee for a driver's license that is federally compliant.

**Section 16:** Adds a new subsection to AS 28.90.990(a) to define “driver's license that is federally compliant”

- Section 17:** Repeals AS 44.99.040(a)(2), the statute that prohibits use of assets to implement the REAL ID Act.
- Section 18:** Repeals AS 28.05.068(f) – the reporting requirement added by section 5 of this bill – on June 30, 2021.
- Section 19:** Transitional Provisions: Allows the Department of Administration to adopt regulations to implement this Act.
- Section 20:** Immediate effective dates for section 17 (repeal) and section 19 (authority for regulations).
- Section 21:** Effective date of January 1, 2019 for the remainder of the bill.