

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

March 14, 2017

3:19 p.m.

MEMBERS PRESENT

Representative Jonathan Kreiss-Tomkins, Chair
Representative Gabrielle LeDoux, Vice Chair
Representative Chris Tuck
Representative Adam Wool
Representative Gary Knopp

MEMBERS ABSENT

Representative Chris Birch
Representative DeLena Johnson
Representative Andy Josephson (alternate)
Representative Chuck Kopp (alternate)

COMMITTEE CALENDAR

HOUSE BILL NO. 82

"An Act relating to vehicle registration; relating to off-road system restricted noncommercial drivers' licenses; relating to off-highway commercial drivers' licenses; relating to off-road system eligible areas; and relating to motor vehicle liability insurance."

- MOVED CSHB 82(STA) OUT OF COMMITTEE

HOUSE BILL NO. 74

"An Act relating to the implementation of the federal REAL ID Act of 2005; and relating to issuance of identification cards and driver's licenses; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 112

"An Act relating to sexual assault by a peace officer against a person who is a victim, witness, or perpetrator of a crime."

- BILL HEARING CANCELED

HOUSE BILL NO. 94

"An Act establishing October 25 of each year as African American Soldiers' Contribution to Building the Alaska Highway Day."

- BILL HEARING CANCELED

SENATE BILL NO. 46

"An Act establishing October 25 of each year as African American Soldiers' Contribution to Building the Alaska Highway Day."

- BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: HB 82

SHORT TITLE: RESTRICTED OFF HWY DRIVER'S LICENSE

SPONSOR(S): REPRESENTATIVE(S) KREISS-TOMKINS

| | | |
|----------|-----|---------------------------------|
| 01/25/17 | (H) | READ THE FIRST TIME - REFERRALS |
| 01/25/17 | (H) | STA, TRA |
| 02/02/17 | (H) | STA AT 3:00 PM GRUENBERG 120 |
| 02/02/17 | (H) | Scheduled but Not Heard |
| 02/23/17 | (H) | STA AT 3:00 PM GRUENBERG 120 |
| 02/23/17 | (H) | <Bill Hearing Canceled> |
| 02/28/17 | (H) | STA AT 3:00 PM GRUENBERG 120 |
| 02/28/17 | (H) | Heard & Held |
| 02/28/17 | (H) | MINUTE(STA) |
| 03/09/17 | (H) | STA AT 3:00 PM GRUENBERG 120 |
| 03/09/17 | (H) | Heard & Held |
| 03/09/17 | (H) | MINUTE(STA) |
| 03/14/17 | (H) | STA AT 3:00 PM GRUENBERG 120 |

BILL: HB 74

SHORT TITLE: DRIVER'S LICENSE & ID CARDS & REAL ID AC

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

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| 01/23/17 | (H) | READ THE FIRST TIME - REFERRALS |
| 01/23/17 | (H) | STA, FIN |
| 02/07/17 | (H) | STA AT 3:00 PM GRUENBERG 120 |
| 02/07/17 | (H) | Heard & Held |
| 02/07/17 | (H) | MINUTE(STA) |
| 03/14/17 | (H) | STA AT 3:00 PM GRUENBERG 120 |

WITNESS REGISTER

BARRETT WILBUR, Staff
Representative Jonathan Kreiss-Tomkins
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented Amendment 1 on behalf of Representative Kreiss-Tomkins, prime sponsor of HB 82.

AMY JOHNSON, Deputy Director
Division of Motor Vehicles (DMV)
Department of Administration (DOA)
Anchorage, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 82.

HEATHER (LGEIK'I) POWELL
Hoonah, Alaska

POSITION STATEMENT: Testified in support of HB 82.

MARLA HOWARD
Kake City Council
Kake, Alaska

POSITION STATEMENT: Testified in support of HB 82.

KEN SKAFELSTAD, Mayor
Hoonah, Alaska

POSITION STATEMENT: Testified in support of HB 82.

AUDREY O'BRIEN
Driver Services - Juneau
Division of Motor Vehicles (DMV)
Department of Administration (DOA)
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 82.

AVES THOMPSON, Executive Director
Alaska Trucking Association (ATA)
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 74.

MARLA THOMPSON, Director
Division of Motor Vehicles (DMV)
Department of Administration (DOA)
Anchorage, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 74.

MINTA MONTALBO, Special Assistant
Office of the Commissioner
Department of Administration (DOA)
Anchorage, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 74.

BRIAN DUFFY, Director
Administrative Services Division (ASD)
Department of Military & Veterans' Affairs (DMVA)
Joint Base Elmendorf-Richardson (JBER), Alaska
POSITION STATEMENT: Testified in support of HB 74.

TOM ROTH, Chief Operating Officer
Anchorage School District (ASD)
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 74.

ACTION NARRATIVE

[3:19:35 PM](#)

CHAIR JONATHAN KREISS-TOMKINS called the House State Affairs Standing Committee meeting to order at 3:19 p.m. Representatives LeDoux, Tuck, Knopp, and Kreiss-Tomkins were present at the call to order. Representative Wool arrived as the meeting was in progress.

HB 82-RESTRICTED OFF HWY DRIVER'S LICENSE

[3:20:51 PM](#)

CHAIR KREISS-TOMKINS announced that the first order of business would be HOUSE BILL NO. 82, "An Act relating to vehicle registration; relating to off-road system restricted noncommercial drivers' licenses; relating to off-highway commercial drivers' licenses; relating to off-road system eligible areas; and relating to motor vehicle liability insurance." [Before the committee was the proposed committee substitute (CS) for HB 82, Version 30-LS0367\D, Martin, 2/27/17, adopted as a work draft on 2/28/17, hereafter referred to as Version D.]

[3:21:12 PM](#)

REPRESENTATIVE KNOPP moved to adopt Amendment 1, [labeled 30-LS0367\D.1, Martin, 3/14/17], which read:

Page 2, lines 21 - 22:

Delete "to the land-connected state highway system and do not have land-connected road access"

Page 2, line 23:
Delete "fiscal year"
Insert "12 months"

Page 4, line 8, following "the":
Insert "noncommercial"

CHAIR KREISS-TOMKINS objected for the purpose of discussion.

[3:21:40 PM](#)

BARRETT WILBUR, Staff, Representative Jonathan Kreiss-Tomkins, Alaska State Legislature, on behalf of Representative Kreiss-Tomkins, prime sponsor of HB 82, stated that Amendment 1 was drafted in response to committee discussion during the House State Affairs Standing Committee meeting of 3/9/17. She explained that the proposed deletion on page 2, lines 21-22, of HB 82, would ensure that ferry-accessible communities are eligible for the off-highway driver's license (OHDL), if they do not have Division of Motor Vehicle (DMV) offices. She added that even though the Alaska Marine Highway System (AMHS) is considered a state highway, it is not a road. She said the substitution of "12 months" for "fiscal year" would ensure there is a road test every 12 months. Finally, she relayed the insertion of "noncommercial" before "motor vehicle" was a conforming change to make it absolutely clear that HB 82 would not affect commercial vehicle licensure.

[3:24:28 PM](#)

REPRESENTATIVE KNOPP asked for clarification on the proposed change from "fiscal year" to "12 months".

MS. WILBUR explained that if a road test was offered at the beginning of one fiscal year and at the end of the next fiscal year, the time between road tests would be more than 12 months.

REPRESENTATIVE KNOPP asked why the duration of the OHDL license was not made consistent with that of the on-road license.

[3:26:46 PM](#)

AMY JOHNSON, Deputy Director, Division of Motor Vehicles (DMV), Department of Administration (DOA), explained that the 12-month timeframe is to allow DMV the opportunity to get to communities

and perform road tests, so that those communities do not end up on the list of off-highway communities.

MS. WILBUR offered that the 12-month period does not represent the length of time the OHDL is valid, but refers to the length of time that a community can be without a DMV or road test before it becomes eligible for OHDLs. She added that if DMV closed its office in a community, it would have 12 months either to fly someone out to offer road tests in the community, reopen the DMV office, or make the community eligible for OHDLs.

CHAIR KREISS-TOMKINS removed his objection to Amendment 1. There being no further objection, Amendment 1 was adopted.

CHAIR KREISS-TOMKINS opened public testimony on HB 82.

[3:28:49 PM](#)

HEATHER POWELL testified that she strongly supports OHDLs for Alaska's rural communities. She expressed her belief that the voices of the residents of rural communities should be heard. She maintained that there are many state and federal roads leading to fishing and subsistence areas, which residents rely on to live traditionally. She asserted that the community is a large family, in which people rely upon each other. They work together to gain access to these areas and to be safe while doing that. She stated, "We need to be able to support our youth and let them feel comfortable, as they work toward the ability to become regularly licensed."

MS. POWELL mentioned that there are costs associated with being off the road system and living in a rural area, which are far greater than the costs incurred by people on the road system with a DMV available to them. She cited the costs of ferry tickets and housing, and she mentioned that sometimes the AMHS does not accommodate the needs of rural residents. She maintained that providing OHDLs to residents supports rural communities and offers a safer alternative to no license at all. She added that OHDLs offer residents the opportunity to function within their communities, not just in a safe manner, but in a manner that allows them to "live the life this land provides." She maintained that the OHDL is a tool that will make residents successful, and she strongly supports that. She stated that there are many reasons for upholding rural communities, and absolutely one of them is safety.

[3:32:04 PM](#)

MARLA HOWARD, Kake City Council, testified that HB 82 is wanted by Kake residents and would be utilized. She stated that she knows residents who have traveled to obtain driver's licenses, and she knows some who cannot afford to do so but drive anyway. She mentioned that considering the expense of travel and the uncertain future of the AMHS, the proposed legislation would offer a small gesture to aid the poor, economy-stricken villages. Residents pay the highest rates for food, fuel, and electricity. She urged the committee to pass HB 82.

[3:33:48 PM](#)

KEN SKAFELSTAD, Mayor, City of Hoonah, testified that he believes HB 82 would benefit rural communities and urged the committee to pass it out of committee. He maintained that the proposed legislation presents a common-sense approach to alleviating a difficult situation for residents.

[3:35:28 PM](#)

REPRESENTATIVE WOOL asked whether most Hoonah residents have full driver's licenses and if HB 82 would affect only a minority of people who find it difficult to access a DMV.

MR. SKAFELSTAD expressed his belief that HB 82 would affect a significant number of people. He relayed that most residents have full driver's licenses, but in obtaining those licenses, they have experienced delay, expense, and inconvenience. He attested that it is consequential not to have an able-bodied driver to legally contribute to the economic opportunities at hand. The OHDL helps young people learn to drive responsibly by allowing them to legally drive in the off-road setting as they acquaint themselves with driving. When a young person must wait months and years to obtain a driver's license, it creates a gaping hole adversely affecting that person's ability to take advantage of opportunities. He added that OHDLs provide commercial advantages to the community without creating any deficits to the state.

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CHAIR KREISS-TOMKINS closed public testimony on HB 82.

[3:38:54 PM](#)

The committee took a brief at-ease at 3:38 p.m.

[3:38:59 PM](#)

REPRESENTATIVE TUCK asked for an explanation of the \$66,200 on the attached fiscal note for HB 82.

[3:39:54 PM](#)

MS. JOHNSON stated that she does not have a copy of the fiscal note and is unable to comment.

[3:40:18 PM](#)

AUDREY O'BRIEN, Driver Services - Juneau, Division of Motor Vehicles (DMV), Department of Administration (DOA), also responded that she does not have access to the fiscal note to be able to comment on it.

REPRESENTATIVE TUCK asked if requiring residents to obtain driver's licenses in the communities that were no longer OHDL-eligible increased the DMV budget or reduced the budget. He offered that a positive fiscal note implies that there were savings at some point during the time the change in OHDL eligibility was implemented.

CHAIR KREISS-TOMKINS responded that he believes there will be a revision to the fiscal note that will "zero it out."

[3:42:01 PM](#)

MS. O'BRIEN stated that through contact with the director of the DMV, she can confirm that there will be a zero-fiscal note.

[3:42:30 PM](#)

REPRESENTATIVE TUCK moved to report HB 82, as amended, out of committee with individual recommendations and a forthcoming zero fiscal note. There being no objection, CSHB 82(STA) was reported out of the House State Affairs Standing Committee.

HB 74-DRIVER'S LICENSE & ID CARDS & REAL ID AC

[3:42:55 PM](#)

CHAIR KREISS-TOMKINS announced that the final order of business would be HOUSE BILL NO. 74, "An Act relating to the implementation of the federal REAL ID Act of 2005; and relating

to issuance of identification cards and driver's licenses; and providing for an effective date."

[3:43:38 PM](#)

AVES THOMPSON, Executive Director, Alaska Trucking Association (ATA), testified in support of HB 74. He mentioned that ATA is a statewide organization representing the interests of nearly 200-member companies from Barrow to Ketchikan. He stated that freight movement is an essential element of the economy and impacts everyone. He offered that HB 74 provides for a compliant REAL ID driver's license in addition to Alaska's current non-compliant federal REAL ID driver's license. He noted that the proposed legislation would impact commercial driver's licenses (CDLs). He relayed that the Division of Motor Vehicles (DMV) web page shows a total of nearly 33,000 Alaska CDL holders, and there are thousands of commercial vehicle drivers not required to hold CDLs because of the weight of their trucks. He maintained that many commercial drivers, both CDL and non-CDL, need to enter military installations during their daily deliveries. The deliveries include food, fuel, consumer goods, military material, and all things necessary to supply a small city, while providing for the national defense.

MR. THOMPSON stated that in the Anchorage area, many CDL holders have a Transportation Workers Identification Credential (TWIC) card, which is a requirement for unescorted access into the Port of Anchorage. He added that the TWIC card is a requirement of the U.S. Coast Guard (USCG), the Transportation Security Administration (TSA), and the Department of Homeland Security (DHS), and serves as a REAL ID under the federal REAL ID Act of 2005 ("REAL ID Act"). He added that the large number of CDL holders in the state suggests that the impact of not offering a compliant CDL or another driver's license would be considerable.

MR. THOMPSON testified that military installations are governed by federal rules, and after June 6, 2017, Alaska-issued driver's licenses and CDL licenses will no longer be accepted as a form of acceptable identification (ID) [for access to military installations]. He stated that drivers needing access to military bases would need to obtain a federally recognized form of ID - a TWIC card, a passport, a military retiree card, or a military ID. A TWIC card costs more than \$100, and it takes four to six weeks for the card to be issued. Passports also cost money and take time for issuance.

MR. THOMPSON related that there would be an impact of the REAL ID Act on many Alaskan drivers needing access to military bases. Although TWIC card holders are common in Anchorage, many drivers do not have them. In Fairbanks and the Interior, drivers typically do not have TWIC cards, because they do not need to access the port of Anchorage.

MR. THOMPSON stressed that the provisions of the proposed legislation are a "big deal for us." He offered that he understands concerns about privacy issues and people not wanting an additional ID, but he reiterated that DMV has presented options - either a compliant REAL ID driver's license or a non-compliant REAL ID driver's license. He added that this gives Alaskans the choice. He suggested that June 6, 2017, is just a few months away, and DHS will not give Alaska more extensions. He urged the committee to take swift action on HB 74.

[3:49:24 PM](#)

REPRESENTATIVE LEDOUX questioned why - if this is "such a big deal" and the deadline is looming - people can't just get TWIC or passport cards. She added that the passport card only costs \$50 and is good for 10 years.

MR. THOMPSON answered that the TWIC card costs over \$100, a passport is \$50, and they both take time to obtain. He suggested that \$50 is a great deal of money to some of the drivers. He added that ATA is waiting to see if HB 74 passes, and it is not reasonable to expect truck drivers to obtain another form of ID in the meantime.

[3:51:29 PM](#)

REPRESENTATIVE KNOPP referred to the letter dated January 31, 2017, submitted by Mr. Thompson and included in the committee packet, and asked if ATA had concerns with HB 74.

MR. THOMPSON responded that no, ATA did not oppose HB 74.

REPRESENTATIVE KNOPP asked for clarification that TWIC cards were an acceptable form of ID to access military bases.

MR. THOMPSON answered yes.

REPRESENTATIVE KNOPP asked if enrollment in TSA Pre✓® authorizes access to military bases.

MR. THOMPSON stated that it was his understanding that TSA Pre✓® and [U.S. Customs and Border Protection (CBP)] Global Entry programs are both acceptable forms of federal ID; however, there are fees involved.

REPRESENTATIVE KNOPP asked for verification that operating a vehicle having a gross vehicle weight (GVW) of 10,000 pounds and under does not require a commercial license.

MR. THOMPSON responded that a Class A CDL is required for operating a vehicle having a GVW of 26,000 pounds or more, and Class B and Class C CDLs cover lower GVW ratings.

REPRESENTATIVE KNOPP relayed that he received a notice from DMV stating that the REAL ID Act demands CDL drivers provide proof of citizenship. He suggested either CDL drivers will need to comply with the Act regardless of whether HB 74 passes or DMV has issued the requirement prematurely. He asked if Mr. Thompson had any information on DMV's notice.

MR. THOMPSON responded that he did not.

[3:55:29 PM](#)

MARLA THOMPSON, Director, Division of Motor Vehicles (DMV), Department of Administration (DOA), responded that recently the federal government mandated that CDL drivers must show proof of citizenship. It is a requirement, but does not constitute REAL ID compliance.

REPRESENTATIVE KNOPP asked why fulfilling that requirement would not make a person REAL ID compliant.

MS. THOMPSON said that even though it is the same documentation that would be needed to obtain a REAL ID, the difference is that Alaska is not a REAL ID-compliant state. If HB 74 passes, it would be quick and easy for the CDL holder to obtain a REAL ID, having already provided the proof of citizenship.

[3:56:34 PM](#)

REPRESENTATIVE WOOL expressed his understanding that the critical difference for obtaining a REAL ID versus obtaining a regular driver's license is not the documentation, but the verification of that documentation.

[3:58:01 PM](#)

MINTA MONTALBO, Special Assistant, Office of the Commissioner, Department of Administration (DOA), answered that is correct. She said that providing proof of citizenship for a CDL is a federal requirement, and even though it is the same documentation that is required for REAL ID, the CDL would not be an acceptable ID for TSA unless Alaska becomes a REAL ID state.

REPRESENTATIVE TUCK asked if in the eight years since the REAL ID Act was passed, ATA has made any effort on the federal level to try to reverse the highly debated Act.

MR. THOMPSON answered that ATA has made some effort to minimize the impact of the Act, but he is not aware of any organized effort to repeal it. He mentioned that there have been objections from states as evidenced by the fact that 26 states have not complied with the REAL ID Act.

REPRESENTATIVE TUCK expressed his belief that the requirements that the REAL ID Act is imposing are unfair to drivers, workers, Alaskans, and Americans. He stated his desire to explore efforts in applying pressure at the federal level to allow Americans to have access [to federal installations] and to travel.

MR. THOMPSON said that ATA's position is that it has lost this fight and, at this point, can only comply with the federal requirements. He mentioned that even though ATA is willing to pursue applying pressure at the federal level, there is a June 6, 2017, deadline, and the failure of the Alaska State Legislature to act would put ATA in a bind.

REPRESENTATIVE TUCK added that it is not the Alaska State Legislature that is putting ATA in a bind, but the federal government.

[4:01:05 PM](#)

BRIAN DUFFY, Director, Administrative Services Division (ASD), Department of Military & Veterans' Affairs (DMVA), stated that Joint Base Elmendorf-Richardson (JBER) currently is complying with provisions of the REAL ID Act. He said, "Visitors who wish to obtain unescorted access and do not have [U.S. Department of Defense] (DoD) identification cards or others which are compliant with REAL ID Act are being denied entry or being required to be escorted by a ... DoD ID card holder while on the [military] installation." This includes individuals with

driver's licenses from Maine, Missouri, and Montana, and those with non-enhanced licenses from Minnesota and Washington. He attested that if there is no change in Alaska statutes by the expiration date of June 6, 2017, then Alaska driver's licenses will be designated as insufficient. He added that ID cards from six additional states will also be added to the list of ID cards designated as insufficient, assuming no change occurs in those states. Maine and Montana were added to that list at the end of January 2017. He maintained that installations have no waiver authority, and there is no expectation that they would pursue any.

MR. DUFFY stated that not everyone needing access to Alaska installations has DoD ID cards. He mentioned that JBER has some 50 mission partners - some federal, some state, and some a combination of public and private organizations. Base leaders estimate approximately 14,000 contractors and local service providers may be affected [if Alaska does not become REAL ID compliant], and alternative forms of ID would be required for access to the military installation. He asserted that it would be highly unreasonable to assume that the installation would provide escorts for all of these visitors. He mentioned there are other organizations that are affected, such as those employed to move military families onto or off military installations. He added that on JBER, all 3,262 military family housing units are privatized; they are operated and owned by a private organization. Consequently, there is an associated workforce that requires access to the installation. Additionally, DMVA, which is headquartered on the Richardson side of JBER, encompasses a 260-person organization.

MR. DUFFY explained that currently all of these people serving JBER are issued Defense Biometrics Identification System (DBIDS) cards, which allow them to have unescorted access to the military installation. To get that card, they must produce a REAL ID-compliant form of ID for verification. Those cards will be allowed to expire at their normal expiration dates. He stated that if HB 74 does not pass, all the people with DBIDS cards who wish to maintain unescorted access to the installation and, in many cases, need access to be able to report to work, would have to submit other forms of ID sufficient for issuance of DBIDS cards.

[4:05:34 PM](#)

REPRESENTATIVE LEDOUX asked how the states that are not REAL ID compliant are handling the dire situation that Mr. Duffy described.

MR. DUFFY responded that 24 states have complied with the REAL ID Act. He added that for those states that have not, their driver's licenses are insufficient to allow unescorted access to military installations. He gave the example of Joint Base Lewis-McChord, south of Spokane, Washington, which issues about 220,000 passes per year. If a person's only ID is from a non-REAL ID-compliant state, he/she is not allowed unescorted access to the base. He/she must have a sponsor or will be turned away. In response to Representative LeDoux, he conceded that he did not know what is done regarding workers who need access to the base.

[4:06:55 PM](#)

REPRESENTATIVE KNOPP recommended that the military installations in Alaska look at "Plan B" to ensure suppliers have access to military bases, in case HB 74 does not pass.

MR. DUFFY relayed that military bases are federal facilities, not state facilities, so DMVA has limited opportunity to adjust the federal posture on REAL ID. He added that the military installations in Alaska would comply with the federal requirements, as other states have done, and convey to workers what they will need to do to work on base.

[4:07:58 PM](#)

REPRESENTATIVE TUCK mentioned that Minnesota's REAL ID bill was blocked on March 6, 2017. He asked if Minnesota has military bases.

MR. DUFFY answered that he did not believe Minnesota had any active installations, but may have [U.S. National] Guard or [military] reserve installations. He stated that both Washington and Minnesota have the enhanced version option of a driver's license, which is compliant with the REAL ID Act and can be used for unescorted access to federal installations.

REPRESENTATIVE TUCK stated that the Minnesota legislature rejected some measure of REAL ID on March 6 by a vote of 29-38. He relayed that if Minnesota does not [enact] a change to its driver's licenses, residents will need additional IDs or enhanced driver's licenses to access federal facilities.

MR. DUFF, in response to Representative Tuck, explained that DBIDS cards are for those with a recurring need to access military installations, and the card is valid for one year.

REPRESENTATIVE TUCK asked if a passport is an acceptable ID for obtaining a DBIDS card.

MR. DUFFY answered yes.

[4:10:43 PM](#)

REPRESENTATIVE KNOPP asked if a person could enter a military facility with just a passport. He suggested that if the passport has not been verified, then it would not be REAL ID compliant.

REPRESENTATIVE WOOL expressed his understanding that in the past, DMV would have taken an ID at face value, whereas currently, DMV verifies that ID through a connection with other databases. He suggested that a passport would suffice for access to federal facilities, but it is not a REAL ID.

[4:12:20 PM](#)

REPRESENTATIVE TUCK said that Alaska used to send documentation for driver's licenses to Fairbanks to be held in the Alaska State Troopers' barracks, before the current practice of sending it to Indiana. He maintained that the files were secure but not electronic. He expressed his understanding that under the REAL ID Act, the files would be transferred to a database through connection with a "hub," along with every other state. The data would be centralized, maintained securely by a private organization, and used for the verification process. He added that the documents are stored as images for up to five years, regardless of whether the documentation results in a REAL ID. He suggested that security and privacy remain issues in this scenario in which private entities have access to information in a central location.

MR. DUFFY mentioned that he would approach JBBER officials regarding Representative Knopp's question about the process that is used to convert a compliant ID into a DBIDS card.

REPRESENTATIVE KNOPP reiterated that he is interested in finding out if a passport allows access to a military base or if it is the verification of the passport that allows access, as suggested by Representative Wool.

[4:15:43 PM](#)

MS. THOMPSON explained that currently DMV personnel view documents and take them at face value. She said that under HB 74, personnel would examine each document to determine if it is a compliant document. She stated that storage of the records would be required, but there are currently regulations requiring storage of records, so it is already being done. She added that the records are stored at DMV; they do not go Outside; DMV shares as little as possible; and they are kept for seven years.

[4:17:47 PM](#)

REPRESENTATIVE WOOL relayed that currently DMV scans and stores documents electronically, and the data is not shared with an outside entity. He asked if, in the future under the REAL ID Act, the process would remain the same or if the data would be stored in a central database.

MS. THOMPSON replied that the data is maintained on local servers and is not shared Outside. She attested that with REAL ID, that practice would be the same.

[4:18:52 PM](#)

REPRESENTATIVE LEDOUX asked if any of the states refusing to implement REAL ID have military bases and, if so, how have the military bases dealt with this situation.

MR. DUFFY responded that Fort Leavenworth in Missouri is a federal installation in a non-compliant state. He maintained that in response to this situation, the installation refuses unescorted access to anyone without a REAL ID-compliant form of ID.

REPRESENTATIVE LEDOUX asked what military base personnel in Alaska are doing to ensure access to military bases. She offered that not only do people need to access military bases, but the military bases need the people to come onto the base. She asked what provisions the military is planning to ensure it can bring people on base who are needed.

MR. DUFFY responded that one of two things would happen: the individual requesting unescorted access would be turned away, or an escort would be found. He added that the latter would not be a sustainable solution for the long term. He suggested that a

third option is that the individual desiring unescorted access obtains a REAL ID-compliant ID.

REPRESENTATIVE LEDOUX asked if the individual could get the REAL ID-compliant ID from the military.

MR. DUFFY answered that an individual could obtain a DBIDS card but would need to provide a REAL ID-compliant form of ID to vouch for his/her credentials before he/she is issued the card.

REPRESENTATIVE LEDOUX asked if a person in a non-compliant state who does not have a passport could get the DBIDS card.

MR. DUFFY responded that he does not think so but would find out.

[4:22:21 PM](#)

REPRESENTATIVE WOOL asked for clarification on the dates of the REAL ID waiver period.

MR. DUFFY answered that currently the normal process allows access to the military bases, but after June 6, absent any change in the statute, access to military bases may be different.

[4:23:35 PM](#)

REPRESENTATIVE TUCK asked about access to a military base for children accompanied by a parent with a passport.

MR. DUFFY explained that through the current process, DoD dependent children age 10 and older are issued DoD ID cards. For children of civilians, ID credentials are validated for those age 16 and older; for those under age 16, access is allowed without validated credentials.

REPRESENTATIVE TUCK reiterated that a military dependent automatically gets an ID card at age 10. He asked what documentation is needed for that child to be issued an ID card.

MR. DUFFY replied that a birth certificate is required to register a child in the Defense Enrollment Eligibility Reporting System (DEERS) shortly after birth. He explained that DEERS contains details on military members and their families and allows military dependents to draw entitlements.

REPRESENTATIVE TUCK asked for confirmation: children of a civilian on base need to show ID if age 16 or older, but not if under age 16.

MR. DUFFY replied that was the threshold when he was in command, but he would verify that with military personnel on base.

[4:27:45 PM](#)

TOM ROTH, Chief Operating Officer, Anchorage School District (ASD), stated that on behalf of Dr. Deena Bishop, Superintendent of ASD, he was testifying to express the district's endorsement of HB 74. He provided information and analysis concerning the impact of federal implementation of Phase 3 of the REAL ID Act on ASD.

MR. ROTH relayed that ASD provides education to 1,597 students at five elementary schools located on the JBER installation. Most of these students are dependents of active duty U.S. Army soldiers and U.S. Air Force airmen. He said the district's information technology (IT) department, which is inclusive of the district's data infrastructure in its entirety, is located on JBER in the Kennedy Data Center. He added that JBER is also home to the district's fine arts department.

MR. ROTH stated that the district's Pupil Transportation Department buses 26 special needs students from JBER to schools throughout the district and 513 secondary school students to middle and high schools in Eagle River and Anchorage. At any given time during the standard school day, up to 500 ASD employees support JBER activities, schools, and students.

MR. ROTH asserted that the district's mission on JBER is holistic and comprehensive. He added that although the five elementary schools and the Kennedy Data Center reside on a federal installation, ASD employees: provide education to all students; provide administrative oversight to school staff; maintain, repair, and clean all ASD facilities and equipment; perform and manage construction projects; manage and maintain networks; and generally, perform all functions expected of a neighborhood elementary school. He said, "Simply put, our mission on JBER, educating all students for success in life, is an imperative, and it requires access for all ASD employees," including those who substitute teach or work part-time.

MR. ROTH emphasized that now is the time for ASD to act to sustain its JBER mission. He related that the district will

mandate current and new employees without REAL ID-compliant IDs to obtain such IDs in early April. This is a necessary and timely action to allow sufficient processing time for employees to receive compliant IDs before the June 6 implementation date. He asked for timely legislative action to enact HB 74.

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REPRESENTATIVE KNOPP asked if all the 1,597 school children are children of military personnel living on base.

MR. ROTH responded that of that number, there are about 100 students who are dependents of civilian personnel and reside in JBER housing.

REPRESENTATIVE KNOPP asked if children age 10 and older will be required to have biometric cards or REAL IDs.

MR. ROTH, referring to Mr. Duffy's testimony, stated that dependents of military personnel are not required to have any ID until age 10, at which time their parents must obtain ID cards for them. He said that those children would already be enrolled in DEERS. He explained that DBIDS is for youth age 16 and older to gain access to military installations.

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REPRESENTATIVE TUCK referred to the busloads of children coming on base and asked if only the bus driver would need a REAL ID and if there is or would be any complication for children accessing the military bases.

MR. ROTH replied that currently only the bus drivers are obligated to present their IDs to access the base; there is no requirement for students. He said that he didn't know if that requirement would change when Phase 3 is implemented on June 6.

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REPRESENTATIVE TUCK relayed that current Alaska law states that DOA shall not spend any money to implement the REAL ID Act. He asked if the State of Alaska has entered an agreement with the American Association of Motor Vehicle Administrators (AAMVA) regarding a state-to-state verification system.

MS. THOMPSON answered that AAMVA is a non-profit, "best practices" organization of all the states and provinces that

offer driver's licenses. The agreement with AAMVA does not commit Alaska to implementing REAL ID but provides states with access to databases containing information useful to states.

REPRESENTATIVE TUCK mentioned that Alaska DMV currently is exchanging information through AAMVA and asked if it can obtain information from other states as well.

MS. THOMPSON answered that DMV does not connect with AAMVA directly but uses the data connections within AAMVA to verify data such as social security numbers (SSNs). She stated that DMV can verify data through queries but does not share data.

REPRESENTATIVE TUCK asked if DMV has signed a contract with AAMVA to get access to SSNs, because it has been difficult to work directly with the Social Security Administration (SSA).

MS. THOMPSON responded that DMV does not have a contract with AAMVA. She stated that the state DMVs worked with SSA to be able to access data through a process established by AAMVA. She added that other databases used for verification through this process are Social Security Number Online Verification (SSOLV) within the SSA, Problem Driver Pointer System (PDPS) within the U.S. Department of Transportation (USDOT), and State-to-State (S2S) Verification Service to check for driver's licenses in other states.

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REPRESENTATIVE TUCK asked for clarification that DMV did not sign a contract with AAMVA but uses its services.

MS. Thompson responded yes, DMV uses AAMVA's services. In response to a question from Representative Tuck about payments to AAMVA for those services, she said that there are payments to AAMVA based on usage. She conceded that she would have to check on whether there is a contract.

CHAIR KREISS-TOMKINS announced HB 74 would be held over.

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ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 4:41 p.m.