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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2751

03/08/2016 Authored by Hansen, Rosenthal, Considine and Bly  
The bill was read for the first time and referred to the Committee on Civil Law and Data Practices

1.1 A bill for an act  
1.2 relating to public safety; adding and modifying provisions governing driver's  
1.3 licenses and Minnesota identification cards; providing for compliance with the  
1.4 federal REAL ID Act; amending Minnesota Statutes 2014, section 171.07, by  
1.5 adding a subdivision; proposing coding for new law in Minnesota Statutes,  
1.6 chapter 171; repealing Laws 2009, chapter 92, section 1.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. **[171.019] REAL ID ACT; FEDERAL CONFORMITY.**

1.9 Subdivision 1. **Definitions.** For purposes of this section, the following terms have  
1.10 the meanings given them:

1.11 (1) "REAL ID Act" means the REAL ID Act of 2005, Public Law 109-13, Division  
1.12 B; and

1.13 (2) "noncompliant license or identification card" means a license or Minnesota  
1.14 identification card issued as provided under subdivision 3, clause (2).

1.15 Subd. 2. **Implementation.** Subject to this chapter, the commissioner must comply  
1.16 with the REAL ID Act and federal regulations under authority of the REAL ID Act.

1.17 Subd. 3. **License and Minnesota identification card options.** The commissioner  
1.18 must establish two versions for a license or Minnesota identification card issued under  
1.19 this chapter. The two versions consist of the following:

1.20 (1) a license or identification card that meets the requirements of the REAL ID  
1.21 Act; and

1.22 (2) a license or identification card that does not meet all requirements of the REAL  
1.23 ID Act, as provided in subdivision 4.

2.1 Subd. 4. **Noncompliant licenses and identification cards.** (a) In the procedures  
2.2 and requirements for issuance of a noncompliant license or identification card, the  
2.3 commissioner is prohibited from:

2.4 (1) electronically disseminating outside the state personally identifiable data that is  
2.5 not disseminated as of the effective date of this act;

2.6 (2) utilizing any electronic validation or verification system accessible or maintained  
2.7 outside the state that is not in use as of the effective date of this act; or

2.8 (3) requiring documentation of identity, residency, and lawful presence in addition to  
2.9 those required on the effective date of this act.

2.10 (b) For purposes of paragraph (a), "outside the state" includes federal agencies, other  
2.11 states, organizations operating under agreement among the states, and private entities.

2.12 Subd. 5. **Appropriation; expenditures.** (a) An amount necessary to pay any costs  
2.13 reasonably attributed to the planning, implementation, and administration required to  
2.14 comply with the REAL ID Act, including the tasks specified under paragraph (b), is  
2.15 annually appropriated from the general fund to the commissioner of public safety.

2.16 (b) From funds appropriated under this subdivision, the commissioner must:

2.17 (1) make grants to deputy registrars for any costs resulting from REAL ID Act  
2.18 compliance; and

2.19 (2) reimburse costs incurred by any natural individual who is a resident of Minnesota  
2.20 and demonstrates the costs are:

2.21 (i) reasonably attributable to obtaining a REAL ID-compliant license or Minnesota  
2.22 identification card;

2.23 (ii) incurred after December 21, 2015; and

2.24 (iii) incurred in addition to costs paid to obtain a license or Minnesota identification  
2.25 card otherwise established under this chapter.

2.26 (c) The commissioner must include in each budget submission under section  
2.27 146A.11 fiscal information on amounts expended under this subdivision in the biennium  
2.28 that is ending and amounts anticipated to be expended in the upcoming biennium.

2.29 Subd. 6. **Statutory construction.** (a) For purposes of this chapter, a driver's license,  
2.30 instruction permit, or provisional license includes both versions of license identified under  
2.31 subdivision 3 unless specifically provided otherwise.

2.32 (b) For purposes of this chapter, a Minnesota identification card includes both versions  
2.33 of identification card identified under subdivision 3 unless specifically provided otherwise.

2.34 Sec. 2. Minnesota Statutes 2014, section 171.07, is amended by adding a subdivision  
2.35 to read:

3.1            Subd. 1c. **Design for noncompliant licenses or identification cards.** A  
3.2 noncompliant license or identification card, as defined in section 171.019, subdivision  
3.3 1, must:

- 3.4            (1) be printed with "Not for federal identification" on the face; and
- 3.5            (2) meet the requirements under Code of Federal Regulations, title 6, section 37.71.

3.6            **Sec. 3. REPEALER.**

3.7            Laws 2009, chapter 92, section 1, is repealed.

3.8            **Sec. 4. EFFECTIVE DATE.**

3.9            Sections 1 to 3 are effective the day following final enactment.

APPENDIX  
Repealed Minnesota Session Laws: 16-5701

***Laws 2009, chapter 92, section 1***

Section 1. **NONCOMPLIANCE WITH REAL ID ACT.**

The commissioner of public safety is prohibited from taking any action to implement or to plan for the implementation by this state of those sections of Public Law 109-13 known as the Real ID Act.

**EFFECTIVE DATE.** This section is effective the day following final enactment.