

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2112

2007 SENATE TRANSPORTATION

SB 2112

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2112

Senate Transportation Committee

Check here for Conference Committee

Hearing Date: January 5, 2007

Recorder Job Number 652

Committee Clerk Signature *Jody Haug*

Minutes:

Senator Gary Lee opened the hearing on SB 2112 a bill for an Act to amend and reenact subsection 1 of section 39-06-03.1 and subsection 1 of section 39-06-19 of the North Dakota Century Code, relating to expiration of operator's licenses and nondriver photo identification cards.

Keith Magnusson, Deputy Director for Driver and Vehicle Services spoke in support of SB 2112. The ND DOT pre-filed SB 2112 as an agency bill. This bill would bring North Dakota into compliance with certain parts of the REAL ID Act concerning expiration of driver's licenses and identifications cards. The Bill gives an expiration date of four years but the agency would support an eight year expiration date. See attached testimony (two sections).

Senator Bakke asked Mr. Magnusson if the fiscal note of \$15,000 would decrease if we went from four years to an eight year expiration date.

Mr. Magnusson replied I don't believe so because administration cost would remain the same.

Senator Bakke asked what the fiscal note of \$15,000 was for.

Syndi Worrel, ND DOT stated that the administrations costs would be the same but the cost would be in the program development for a temporary driver's license for the Immigration documents.

Senator Potter asked about funding.

Mr. Magnusson replied that they are a special funded agency and get no general funds. He added that they are on the Main Frame system and it is very expensive to program.

Senator Fiebiger asked about the concerns expressed about North Dakotans getting on airplanes. How are they traveling now?

Mr. Magnusson replied that right now the REAL ID hasn't went into effect so they are still using their driver's license but some immigrants are here on a work program for one year and they get a four year license and sometimes they don't go home. The new program would give them a valid driver's license but only for as long as their stay in our country is legal.

Senator Andrist asked if the Real ID card will be used just for travel.

Mr. Magnusson answered that we don't know what the Federal government will come up with but the law specifies air travel and nuclear power plants.

Senator Potter wanted it clarified that we are not actually changing our driver's license.

Mr. Magnusson said we are changing our driver's license to the extent that we are adding a temporary license and adding another category for those who have a limited stay in the country.

Senator Potter "The REAL ID passed as an amendment but has not been funded and not yet being required?"

Mr. Magnusson replied that the required implement date is May 11, 2008. We know we are going to have to do this but we don't have another legislative session until 2009. We are being pro active.

Senator Lee stated that all drivers license are temporary because they have to be renewed every four years.

Mr. Magnusson replied that these new temporary licenses will have to be marked in some way because they will have an expiration date of less than four years.

No testimony in Opposition to SB 2112

Christopher Dodson, ND Catholic Conference stated that they are neutral and not opposing at this time. This bill follows the law of REAL ID and does no more than what is required in the REAL ID Act.

Senator Andrist moved to refer to appropriation with a do pass recommendation.

Senator Nething seconded.

Senator Potter moved to amend the original motion to strike the word four and replace it with eight in line 17.

Senator Nething "Question"

Senator Lee "Question has been called and we will vote for the amendment to change line 17 from four to eight years from the date of issue." Chairman took a voice vote. All in favor no opposed.

Amendment passed.

The motion is with a do pass to change the expiration date ID card from four to eight years.

Chairman Lee asked the clerk to call the roll. The motion carried 6-0-0

Senator Fiebiger will carry the amendment.

FISCAL NOTE
 Requested by Legislative Council
 01/10/2007

Amendment to: SB 2112

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures				\$15,000		
Appropriations				\$15,000		

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill as originally written provides for the expiration of an ID card and ties the expiration of a driver's license to the expiration of a non-immigrant visa.

An amendment was adopted on January 5, 2007.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The January 5, 2007 amendment to this bill does not change the fiscal impact as originally identified for this bill.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Currently driver licenses expire in four (4) years from issuance; ID cards expire in ten (10) years after issuance. There would be no increase in revenue.

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

\$6,000 would be for upgrading the current computer system.

\$9,000 would be the cost of development of non-immigrant driver's license and ID card.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The DOT would need a \$15,000 increase in the 2007-2009 appropriation to cover the impact of this bill.

Name:	Marsha Lembke	Agency:	NDDOT
Phone Number:	328-4865	Date Prepared:	01/11/2007

FISCAL NOTE
 Requested by Legislative Council
 12/28/2006

Bill/Resolution No.: SB 2112

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures				\$15,000		
Appropriations				\$15,000		

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill provides for the expiration of an ID card and ties the expiration of a driver's license to the expiration of a non-immigrant visa.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 2 of the bill would require the development of a non-immigrant driver's license or ID card that expires the same time as a visa. The current cost would be approximately \$15,000.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Currently driver licenses expire in four (4) years from issuance; ID cards expire in ten (10) years after issuance. There would be no increase in revenue.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

\$6,000 would be for upgrading the current computer system.

\$9,000 would be the cost of development of non-immigrant driver's license and ID card.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The DOT would need a \$15,000 increase in the 2007-2009 appropriation to cover the impact of this bill.

Name:	Marsha Lembke	Agency:	NDDOT
Phone Number:	328-4865	Date Prepared:	01/03/2007

Date: 1-5-06
Roll Call Vote #: 2

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2112

Senate Transportation Committee

Check here for Conference Committee

Legislative Council Amendment Number 78161, 0101

Action Taken Do Pass

Motion Made By Senator Andrist Seconded By Senator Nething

Senators	Yes	No	Senators	Yes	No
Chairman Gary Lee	✓		Senator JoNell Bakke	✓	
V Ch John Andrist	✓		Senator Tom Fiebiger	✓	
Senator Dave Nething	✓		Senator Tracy Potter	✓	

Total (Yes) 6 No 0

Absent _____

Floor Assignment Senator Fiebiger

If the vote is on an amendment, briefly indicate intent:

The motion is with a do pass as amended and referred to appropriation committee. Amendment to change the expiration date ID card from four to eight years.

REPORT OF STANDING COMMITTEE

SB 2112: Transportation Committee (Sen. G. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2112 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "four" with "eight"

Renumber accordingly

2007 SENATE APPROPRIATIONS

SB 2112

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2112


Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 01/23/07

Recorder Job Number: 1666

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on SB 2112 on 1/23/07.

Keith Magnusson, Deputy Director for Driver and Vehicle Services, ND Department of Transportation, presented written testimony on SB 2112 explaining the bill. He explained that the bill provides for an expiration date on non-driver photo ID cards and provides for a four-year expiration on driver's license cards and provides for temporary licenses for authorized stay in US together with the fiscal note.

Several questions were raised, requested clarification of the process, can the state go longer than eight years on the ID card, comment that Arizona has a 25 year license, what happens to the new system at DOT, is the Department planning to migrate off the main frame, what about the handicapped cards and can it be integrated into the ID or Driver's License cards, what will the charge for the ID cards be, and clarification on this budget and will that then offset the IT budget. Response on terms of cards will be no longer than 8 years nationwide, the new system was only for vehicle registration, yes we would like to migrate off the main frame, the cost of the cards is \$8.

Chairman Holmberg closed the hearing on SB 2112.

Senator Tallackson moved a DO pass on SB 2112, Senator Fischer seconded. A roll call vote was taken resulting in 11 yes, 0 no and 3 absent. The motion carried and Senator Fiebiger will carry the bill.

Date:
Roll Call Vote #:

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2112

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Tallackson Seconded By Fischer

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter		
Senator Bill Bowman, V Chrm			Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern	✓	
Senator Randel Christmann	✓		Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	
Senator Ralph L. Kilzer	✓		Senator Harvey Tallackson	✓	
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 11 No _____

Absent 3

Floor Assignment Frebiger

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 23, 2007 10:26 a.m.

Module No: SR-15-1005
Carrier: Fiebiger
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2112, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)
recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING).
Engrossed SB 2112 was placed on the Eleventh order on the calendar.

2007 HOUSE TRANSPORTATION

SB 2112

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2112

House Transportation Committee

Check here for Conference Committee

Hearing Date: 02-22-2007

Recorder Job Number: 3646

Committee Clerk Signature

Lisa M Thomas

Minutes:

Chairman Weisz opened the hearing on SB 2112. SB 2112 relates to expiration of operator's license and non-driver photo identification cards. Representative Kelsch was absent.

Keith Magnusson, ND DOT, introduced the bill. See written testimony.

Chairman Weisz: We passed out HB 1227 I believe out of here, do you recall, did we add the eight years?

Magnusson: On HB 1227 we did not. This is a clean ID bill. We think this is a good bill, even if real ID goes away.

Chairman Weisz: You don't feel it's necessary to combine the two with the language that we have?

Magnusson: I would rather keep this one clean. The two bills that have passed, will mesh.

*There were no further questions.

There was no further support for the bill. There was no opposition to the bill. The hearing was closed. No action was taken at this time.

Later that day, Chairman Weisz allowed for committee discussion on this bill.

Chairman Weisz: Is there any sense from the committee that we would want to adopt what we did in HB 1227? 1227 was one where we put in social security numbers.

Rep. Price: There is no cost for this?

Chairman Weisz: The only thing and I understand the department's only concern would be they want this, they are okay with 1227 but they don't know that it's necessary depending on real ID would have to have it. Their concern would be if someone doesn't like what's in HB 1227 and they don't want to see this.

Rep. Dosch: It seems like it was their preference to keep it separate.

Chairman Weisz: It was.

Rep. Dosch moved a DO PASS. Rep. Vigesaa seconded.

Roll Call Vote: 12 yes. 0 no. 1 absent.

Carrier: Rep. Dosch

Date: 2-22-07
 Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 2112

House Transportation Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Dosch Seconded By Vigesaa

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	X		Rep. Delmore	X	
Vice Chairman Ruby	X		Rep. Gruchalla	X	
Rep. Dosch	X		Rep. Myxter	X	
Rep. Kelsch	X		Rep. Schmidt	X	
Rep. Owens	X		Rep. Thorpe	X	
Rep. Price	X				
Rep. Sukut	X				
Rep. Vigesaa	X				

Total Yes 12 No 0

Absent 1

Floor Assignment Rep Dosch

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2112, as engrossed: Transportation Committee (Rep. Weisz, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2112 was placed on the Fourteenth order on the calendar.

2007 TESTIMONY

SB 2112

SENATE TRANSPORTATION COMMITTEE

January 5, 2007

North Dakota Department of Transportation
Keith C. Magnusson , Deputy Director For Driver and Vehicle Services

SB 2112

Good morning, Mr. Chairman and members of the committee. I'm Keith Magnusson, Deputy Director for Driver and Vehicle Services at the North Dakota Department of Transportation. Thank you for giving me the opportunity to present information to you today.

The North Dakota Department of Transportation pre-filed Senate Bill 2112 as an agency bill. This bill would bring North Dakota into compliance with certain parts of the REAL ID Act concerning expiration of driver's licenses and identification cards.

The REAL ID Act is a recent federal mandate attempting to increase the security of all driver's licenses in the country and take out "weak links" that have been discovered in many states. It calls for verification of documents that drivers provide when getting a license or ID card. Failure to comply with the REAL ID Act will result in a state's driver's license and ID cards not being able to be used for "any federal purpose," including getting on airplanes.

Section 1 provides that identification cards expire in four years. At the present time, there is no statutory expiration of non-driver photo identification cards, but we have recently set a ten-year expiration time. In order to keep information and our database current, even without REAL ID, there should be an expiration on ID cards because people change in appearance or move. REAL ID would allow an eight-year identification card, but it makes some sense to have the expiration at four years, the same as our driver's license.

Section 2 provides for an exception to the four-year expiration of a driver's license for those who are legally in the United States, but not a citizen or resident alien. Categories are specifically set out in Section 2. This would provide for a temporary license to expire at the end of the applicant's authorized stay in the United States. If there is no definite end to the period of authorized stay, the license will be issued for a period of one year. The law does provide for renewals upon presentation of valid documentary evidence that the status has been extended. We also now have the capability of verifying these documents online with the issuer. Identification cards are also under the same restrictions.

SENATE APPROPRIATIONS COMMITTEE

January 23, 2007

North Dakota Department of Transportation
Keith C. Magnusson , Deputy Director For Driver and Vehicle Services

SB 2112

Same given to
to use
Transportation

Good morning, Mr. Chairman and members of the committee. I'm Keith Magnusson, Deputy Director for Driver and Vehicle Services at the North Dakota Department of Transportation. Thank you for giving me the opportunity to present information to you today.

The North Dakota Department of Transportation pre-filed Senate Bill 2112 as an agency bill. This bill would bring North Dakota into compliance with certain parts of the REAL ID Act concerning expiration of driver's licenses and identification cards.

The REAL ID Act is a recent federal mandate attempting to increase the security of all driver's licenses in the country and take out "weak links" that have been discovered in many states. It calls for verification of documents that drivers provide when getting a license or ID card. Failure to comply with the REAL ID Act will result in a state's driver's license and ID cards not being able to be used for "any federal purpose," including getting on airplanes.

Section 1 now provides that identification cards expire in eight years. At the present time, there is no statutory expiration of non-driver photo identification cards, but we have recently set a ten-year expiration time. As a practical matter, even without REAL ID, there should be an expiration on ID cards because people change and many have either left the state or died and are still cluttering up our data base. REAL ID allows an eight-year identification card.

Section 2 provides for an exception to the four-year expiration of a driver's license for those who are legally in the United States, but not a citizen or resident alien. Categories are specifically set out in Section 2. This would provide for a temporary license to expire at the end of the applicant's authorized stay in the United States. If there is no definite end to the period of authorized stay, the license will be issued for a period of one year. The law does provide for renewals upon presentation of valid documentary evidence that the status has been extended. We also now have the capability of verifying these documents online with the issuer. Identification cards are also under the same restrictions.

The amount of \$15,000 in the fiscal note is for development of the temporary driver's license and ID card.