

# WASHINGTON STATE

## Jurisdiction Impact Analysis Real ID Act

| REAL ID ACT REQUIREMENT   | IMPACT  | ASSUMPTIONS  |
|---|---|--|
| Introduce Full Legal Name into Driver Licensing System (in Record, on Document)   | <p>Programming and form changes to provide room for long names</p> <p>Service delays as names are documented and recorded</p> <p>Amend state law to define “full legal name”</p>  | Washington currently allows 28 characters  |
| <p>Have following data elements/features on the document:</p> <ul style="list-style-type: none"> <li><del>1.</del> Full Legal Name</li> <li><del>2.</del> Person’s Date of Birth</li> <li><del>3.</del> Person’s Gender</li> <li><del>4.</del> Person’s DL or ID Card Number</li> <li><del>5.</del> Digital Photograph of Person (and retention)</li> <li><del>6.</del> Person’s Address of Principle Residence</li> <li><del>7.</del> Person’s Signature</li> <li><del>8.</del> Physical Security Features to prevent tampering, counterfeiting or duplication</li> <li><del>9.</del> Common Machine Readable Technology:</li> </ul> | <p>Program changes for one element</p> <ul style="list-style-type: none"> <li>1. Name is currently limited to 28 characters</li> <li>2. no change</li> <li>3. no change</li> <li>4. no change</li> <li>5. no change</li> <li>6. Amend state law that currently provides address confidentiality for victims of domestic violence or sex crimes</li> <li>7. no change</li> <li>8. no change</li> <li>9. no change</li> </ul> | <p>Reformat of document is required for longer names</p> <ul style="list-style-type: none"> <li>1. Need to determine the maximum number of characters</li> <li>2. currently supported</li> <li>3. currently supported</li> <li>4. currently supported</li> <li>5. currently supported</li> <li>6. currently supported – requires definition of principal res.</li> <li>7. currently supported</li> <li>8. currently supported – subject to federal requirements</li> <li>9. currently supported – subject to federal requirements</li> </ul> |
| Introduce temporary DL/ID cards and tying end of stay to expiration of DL/ID card (or issuance for no more than 1 year)   | <p>Programming changes to issue temporary DL/ID documents and documents with expiration dates tied to lawful presence</p> <p>Programming to record and maintain variable expiration</p>   | Washington’s documents all have fixed-term expiration periods based upon the date of birth or the date of document issue   |

| REAL ID ACT REQUIREMENT  | IMPACT   | ASSUMPTIONS   |
|--|--|---|
|  | data<br>Service delays as documents are renewed or reissued more often<br>Amend state law regarding expiration date  |   |
| Amending card design to show/indicate that it is a temporary document with a “different than usual” expiration date  | Programming changes to issue temporary DL/ID documents that are unique in design and or color<br>Amend state law regarding appearance of document  | Washington’s documents are currently uniform in color and appearance with the exception of the document type label  |
| Verification at Source:<br>Enabling your system to electronically verify documentation with:<br><ol style="list-style-type: none"> <li>1. SSOLV</li> <li>2. SAVE</li> <li>3. DEERS (DOD)</li> <li>4. Other jurisdiction (DL/ID card)</li> <li>5. Birth certificate</li> <li>6. Other...i.e. third party vendors</li> </ol> | Programming and equipment required to allow verification at source and electronic communication of documents<br><ol style="list-style-type: none"> <li>1. no change</li> <li>2. programming/equipment required</li> <li>3. programming/equipment required</li> <li>4. programming/equipment required</li> <li>5. programming/equipment required</li> <li>6. programming/equipment required</li> <li>7. Service delays as checks are made with the various systems</li> </ol> | Washington records document descriptions but does image them electronically or transmit documents to the issuing authority<br><ol style="list-style-type: none"> <li>1. currently supported</li> <li>2. new process</li> <li>3. new process</li> <li>4. new process</li> <li>5. new process</li> <li>6. new process – depends on degree of AAMVA support</li> </ol> |
| Developing access capability to SAVE system  | Programming required   | New capability – not currently supported  |
| Introduce equipment into system to capture digital images of identity source documents so that images can be retained in electronic storage in a transferable format   | Installation of scanners, PC, servers and software to support digital image capture, storage and retention<br>Service delays as documents are scanned and recorded   | New capability – not currently supported  |
| Retain paper copies of source documents for a minimum of 7 years or images of source documents presented for a minimum of 10 years   | Installation of scanners, PC, servers and software to support digital image capture, storage and retention<br>Amend state law regarding record retention   | New capability – not currently supported  |

| REAL ID ACT REQUIREMENT   | IMPACT  | ASSUMPTIONS  |
|---|---|--|
| Subject each person applying for a driver's license or identification card to mandatory facial image capture  | Amend state law to prohibit religious or other exemptions                                       | Exceptions are currently allowed in some cases   |
| Establish an effective procedure to confirm or verify a renewing applicant's information  | Undetermined, potential service delays as additional verification is performed                  | None if visual verification using the prior photo is allowed. However, may require adoption of biometric verification software or other means – PIN – to confirm renewing applicant information                                    |
| In the event that a social security account number is already registered to or associated with another person to which any state has issued a DL/ID card, the state shall resolve the discrepancy and take appropriate action | No impact   | Currently supported  |
| Check other states if a person already was issued a DL in another state   | Programming required<br>Service delays stemming from checking with other states                 | AAMVA "all-driver" pointer system connectivity required, or some alternative for state-to-state verifications and exchange   |
| Ensure physical security of locations where DL/ID cards are produced  | No impact   | Currently supported  |
| Subject all person's authorized to manufacture or produce DL/ID cards to appropriate security clearance requirements  | No impact   | Currently supported – does not include staff that process applications and collect fees for issue of 45-day temporary documents. Permanent documents are produced in a secure facility by staff that must meet these requirements. |
| Establish fraudulent document recognition training programs for appropriate employees engaged in the issuance of DL/ID cards  | No impact   | Currently supported and using AAMVA training   |
| Limit period of validity of DL/ID cards that are not temporary to a period not exceeding 8 years  | Amend state law to delete or alter open expiration period for military personnel and dependents | Currently support maximum 5 year expiration (other than licenses issued to military personnel and dependents)  |
| Alternative document design if it does not meet federal standard  | Programming required<br>Service delays as alternative designs are introduced and                | Requires the introduction of alternative formats and or colors   |

| REAL ID ACT REQUIREMENT   | IMPACT  | ASSUMPTIONS   |
|---|---|---|
|   | <p>explained to the public</p> <p>Amend state law regarding document appearance</p>   |   |
| <p>Legal Presence Requirement</p>   | <p>Adopt state law requiring proof of legal presence in order to obtain document valid for federal ID</p> <p>Service delays as additional documents and proof of lawful presence are determined</p> | <p>Not currently supported</p>                                  |
| <p>Provide electronic access to all other states to information contained in the motor vehicle database of the state</p>  | <p>Programming required</p> <p>Amend state law regarding availability of driving records</p>  | <p>Not currently supported</p>                                  |
| <p>Maintain a state motor vehicle database that contains at a minimum:</p> <ul style="list-style-type: none"> <li>▪ All data fields printed on DL/ID cards</li> <li>▪ motor vehicle driver’s histories, including motor vehicle violations, suspensions and points on licenses</li> </ul> | <p>Potentially no impact</p>  | <p>Depends on the definition of the driver history elements</p> |
| <p><b>Optional</b></p> <p>Development and issuance of a certificate of driving – not for federal identification purposes – for those who cannot prove lawful presence.</p>  | <p>Programming required</p> <p>Amend state law regarding document appearance</p>  | <p>Believe that Washington may choose to issue</p>              |

**What questions does your jurisdiction have as a result of the passing of the Real ID Act?**

- **Full legal name is undefined**
- **Principal residence address is undefined**
- **Will alternative renewal – online and by mail –services be permitted**
- **Will current security features and machine readable technology meet standards to be adopted by DHS**

- Will online databases be developed to support verification of source documents with private entities, such as utility companies
- Who is considered the “issuing agency” for a US birth certificate—hospital, county, state department of health

If your jurisdiction has done an impact analysis please provide us with a copy of the analysis.

### Fiscal Impact Statement

|                               | FTEs<br>07-09<br>Average | 2007-09<br>Biennium | 2009-11<br>Biennium | 2011-13<br>Biennium |
|-------------------------------|--------------------------|---------------------|---------------------|---------------------|
| <b>EXPENDITURES:</b>          |                          |                     |                     |                     |
| <b>Direct Costs:</b>          |                          |                     |                     |                     |
| Management Services           | 16.8                     | \$3,678,000         | \$1,991,000         | \$1,427,000         |
| Information Services          | 7.0                      | \$3,713,502         | \$2,217,502         | \$1,964,502         |
| Vehicle Services              | 0.0                      | \$0                 | \$0                 | \$0                 |
| Driver Services               | 350.3                    | \$82,230,000        | \$82,143,000        | \$53,170,000        |
| Business & Prof Services      | 0.0                      | \$0                 | \$0                 | \$0                 |
| <b>Total Direct Costs</b>     | <b>374.1</b>             | <b>\$89,621,502</b> | <b>\$86,351,502</b> | <b>\$56,561,502</b> |
| <b>Agency Indirect:</b>       |                          |                     |                     |                     |
| Management Services           | 30.9                     | \$4,170,000         | \$4,118,000         | \$2,673,000         |
| Information Services          | 16.1                     | \$2,922,000         | \$2,883,000         | \$1,872,000         |
| <b>Total Agency Indirect:</b> | <b>47.0</b>              | <b>\$7,092,000</b>  | <b>\$7,001,000</b>  | <b>\$4,545,000</b>  |
| <b>Total Expenditures:</b>    | <b>421.1</b>             | <b>\$96,713,502</b> | <b>\$93,352,502</b> | <b>\$61,106,502</b> |

REVENUE:

|                       |                     |                     |                     |
|-----------------------|---------------------|---------------------|---------------------|
| GF-State              | \$0                 | \$0                 |                     |
| All Other             | \$65,248,570        | \$77,127,263        | \$67,917,716        |
| <b>Total Revenue:</b> | <b>\$65,248,570</b> | <b>\$77,127,263</b> | <b>\$67,917,716</b> |

The major cost driver is the requirement for verification by the issuing entity of the validity and completeness of all proof of identity and lawful presence documents for applicants and current license and ID holders. This will add new tasks to the driver license issuance and renewal process and greatly increase the cost of licensure. Following the first five years of implementation, most drivers will have received a new or replacement license or ID conforming to the RIDA. As a result, costs will drop to approximately \$12 million in the 2013-15 biennium. There is no need for a supplemental in 2006 anticipated as a result of this new legislation.

Costs affected by this requirement include:

- Increased employee time to handle the 1.6 million (first full-year) annual license and ID holders and applicants who will submit an estimated 4.7 million documents for scanning and indexing. Currently, documents are not scanned. This will add 4.2 minutes on average per transaction. At this time, it is assumed that a \$25.00 document review will need to be charged to the customer in order to handle charges by verifying entities of the documents. (Example, DOH charges \$8 for such verifications).
  - 3 minutes for reviewing and scanning documents
  - 2 minutes for explanations and instructions to 60 percent of customers
  - 4 minute phone calls from 5 percent of customers.

By comparison, a simple renewal license takes approximately 3 minutes to complete.

Almost 500 employees in the first full-year of operations are required handle the increased workload at a cost of approximately \$20 million the first full year.

- These scanned documents will be sent electronically to a newly created Documents Verification Office. The additional staff needed for the workload increase in licensing offices will require moving to 10 larger offices. The space for approximately 325 staff related to document verification will require the lease of a new facility. It is assumed that the verification facility staff will perform in two shifts in order to reduce costs and better manage interactions with entities in other time zones.
- It is assumed that 80% of the documents can be verified in three minutes through electronic means while the other 20% will take 15 minutes due to mailing requirements.

- It is assumed that verifying entities will charge on average \$5.00 per document. This assumption adds approximately \$24 million a year to the costs.
- Other costs include increased mail costs, call center workload, IT programming, equipment for imaging and related storage and servers, hearing costs, and support services costs such as HR, accounts payable, payroll, and desktop support.

### **Implementation Assumptions**

- DOL notification of the general public will begin one year prior to the bill's implementation deadline.
- Six months prior to the implementation deadline, formal notification will be made of all customers due to renew a license or ID card at time of implementation. (Existing renewal notice will be replaced with RIDA notice.)
- Customers will present the required proof of identification and presence at any LSO within the several months before their renewal date.
- LSO staff will index and scan each document into document verification storage. Local LSO storage will hold documents for eventual overnight upload to the document verification server.
- A \$25 document verification fee will be collected from each customer presenting documents.
- After satisfying all other issuance requirements, customers will be retain their current license and be instructed to destroy it after receipt of their new license. (except for commercial driver licenses).
- IS will create and deploy a document image database, document scanners, computers, software, printers and network capacity needed for scanning at all LSO. Application development or modifications will be required to facilitate image transfer, indexed storage, retrieval and updates.
- The Drivers Field System will be modified to communicate with and facilitate use of the document scanners. Customer name and license number will be transmitted by DFS to the scanner computer. A print process will create an indexing cover sheet that bears a customer's name and license number and a unique bar code.

- IS will create and deploy a webservice for document status management. The service will allow customers to verify their RIDA status.
- Authorized agency staff will use the webservice to manage and update document status. When staff completes document verification for a customer the webservice will generate a notice (new postcard) to the customer, or for customers issued a temporary, the webservice will be used to issue a retake.
- DOL connectivity with new AAMVA automated processes will allow staff to transmit document images to other license issuing authorities with a request for verification of issuance, validity and completeness of the document.
- Driver licensing authorities will NOT charge a fee for document verification among the states. Other document issuing authorities WILL charge a fee for their verification services. (WA Department of Health charges DSHS \$300,000 for real-time access to its database of birth records.)
- Assume every customer will have three documents that require paid verification and that the fee for verification is \$5.
- Where automated verification with an issuing agency is not possible, customer service staff will make email or mail contact with the issuing authority to verify document authenticity and completeness.
- Documents received by DOL from issuing agencies will be scanned and entered as part of the customer's document verification record.
- Customer document images and related verification documents will be maintained in a database for 10 years.
- Document issues and concerns will require resolution between customers and DOL staff. This will require additional phone calls and or correspondence.
- Staff will be added to existing licensing offices where possible.
- It is assumed that ten offices will be relocated to larger facilities to accommodate customers and driver license issuance staff.
- These ten offices will operate on extended schedules offering six-day and eleven-hour service access to the public.

- Additional supervisors will be assigned to provide coverage for these extended schedules.
- It is assumed that one new facility will house two shifts of customer service staff doing document verification work. This will facilitate cross country and overseas communication with other jurisdictions and countries.
- This proposal installs document copying equipment, software and system infrastructure in all driver licensing offices, at licensing headquarters and at a new "Document Verification Office".
- The department will implement a media campaign costing \$1.5 million in the first year of program implementation.

Equipment assumptions:

- 44 largest driver licensing offices will be equipped with three high speed optical flatbed scanners, desktop computers and software (incl. one spare)
- 21 remaining driver licensing offices will be equipped with two high speed optical flatbed scanner, desktop computer and software (incl. one spare)
- the Document Verification Office will be equipped with 3 high speed auto-feed scanner stations, computers and software (incl. one spare)
- 1 flatbed scanner and 1 scanner PC for the test lab.
- the desktop computers will support the scanner software and locally store images until they are uploaded.
- to mitigate network communications impacts the locally stored images will be uploaded overnight to the main imaging server.
- the implementation will occur in two phases:

**Phase 1, prior to December 1, 2007 will include:**

- project planning and requirements definition
- system and equipment acquisition, software development/enhancement, installation at LSO locations
- webservice development and deployment
- integration of the document capture process with the Drivers Field System (to eliminate staff re-keying the document index information)
- policy and procedure development
- Document Verification Office leasing and installation.
- Staff hiring and training
- Public Affairs and Driver coordination of an extensive communication plan.
- Formal by-mail notification of customers due to renew.

## **Phase 2, after December 1, 2007 and beyond**

- Document verification by DOL staff with issuing agencies.
- Postcard notification of all non-renewal customers (potential duplicate and PLO customers) in a single mailing.
- Future enhancement: automated process development to deploy document verification requests to a wider range of issuing agencies.

### Workload assumptions:

- Customer document scanning (3 items) 3 minutes total, includes indexing, scanning and verifying image quality.
- Explanation time for RIDA requirements 2 minutes for each customer.
- Thirty percent of customers will verify RIDA status through the webservice.
- Five percent of customers will verify RIDA status by phone at the LSO.
- Thirty-five percent of customers will verify RIDA status with DOL customer service by phone (see MSS tab for staff impact).
- Fifteen percent of customers will wait for DOL to verify RIDA by mail.
- Customer phone calls to the LSO for RIDA status updates 4 minutes each.
- Issuance of temporary RIDA documents 4 minutes each.
- Verification time needed for 80% of customer documents 3 minutes each.
- Verification time needed for 20% of customer documents 15 minutes each.
- US Immigration service data indicate that there are 700,000 persons each year with a pending resident status. Washington's share of these persons is 2.3%, who will be issued a temporary RIDA document awaiting resolution of their status.

## H.R. 1268: Division B, Title II—Improved Security for Drivers' Licenses and Personal Identification Cards

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H.R. 1268, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act, 2005, was amended in Conference Committee to include the Real ID provisions of H.R. 418, a bill that was originally introduced in the House of Representatives by Congressman Jim Sensenbrenner.

### **Purpose:**

As it pertains to state driver's licenses and identification cards, H.R. 1268 provides that federal agencies will not accept state driver's licenses and identification cards for official purposes unless the issuing state meets the minimum document requirements and issuance standards established in the bill. This limitation becomes effective three years following the date of enactment.

Minimum document requirements: Requires that state-issued driver's license and identification card documents contain the applicant's full legal name, date of birth, gender, license or identification card number, digital photograph, principal residence address, and signature.

**The licenses and identification cards must also include physical security features and common machine-readable technology (presumably such as bar codes) with "defined minimum data elements." The bill does not specify acceptable physical security features, and provides no definition of the defined minimum data elements that must be included in the machine-readable technology.**

Driver's licenses and identification cards issued by the Washington State Department of Licensing may currently meet these requirements, depending upon how the federal Department of Homeland Security implements the requirements for physical security features and machine-readable technology.

Minimum issuance standards: Sets minimum requirements for identification documentation and proof of legal status within the United States that must be submitted by license and identification card applicants.

At a minimum, applicants must present a photo identity document (or a non-photo document with the person's full legal name and date of birth), documentation showing the person's date of birth, proof of the person's Social Security number (SSN) or verification that the person is not eligible for an SSN, documentation showing the person's name and address of principal residence, and evidence of citizenship or lawful presence within the United States.

Temporary drivers' licenses and identification cards: Licenses and identification cards issued to applicants who are temporarily within the United States, or who have pending applications regarding legal status, must be temporary—valid only during the period of time the applicant is authorized to stay in the United States, or for one year in the event that there is no definite end to the period the applicant is authorized to stay.

Verification of documents: State licensing agencies are required to verify, with the issuing agency, the issuance, validity, and completeness of each document submitted by an applicant for purposes of meeting the minimum issuance standards. The only foreign document that may be used to meet the standards is a passport. The requirement that the state verify the validity of all required documentation with issuing entities would be a major factor in the expense in implementing this bill.

Not later than September 11, 2005, states must enter into a memorandum of understanding with the Secretary of Homeland Security to routinely utilize the Systematic Alien Verification for Entitlements system to verify the legal presence of persons other than U.S. citizens applying for driver's licenses and identification cards.

Additional requirements: H.R. 1268 includes additional requirements intended to improve security in issuing driver's licenses and identification cards and to reduce fraud, including:

- Digital images of documents submitted must be made by the state licensing agency, and the documents must be maintained for either seven years in paper format or ten years as digital images.
- Persons applying for driver's licenses and identification cards must be subject to mandatory facial image capture.
- States must establish an effective procedure to confirm or verify a renewing applicant's information.
- SSNs must be verified with the Social Security Administration.
- States must ensure the physical security of locations where license and identification cards are produced, ensure the security of materials, require the security clearance of all persons authorized to manufacture or produce driver's licenses and identification cards, and establish fraudulent document recognition training programs for appropriate employees.
- Limit the period of validity of all driver's licenses and identification cards that are not temporary to no more than eight years.
- Provide electronic access to all other states to information contained in the motor vehicle database.

Alternate driver's licenses and identification cards: H.R. 1268 provides that driver's licenses and identification cards that do not satisfy the minimum document requirements and issuance standards must clearly state that they are not acceptable by any federal agency for official purposes and must use a unique design or color to alert federal agencies and other law enforcement personnel that they may not be accepted for such purposes.

**Issues of concern:**

Washington State is one of ten states that currently do not require proof of legal presence in the United States in order to obtain a driver's license or identification card. The requirement for such proof represents a major change in public policy, and will have an impact on all licensed drivers and identification card holders in this state.

As mentioned above, the requirement to verify the validity of source documentation with issuing agencies will result in a significant fiscal impact. This requirement may also significantly impact the time necessary to process license and identification card applications and would most likely affect wait-times. Given the current limitations on database accessibility, the vast majority of this work will need to be accomplished through manual processes.

There are a number of important elements in the bill that remain unspecified or undefined. For example, there is no precise definition of "legal name" or "principal residence." Although document security features are required, there is no indication of whether or not these will later be specified by the Department of Homeland Security. A person who does not have an SSN is required to provide verification that he or she is not eligible for an SSN, but there is no indication as to how this might be done. And as mentioned above, minimum data elements required on unspecified machine-readable technology on the driver's license or identification card document are not defined. Until these issues are clarified, it will be difficult to know whether the state will be able to meet the three-year deadline that would be imposed for compliance.