

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



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March 18, 2015

Senator Scott Dibble
75 Rev. Dr. Martin Luther King Jr. Blvd.
Capitol, Room 111
St. Paul, MN 55155-1606

Senator Ron Latz
75 Rev. Dr. Martin Luther King Jr. Blvd.
Capitol, Room 303
St. Paul, MN 55155-1606

Senator Warren Limmer
100 Rev. Dr. Martin Luther King Jr. Blvd.
State Office Building, Room 153
St. Paul, MN 55155-1606

Representative Carlos Mariani
203 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1606

Representative Tony Cornish
369 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1606

Representative Tim Kelly
559 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1606

Dear Senators and Representatives,

This letter is to inform you that the U.S. Department of Homeland Security has begun implementation of the federal REAL ID Act. Minnesota has taken many steps to secure state driver licenses and identification cards, but is statutorily prohibited from implementing the federal REAL ID Act. Minnesota's non-compliance with federal law is impacting a growing number of Minnesotans.

The REAL ID Act was passed by the United States Congress in 2005 as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act. The Act was passed in response to a 9/11 Commission recommendation that the federal government "set standards for the issuance of sources of identification, such as driver licenses." According to the U.S. Department of Homeland Security, the purpose of the REAL ID Act is to confirm the identities of people accessing federal facilities, entering nuclear power plants, and boarding federally regulated commercial aircraft.

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In 2009, the Minnesota Legislature prohibited implementation of the REAL ID Act (Session Law 92 – HF 988). The law states: “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.” As a result of this state law, Minnesotans cannot apply for a REAL ID-compliant state driver license or identification card.

In practice, this means Minnesotans are prohibited from entering nuclear facilities and certain federal buildings without showing other federally approved ID. As soon as January 2016, Minnesotans may not be allowed to board federally-regulated commercial aircraft using a Minnesota state driver license or identification card. The U.S. Department of Homeland Security has advised that they will give ample notice before implementation of this requirement. Nonetheless, once fully implemented, Minnesota business and pleasure travelers will need a passport, Enhanced Driver License (EDL), or other federally-recognized documents to board commercial aircraft.

According to the U.S. Department of Homeland Security, approximately 70-80% of all U.S. drivers hold licenses that are from jurisdictions that (1) comply with the federal REAL ID Act or (2) received a federal extension as they work toward compliance. Because Minnesota is statutorily prohibited from complying, the U.S. Department of Homeland Security will not provide Minnesota with a REAL ID Act extension at this time.

Federal enactment and enforcement of the REAL ID law could potentially impact the lives of all Minnesota business and pleasure travelers as soon as January 2016. If you have any questions, about federal or Minnesota law regarding this matter, or if you would like to meet with me and discuss further, I can be reached directly at 651-201-7174, or by email at mona.dohman@state.mn.us.

Sincerely,

A handwritten signature in cursive script that reads "Ramona L. Dohman".

Ramona L. Dohman
Commissioner of Public Safety

Cc: Governor Mark Dayton
Jaime Tincher, Chief of Staff
Luke Kuhl, Policy Advisor