

SUBJECT: Changing requirements for driver's licenses, personal ID information

COMMITTEE: Homeland Security and Public Safety — favorable, without amendment

VOTE: 6 ayes — Phillips, Burns, Dale, Metcalf, M. White, Wray

2 nays — Nevárez, Johnson

1 absent — Moody

SENATE VOTE: On final passage, May 5 — 24-7 (Burton, Ellis, Garcia, Menéndez, Rodríguez, Watson, West)

WITNESSES: *(On House Companion bill, HB 2477)*

For — *(Registered, but did not testify: Matt Simpson, ACLU of Texas)*

Against — *(Registered, but did not testify: Matt Simpson, ACLU of Texas; Celina Moreno, MALDEF)*

On — Ron Coleman, Department of Public Safety; *(Registered, but did not testify: Joe Peters, Department of Public Safety)*

BACKGROUND: The REAL ID Act, enacted by the U.S. Congress in 2005, sets out several guidelines for states in issuing personal identification.

Transportation Code, ch. 521 governs the issuance of driver's licenses and personal identification certificates. Sec. 521.142(g) allows the Department of Public Safety to require an applicant for a driver's license to provide the applicant's Social Security number for certain purposes.

DIGEST: SB 1934 would require the Department of Public Safety to require an applicant for a driver's license to provide the individual's Social Security number or proof that the applicant was not eligible for a Social Security number. Information provided on a driver's license or personal identification certificate application related to the applicant's Social Security number could be shared with an agency of another state

responsible for issuing driver's licenses or identification documents, among other specified uses.

The bill also would make certain changes regarding personal identification certificates. A person would not be able to possess a personal identification certificate and a driver's license at the same time, and the bill would specify procedures for surrendering the applicable license or identification. A personal identification certificate would no longer be exempt from expiring if an applicant was 60 years old or older. In addition, the bill would expand to personal identification certificates certain requirements that already exist for driver's licenses.

The provisions of this bill would prevail in the event of any conflict with another bill enacted by the 84th Legislature relating to nonsubstantive additions to and corrections in enacted codes.

The bill would take effect September 1, 2015, and would apply only to an application for a driver's license or personal identification made after that date.

**SUPPORTERS
SAY:**

SB 1934 would bring Texas into compliance with federal guidelines mandated by the U.S. Department of Homeland Security under the REAL ID Act. Concerns that the bill would be overly burdensome for Texas residents that did not have a Social Security number are overblown. The Department of Public Safety already has discretion regarding whether to require that an applicant for a driver's license provide the applicant's Social Security number. Currently, for other issues which require proof that an applicant is not eligible for a Social Security number, the department has accepted a sworn affidavit to that effect.

**OPPONENTS
SAY:**

SB 1934 may be burdensome to Texas residents without a Social Security number. For many residents a driver's license provides a way to engage in important activities beyond just operating a vehicle, such as opening a bank account or voting. Some residents born in rural communities or before the passage of the Social Security Act may not have a Social Security number. For residents who desire a driver's license but do not

have a Social Security number, the requirement that they provide evidence that they are not eligible for a Social Security number may be difficult to meet.