

**IMPLEMENTATION OF FEDERAL REAL ID
ACT**

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Glenn A. Donnelson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Uniform Driver License Act by amending provisions relating to the federal REAL ID Act of 2005.

Highlighted Provisions:

This bill:

- ▶ provides legislative findings regarding the federal REAL ID Act of 2005;
- ▶ prohibits the state from participating in the implementation of the REAL ID Act of 2005;
- ▶ prohibits the Driver License Division from implementing the provisions of the REAL ID Act of 2005; and
- ▶ requires the Driver License Division to report any attempts to implement the provisions of the REAL ID Act of 2005 to the governor.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53-3-104.5, Utah Code Annotated 1953



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53-3-104.5** is enacted to read:

53-3-104.5. Legislative finding -- Prohibition on implementing REAL ID Act.

(1) As used in this section, "REAL ID Act" means the REAL ID ACT of 2005 enacted by the United States Congress as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act, Pub. L. No. 109-13.

(2) The Legislature finds that the United States Congress' enactment of the REAL ID Act into law:

(a) is inimical to the security and well-being of the people of this state;

(b) will cause unneeded expense and inconvenience to the people of this state; and

(c) was adopted in violation of the principles of federalism contained in the 10th amendment to the United States Constitution.

(3) (a) The state may not participate in the implementation of the REAL ID Act.

(b) The division:

(i) may not implement the provisions of the REAL ID Act; and

(ii) shall report to the governor any attempt by an agency or an agent of the United States Department of Homeland Security to secure the implementation of the REAL ID Act through the operations of the division.

Legislative Review Note
as of 2-7-08 9:13 AM

Office of Legislative Research and General Counsel

H.B. 449 - Implementation of Federal Real Id Act

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for businesses, or local governments. Individuals may have to obtain alternative identification documents acceptable for official federal purposes.
