

ON REAL ID

“Real ID” refers to the Real ID Act (P.L. 109-13) passed by Congress in May 2005. The law established uniform security standards each state must adhere to in issuing driver’s licenses and identification cards. Real ID was passed due to the ease with which the 9/11 terrorists were able to obtain multiple state IDs. State licenses and identification cards that fail to conform to Real ID standards will not be accepted as valid for the purposes of boarding a plane or entering a federal facility. Every state must implement Real ID standards before December 31, 2009, and complete enrollment of persons less than 50 years of age by December 1, 2014. States then have an additional three years to issue Real IDs to persons age 50 and up.

REAL ID FOR NORTH CAROLINA

While the technical deadline for compliance with Real ID is May 11, 2008, North Carolina was granted an extension that lasts until December 31, 2009. As part of Operation Stop Fraud, launched in December 2003, North Carolina had already been implementing many reforms required by Real ID. The state’s progress has been accelerated thanks to legislation (S.L. 2007-56) passed in 2007. To date, North Carolina has made progress in the following areas:

- **Central Issuance of Licenses and IDs:** Beginning July 1, 2008, North Carolina will cease same-day issuance of licenses and IDs from its DMV field offices (cf. S.L. 2007-56). All licenses and IDs will instead be mailed to a residence address within 20 days, with an estimated 90 percent to 95 percent arriving within 3 to 5 days. Applicants who do not have a home address can have their ID sent to a homeless shelter or residential program (cf. G.S. 20-37.7(d)).
- **Social Security Verification:** The DMV will confirm the accuracy of each applicant’s Social Security number.
- **Fraud Prevention:** The DMV has been authorized to hire 36 new positions to create a team of fraud investigators who will review every application.
- **Immigration Fraud:** North Carolina law also now requires that applicants with alien status be verified via the SAVE (Systematic Alien Verification for Entitlements) database. Under S.L. 2007-56, licenses held by legal immigrants also become invalid upon expiration of the applicant’s visa.
- **Photo Identification:** Every applicant for a license or ID will have his photo taken at the beginning of the application process. This photo will be cross-checked using face recognition technology in order to reduce fraud.

The North Carolina DMV plans to be “materially compliant” with Real ID by December 1, 2008. In short, this will entail requiring all applicants to establish their identity, residency and lawful presence, as well as confirm their identity in writing under penalty of perjury. The DMV will also be issuing a Request for Proposal (RFP) in spring 2008 for a new driver’s license card production system that will be required under the terms of Real ID.

PROS AND CONS

- ✓ A secure form of identification will make it more difficult for terrorists and other criminals to board a plane or enter a federal facility. Real ID will also help prevent identity theft, which has increased by nearly 800 percent over the past 6 years. In 2005 alone, identity theft cost U.S. citizens \$68 billion. According to the Secret Service, 35 percent of fraud cases prosecuted in 2007 entailed the use of a fake driver’s license or state ID card.
- ✓ Real ID is not a national identity card and does not mandate the creation of a national database. The legislation, however, does require each state to maintain a state database accessible to every other state.
- ✓ Real ID does not require the collection of additional personal information, except as is necessary to verify identity. Thus the law does not encroach upon personal privacy any more than do current identification protocols.
- ✗ Some legislators, including Senator Clark Jenkins (D-Edgecombe), vice chairman of the Transportation Committee, support efforts to “opt out” of Real ID.
- ✗ The N.C. Department of Motor Vehicles has indicated that compliance with Real ID has been slowed owing to implementation costs. According to the Department of Homeland Security (DHS), Real ID will cost an additional \$8 per license. Senator Jenkins believes implementing Real ID will cost North Carolina \$20 million. In response to such concerns, DHS has made \$360 million available to help states implement Real ID.
- ✗ Thanks to the state’s central ID issuance system, some 150,000 persons who live in towns that don’t offer residential delivery won’t be able to receive a license by mail. The DMV is trying to resolve this problem by contracting delivery to a private carrier, such as Federal Express or UPS. A technical amendment may be introduced during the 2008 session to address this issue.

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