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# NCSL NEWS

February 8, 2005

## Congress Urged to Reject Drivers' License Measures

*Federal action would further 'handcuff' states with unworkable, costly mandates*

WASHINGTON, D.C. - As the U.S. House of Representatives prepares to debate a measure that would establish stringent and costly standards for state-issued drivers' licenses, state lawmakers

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are pleading with their federal lawmakers to let the 9/11 Commission's reforms work.

H.R. 418 sponsored by Representative James Sensenbrenner and H.R. 368 sponsored by Representative Tom Davis would create a series of unworkable, rigid, unfunded federal mandates that could delay or disrupt the new drivers' license security measures enacted by Congress last month.

"For nearly a century, states have promoted public and traffic safety by issuing drivers' licenses to certify individuals to operate a motor vehicle," Maryland Delegate John Hurson, NCSL's president and Illinois Senator Steve Rauschenberger, NCSL's president-elect, said in a letter to U.S. House members.

The 9/11 Commission reforms put in place a negotiated rulemaking procedure where state and federal officials would work together to create minimum standards for drivers' license security. Delegate Hurson and Senator Rauschenberger objected to the new legislation would undo the negotiated rulemaking agreed to by Congress and the administration and instead impose rigid, prescriptive requirements.

"[These bills] would establish federal security standards for State office buildings where drivers' license and related records are produced or stored, regulate training and security clearances for State personnel, set federal data and document storage standards, and prohibit federal financial assistance to a state unless it joins a prescribed driver's license interstate compact, which is yet to be enacted by a single state," the letter contends.

Hurson and Rauschenberger believe that, in its current form, the legislation would cause more problems than it intends to solve.

"These bills instead threaten to handcuff state officials with unworkable, unproven, costly mandates that compel states to enforce federal immigration policy rather than advance the paramount objective of making state-issued identity documents more secure and verifiable," they said.

According to a new NCSL paper, *The ABCs of IDs for U.S. Immigrants*, both the federal and state governments have acted to strengthen the integrity of identity systems since 2001. States, however, have no control over the millions of federally issued documents for the foreign-born or the federally-managed databases on the foreign-born. The ability of states to verify the identity and authenticity of each applicant's immigration status is complicated by the accuracy and

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accessibility of federal databases.

"NCSL is committed to working with Congress and the administration to implement effective, workable federal standards that strengthen drivers' license security," said Hurson and Rauschenberger. "We strongly believe that the framework established by the 9/11 Commission reforms provides the mechanism to achieve our shared objective."

NCSL is the bipartisan organization that serves the legislators and staffs of the states, commonwealths and territories. It provides research, technical assistance and opportunities for policymakers to exchange ideas on the most pressing state issues and is an effective and respected advocate for the interests of the states in the American federal system.

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