



STATE OF MINNESOTA

Office of Governor Mark Dayton

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

September 11, 2017

The Honorable Elaine C. Duke
Acting Secretary
United States Department of Homeland Security
245 Murray Lane SW
Washington, D.C. 20528

Dear Secretary Duke:

On May 20, 2017, a law authorizing the Minnesota Department of Public Safety to issue driver's licenses compliant with the REAL ID Act by October 1, 2018 went into effect. I subsequently requested an extension from the Department of Homeland Security (DHS) to allow Minnesotans to use their Minnesota driver's licenses for federal identification purposes. In July, DHS granted Minnesota its first compliance extension to permit Minnesotans to use their current licenses to enter federal buildings or military bases.

Since that time, the Minnesota Department of Public Safety established a project team to implement the requirements of the REAL ID Act and ensure Minnesota begins issuing REAL ID compliant driver's licenses and identification cards by October 1, 2018 in compliance with Minnesota law. Attached are several documents that outline Minnesota's progress since May: (1) the current project plan, (2) systems timeline for implementation, and (3) an updated status on outstanding requirements. Minnesota has completed several tasks and established a detailed timeline to complete the requisite steps to become fully compliant. The Minnesota Department of Public Safety is incorporating the changes needed to implement REAL ID into its new Licensing and Registration System – a multi-year initiative to replace its 30-year-old legacy IT system.

The extension granted to Minnesota by DHS expires on October 10, 2017. Without an additional extension, Minnesotans will be unable to use their licenses or identification cards to enter federal building or military bases. In addition, they will be unable to use board commercial aircraft beginning January 22, 2018 with their current license or identification cards. Today, I am writing to request a compliance extension through October 2018 with a full commitment to participate in quarterly progress reviews with DHS, which will allow Minnesota's current licenses to be used for all federal purposes, while we continue to work toward completing the necessary steps to issue REAL ID compliant licenses and identification cards to Minnesotans.

Please don't hesitate to contact either myself, or Minnesota Department of Public Safety Commissioner Mona Dohman at 651-201-7174 or mona.dohman@state.mn.us if you have any questions. Thank you for considering my request.

Sincerely,

A handwritten signature in black ink that reads "Mark Dayton".

Mark Dayton
Governor

Attachment

Previously, the Commissioner of the Department of Public Safety (DPS) was prohibited from implementing or planning to implement the REAL ID Act due to a law passed by the Minnesota Legislature in 2009. Consequently, Minnesota driver's licenses and identification cards are not REAL ID compliant. On May 20, 2017 a law authorizing compliance with the REAL ID Act went into effect in Minnesota. Since that time, Driver and Vehicle Services began vigorously working towards bringing Minnesota into full compliance with the REAL ID Act.

The State of Minnesota will meet the following provisions of 6 C.F.R. § 37 as follows:

§37.05(a): Issues REAL ID driver's licenses/ID cards valid for a period not to exceed eight years.

Minnesota Statute 171.07, subdivision 4:

- (a) Except as otherwise provided in this subdivision, the expiration date of a Minnesota identification card is the birthday of the applicant in the fourth year following the date of issuance of the card
- (b) For an applicant age 65 or older
 - (1) the expiration date of a Minnesota identification card is the birthday of the applicant in the eighth year following the date of issuance of the card.

- Programming for senior cards for REAL ID will begin in October 2017
 - Tentative completion date of July 2018

Minnesota Statute 171.27:

- (a) Except as otherwise provided in this section, the expiration date for each driver's license is the birthday of the driver in the fourth year following the date of issuance of the license.

- Programming for senior cards for REAL ID will begin in October 2017
 - Tentative completion date of July 2018

§37.11(b): Have each applicant sign a declaration under penalty of perjury that the information presented is true and correct, and the State must retain this declaration.

Minnesota Statute 171.06, subdivision 1:

Every application for a Minnesota identification card, including enhanced identification card, or for a driver's license including an instruction permit, a provisional license, and an enhanced driver's license, must be made in a format approved by the department. Every application must be accompanied by payment of proper fee. All applicants must sign the application and declare, under penalty of perjury, that the information and documentation presented in the application is true and correct. All applications requiring evidence of legal presence in the United States or United States citizenship must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public.

- Draft language completed
- Tentative completion date for system programming is July 2018

§37.11(e)-(f): Requires documentation of the Social Security Number and proof of address.

Minnesota Statute 171.06, subdivision 5:

- (b) Applications must be accompanied by satisfactory evidence demonstrating:
- (1) identity, date of birth, and any legal name changed if applicable; and
 - (2) for driver's license and Minnesota identification cards that meet all requirements of the REAL ID Act:
 - (i) Principal residence address in Minnesota, including application for a change of address, unless the applicant provides a designated address under 5B.05;
 - (ii) Social Security number, or related documentation as applicable

- System programming for Social Security Number:
 - Eligibility for SSN
 - Complete
 - Verification of SSN
 - Anticipated completion in November 2017
- MNLARS has been programmed so a clerk can select REAL ID an option and will then be prompted to select the documents the person submitted
 - Identity, SSN, proof of MN address, marriage certification, and lawful status document options are in place

§37.13(b)(1): Verifies lawful status through the Systematic Alien Verification of Entitlements (SAVE) or another DHS-approved method.

Minnesota Statute 171.019, subdivision 2:

- (a) The commissioner must establish a license and a Minnesota identification card that meets the requirements of the REAL ID Act, including by not limited to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking, as provided under this chapter.

- Minnesota has entered into a Memorandum of Understanding with SAVE
- Tentative completion date of July 2018

§37.13(b)(5): Verifies REAL ID driver's licenses and identification cards with the State of issuance.

Minnesota Statute 171.019, subdivision 2:

- (a) The commissioner must establish a license and a Minnesota identification card that meets the requirements of the REAL ID Act, including but not limited to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking, as provided under this chapter.

- Minnesota has reached out to AAMVA regarding the State to State interface and intends to commit with AAMVA one year prior to formal launch

§37.17(n): Commits to marking fully compliant driver's licenses and IDs with a DHS-approved security marking.

Minnesota Statute 171.019, subdivision 2:

(a) The commissioner must establish a license and a Minnesota identification card that meets the requirements of the REAL ID Act, including but not limited to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking, as provided under this chapter.

- System programming for document requirements is completed
- Project work on documentation requirements and administrative processes are ongoing
- MNLARS has been programmed so a clerk can select REAL ID an option and will then be prompted to select the documents the person submitted
 - Identity, SSN, proof of MN address, marriage certification, and lawful status document options are in place
- Project work on electronic verification of data is currently in process:
 - Social Security Number verification will be completed in November 2017
 - Minnesota has reached out to AAMVA regarding the State to State interface and intends to commit with AAMVA one year prior to formal launch
 - Minnesota has reached out to AAMVA about the requirements to participate in USPVs .
 - Tentative completion date of July 2018
- Card design completed
- Confirmation from vendor that all REAL ID requirements can be met

Minnesota Statute 171.07 subdivision 1:

(e) Except for an enhanced driver's license or a noncompliant license, a license must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

- Card design completed
- Confirmation from vendor that all REAL ID requirements can be met

Minnesota Statute 171.07 subdivision 3

(e) Except for an enhanced identification card or a noncompliant identification card, a Minnesota identification card must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

- Card design completed
- Confirmation from vendor that all REAL ID requirements can be met

§37.21: Issues to individuals with temporary lawful status, temporary or limited-term licenses that expire at the end of the applicant's authorized stay in the United States, or if there is no expiration date, after one year.

Minnesota Statute 171.07, subdivision 4:

(e) Notwithstanding paragraphs (a) to (d), the expiration date for an identification card issued a person with temporary lawful status is the last day of the person's legal stay in the United States, or one year after issuance if the last day of the person's legal stay is not identified.

- Design for programming related to lawful status will begin in October 2017
 - Tentative completion date of July 2018

Prior to renewing temporary or limited-term driver's license or identification cards, requires applicants to: Present valid documentary evidence that their qualification is still in effect or that they have qualified for another lawful status.

Minnesota Statute 171.019, subdivision 2:

(a) The commissioner must establish a license and a Minnesota identification card that meets the requirements of the REAL ID Act, including but not limited to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking, as provided under this chapter.

- MNLARS has been programmed so a clerk can select REAL ID an option and will then be prompted to select the documents the person submitted
 - Identity, SSN, proof of MN address, marriage certification, and lawful status document options are in place
- Project work on documentation requirements and administrative processes are ongoing
- Design for programming related to lawful status will begin in October 2017
 - Tentative completion date of July 2018

Minnesota Statute 171.065, subdivision 2:

(a) Only the following is satisfactory evidence of an applicant's identity and date of birth under section 171.06, subdivision 3, paragraph (b):

- (1) a driver's license or identification card that:
 - (i) complies with all requirements of the REAL ID Act;
 - (ii) is not designated as temporary or limited term; and
 - (iii) is current or has been expired for five years or less;
- (2) a valid, unexpired United States passport, including a passport booklet or passport card, issued by the United States Department of State;
- (3) a certified copy of a birth certificate issued by a government bureau of vital statistics or equivalent agency in the applicant's state of birth, which must bear the raised or authorized seal of the issuing government entity;
- (4) a consular report of birth abroad, certification of report of birth, or certification of birth abroad, issued by the United States Department of State, Form FS-240, DS-1350, or FS-545;
- (5) a valid, unexpired permanent resident card issued by the United States

Department of Homeland Security or the former Immigration and Naturalization Service of the United States Department of Justice, Form I-551;

(6) a certificate of naturalization issued by the United States Department of Homeland

Security, Form N-550 or Form N-570;

(7) a certificate of citizenship issued by the United States Department of Homeland Security, Form N-560 or Form N-561;

(8) an unexpired employment authorization document issued by the United States Department of Homeland Security, Form I-766 or Form I-688B;

(9) a valid, unexpired passport issued by a foreign country and a valid, unexpired United States visa accompanied by documentation of the applicant's most recent lawful admittance into the United States;

(10) a document as designated by the United States Department of Homeland Security under Code of Federal Regulations, title 6, part 37.11(c)(1)(x);

(11) a copy of the applicant's certificate of marriage certified by the issuing government jurisdiction;

12) a certified copy of a court order that specifies the applicant's name change; or

(13) a certified copy of a divorce decree or dissolution of marriage that specifies the applicant's name change, issued by a court.

(b) A document under paragraph (a) must be legible and unaltered.

- MNLARS has been programmed so a clerk can select REAL ID an option and will then be prompted to select the documents the person submitted
 - Identity, SSN, proof of MN address, marriage certification, and lawful status document options are in place
- Project work on documentation requirements and administrative processes are ongoing

Minnesota Statute 171.065, subdivision 3:

Only a form of documentation identified under subdivision 2 or a document issued by a federal agency that demonstrates the applicant's lawful status are satisfactory evidence of an applicant's lawful status under section 171.06, subdivision 3, paragraph (b), clause (2).

- MNLARS has been programmed so a clerk can select REAL ID an option and will then be prompted to select the documents the person submitted
 - Identity, SSN, proof of MN address, marriage certification, and lawful status document options are in place
- Project work on documentation requirements and administrative processes are ongoing
- Design for programming related to lawful status will begin in October 2017
 - Tentative completion date of July 2018

Verify information presented through SAVE, or another method approved by DHS

Minnesota Statute 171.019, subdivision 2:

(a) The commissioner must establish a license and a Minnesota identification card that meets the requirements of the REAL ID Act, including but not limited to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking, as provided under this chapter

- SAVE
 - Minnesota entered into a Memorandum of Understanding with SAVE
 - Detailed design and development will begin in October 2017
 - Tentative completion date of July 2018

§37.21(e): Temporary or limited-term driver's licenses or identification cards must clearly indicate on the face of the license and in the machine readable zone that the license or card is a temporary or limited term driver's license or identification card.

Minnesota Statute 171.07, subdivision 1:

(g) A license issued to a person with temporary lawful status must be marked "temporary" on the face and in the machine-readable portion

- Card design completed
- Confirmation from vendor that all REAL ID requirements can be met
- Cards will issue October 1, 2018

Minnesota Statute 171.07, subdivision 3:

(f) A Minnesota identification card issued to a person with temporary lawful status must be marked "temporary" on the face and in the machine-readable portion.

- Card design completed
- Confirmation from vendor that all REAL ID requirements can be met
- Cards will issue October 1, 2018

§37.25(a)(2): Prior to renewing a REAL ID driver's license/ID: Re-verify applicant's Social Security Number and lawful status, as well as information it was unable to verify at previous issuances or renewals because systems or processes did not exist.

Minnesota Statute 171.019, subdivision 2:

(a) The commissioner must establish a license and a Minnesota identification card that meets the requirements of the REAL ID Act, including but not limited to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking, as provided under this chapter

- Design for programming related to lawful status will begin in October 2017
 - Tentative completion date of July 2018
- MNLARS has been programmed so a clerk can select REAL ID an option and will then be prompted to select the documents the person submitted

- Project work on documentation requirements and administrative processes are ongoing
- Project work on electronic verification of data is currently in process:
 - Social Security Number verification will be completed in November 2017

§37.25(b)(1) If remote REAL ID renewals are permitted: Re-verifies applicant's information through SAVE and Social Security Online Verification (SSOLV) (or other methods approved by DHS).

Minnesota Statute 171.019, subdivision 2:

(a) The commissioner must establish a license and a Minnesota identification card that meets the requirements of the REAL ID Act, including but not limited to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking, as provided under this chapter

- SAVE
 - Minnesota entered into a Memorandum of Understanding with SAVE
 - Detailed design and development will begin in October 2017
 - Tentative completion date of July 2018
- Minnesota currently uses SSOLV to verify social security information for noncompliant driver's licenses and identification cards and will do so for REAL ID.
 - Name and DOB are also verified by SSOLV

§37.51 Commits to be in full compliance with Subparts A through D.

Minnesota Statute 171.019, subdivision 2:

(a) The commissioner must establish a license and a Minnesota identification card that meets the requirements of the REAL ID Act, including but not limited to documentation requirements, administrative processes, electronic validation or verification of data, and card design and marking, as provided under this chapter

- Minnesota is committed to full compliance:
 - MNLARS has been programmed so a clerk can select REAL ID an option and will then be prompted to select the documents the person submitted
 - Identity, SSN, proof of MN address, marriage certification, and lawful status document options are in place
 - Project work on documentation requirements and administrative processes are ongoing
 - Project work on electronic verification of data is currently in process:
 - Social Security Number verification will be completed in November 2017
 - Minnesota has reached out to AAMVA regarding the State to State interface and intends to commit with AAMVA one year prior to formal launch
 - Minnesota has reached out to AAMVA about the requirements to participate in USPVS

- Tentative completion date of July 2018
- Card design completed
- Confirmation from vendor that all REAL ID requirements can be met

§37.55 Submitted Final Certification package

- Minnesota will submit the final certification package after it has begun to issue REAL ID compliant cards on October 1, 2018.

§37.71(a) If the State chooses to issue both compliant and noncompliant documents, clearly states on the face of the noncompliant document and in the machine readable zone that the card is not acceptable for official purposes and incorporates a unique design or color indicator that clearly distinguishes them from compliant licenses and identification card.

Minnesota Statute 171.07, subdivision 1:

(g) A noncompliant license must:

- (1) Be marked "not for federal identification" on the face and in the machine-readable portion; and
- (2) have a unique design or color indicator

- Card design completed
- Confirmation from vendor that all REAL ID requirements can be met.
- Cards will issue October 1, 2018

Minnesota Statute 171.07, subdivision 3:

f) A noncompliant identification card must:

- (1) be marked "not for federal identification" on the face and in the machine-readable portion; and
- (2) have a unique design or color indicator

- Card design completed
- Confirmation from vendor that all REAL ID requirements can be met.
- Cards will issue October 1, 2018

MNLARS Driver Services Rollout

