

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 170041)

RESOLUTION

Urging state legislators to comply with the requirements of the federal REAL ID Act, allowing Pennsylvania residents to continue to use state issued driver's licenses for domestic air travel and access to federal facilities.

WHEREAS, The REAL ID Act of 2005 is a federal law that was enacted to create new requirements for the federal recognition of state issued driver's licenses. These requirements include enhanced security features to driver's licenses to prevent against fraud, as well as the requirement that states provide electronic access to connect and share information contained in its motor vehicle database with other states; and

WHEREAS, Under the REAL ID Act, a federal agency may not accept a state issued license for any official purpose if the state does not comply with the terms of the Act; and

WHEREAS, In 2012, the Pennsylvania General Assembly passed Act 38, prohibiting the Governor, Department of Transportation, and "any other Commonwealth agency" from participating in the REAL ID Act or any of the terms required by it; and

WHEREAS, Because of Act 38, the State of Pennsylvania remains noncompliant with the REAL ID Act; and

WHEREAS, The Department of Homeland Security has agreed to grant Pennsylvania one final extension for compliance. The State has previously been granted several extensions for compliance on behalf of the federal government. The most recent extension gives state legislators until June 5, 2017 to fix state law in order to be able to comply with the requirements of the REAL ID Act; and

WHEREAS, If Pennsylvania remains noncompliant, Pennsylvania driver's licenses will no longer be a valid form of identification for airline travel starting in January of 2018. This includes domestic airline travel to other states within the U.S. This means that state

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residents will need to have a passport or military ID for domestic airline travel. Many Pennsylvanians do not already possess these forms of identification; and

WHEREAS, In addition to restrictions in the use of state driver's licenses for airline travel, Pennsylvania driver's licenses will also be an invalid form of identification for access to military bases and other federal facilities; and

WHEREAS, Pennsylvania is one of five states that has yet to comply with the terms of the REAL ID Act; and

WHEREAS, When the REAL ID Act was enacted, many states feared the invasion of privacy on behalf of residents and that it would eventually lead to the creation of a national ID card. However, the Department of Homeland Security has made assurances that information could only be shared between state transportation authorities, and that there would be no federal database or national ID card; and

WHEREAS, The Pennsylvania Department of Transportation believes it will take between 18 to 24 months to become compliant with the REAL ID Act if Act 38 is repealed or modified. Therefore, State legislators need to work quickly to rescind or modify Act 38, in order to bring the state into compliance with the REAL ID Act, for the benefit of all Pennsylvania citizens; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby urges state legislators to comply with the requirements of the federal REAL ID Act, allowing Pennsylvania residents to continue to use state issued driver's licenses for domestic travel by air and access to federal facilities.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the ninth of February, 2017.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Jones, Parker and Taubenberger

Sponsored by: Councilmembers Jones, Parker, Taubenberger, Green and
Gym