



## **What's going on with your Maine ID? Legislators scramble**

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Mainers will be grounded next year if legislators don't update driver's licenses to comply with federal requirements.

State and federal representatives are scrambling to fix the situation, which stemmed from fears over a 12-year-old federal act that critics say would create a national database of personal information.

But states are starting to comply with the law because starting this year, federal agencies aren't accepting driver's licenses that don't meet security standards. If your state isn't compliant, your driver's license won't get you on board a commercial aircraft starting next year.

After federal investigators said the 9/11 hijackers obtained valid identification cards from various states, a commission recommended developing federal standards for issuing identification cards to help prevent terrorism and fraud.

Congress passed the Real ID Act in 2005. Under the act, in time, federal agencies wouldn't accept state licenses that didn't meet heightened security standards and requirements like the state agreeing to share its motor vehicle databases with other states.

Maine became the first state to reject the act in 2007 by refusing to implement the law. Critics called it an unfunded mandate and federal overreach, with concerns over the act's requirements for facial recognition technology on license photos and retention of copies of birth certificates.

"Real ID will impose a massive financial burden on Maine at a time when our resources are extremely limited by a slowing national economy," said Maine's former Gov. John Baldacci, a Democrat, in a 2008 letter to the Department of Homeland Security.

Maine is now one of five states — and the only state in New England — that is not compliant with the law. Currently, 21 states and five U.S. territories have received extra time to comply from the Department of Homeland Security.

The department denied Maine's waiver last year because the state didn't adequately justify its continued noncompliance. In January, Republican Gov. Paul LePage asked Secretary of Homeland Security John Kelly about reconsidering that decision.

By 2020, no more waivers will be granted.

A Maine-issued driver's license can no longer get you into military bases, nuclear power plants and other federal facilities — though Maine licenses are accepted at federal courthouses. Driver's licenses can still be used to receive federal benefits, vote or enter federal facilities that don't require an ID.

Starting next year, the IDs won't allow you to board commercial planes. Airports would only accept identification like U.S. passports, which cost \$135 for first-time applicants.

David Andrews, terminal manager of BSP Transportation in Westbrook, said he's frustrated that the Portsmouth Naval Shipyard in Kittery has turned away his truck drivers — even those who've undergone federal background checks to transport hazardous material.

The shipyard this week turned away a driver who had a notarized copy of a birth certificate he thought would satisfy security staff, said Andrews, who scoffed about privacy concerns: "The rest of the country other than the four other states have (complied) and haven't had any issues."

The federal government told Maine veterans last year they would no longer have the right identification to access their Department of Veterans Affairs doctors on an Air Force base, according to U.S. Rep. Chellie Pingree, a Democrat. Their complaints prompted the Department of Defense to make an exception allowing veterans access to health care with a driver's license and VA health identification card.

LePage has asked Secretary of State Matthew Dunlap — a Real ID critic — to start figuring out contingency plans if Maine remains non-compliant.

In a Feb. 3 letter, Dunlap said the federal government would handle such contingencies. He said lawmakers will decide "whether abandoning the foundation principles of this nation in order to expedite the ability of citizens to board commercial aircrafts is a reasonable trade."

States who initially opposed Real ID are now taking steps to comply. Idaho, Kentucky and Missouri bills would allow the states to issue non-compliant driver's licenses to people who request them.

The conservative Cato Institute has said more states are complying for fear of punishing their constituents.

In Maine, legislation sponsored by Democratic Sen. Bill Diamond would have Maine comply with federal standards.

Diamond said despite critics' objections, the law doesn't create a national database. "The downside again is punishing every Mainer with a very severe inconvenience," he said.

If the bill passes, the Secretary of State would have to issue driver's license and non-driver identification cards that conform to the federal standards. That would cost an estimated \$1 million to \$3 million.

A hearing on Diamond's bill is scheduled March 7.

Pingree has co-sponsored federal legislation that would remove the provision requiring states to allow other states to access motor vehicle databases.