

# SOUTH DAKOTA

## SD Jurisdiction Impact Analysis Real ID Act

REAL ID ACT REQUIREMENT	IMPACT	ASSUMPTIONS
<p>Introduce Full Legal Name into Driver Licensing System (in Record, on Document)</p>	<p>SD already has the capability to include the full legal name in the DL system, both on the Record and on the Document.</p> <p>May need to change SDCL 31-12-17.10, which states that the DL shall contain the full legal name or any other name lawfully taken. By policy, full legal name is used but there are rare occasions when another name may be used if the person certifies that they are using the name for lawful purposes.</p>	<p>This is assuming that we are allowed to use the naming conventions that we are currently using. If there is a change to the naming conventions in the system, we may need to make system changes.</p>
<p>Have following data elements/features on the document:</p> <ul style="list-style-type: none"> <li>118.Full Legal Name</li> <li>119.Person's Date of Birth</li> <li>120.Person's Gender</li> <li>121.Person's DL or ID Card Number</li> <li>122.Digital Photograph of Person (and retention)</li> <li>123.Person's Address of Principle Residence</li> <li>124.Person's Signature</li> <li>125.Physical Security Features to prevent tampering, counterfeiting or duplication</li> <li>126.Common Machine</li> </ul>	<p>May need to change SDCL 31-12-17.10, which states that the DL shall contain the full legal name or any other name lawfully taken. By policy, full legal name is used but there are rare occasions when another name may be used if the person certifies that they are using the name for lawful purposes.</p> <p><b>Need federal guidance regarding the definition of principal residence. Specifically what should the procedure be for a person who lives in a RV, has chosen a jurisdiction as their state of domicile but has only a RV park address or a Personal Mail Box Address. Are these types of addresses acceptable? This needs to be addressed in the regulations.</b></p> <p>SD DL/ID contains physical security requirements. <b>The federal regulations should state what types of security features must be included on the DL/ID.</b></p> <p>SD driver licenses and ID cards currently contain a SD barcode that is the standard according to the American Association of Motor Vehicle Administrators (AAMVA) – <b>Guidance is needed regarding if the AAMVA standard is acceptable, and if the AAMVA standard is not the common machine readable technology, what is the common machine readable technology. Guidance is needed to define what the</b></p>	

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<p>Readable Technology:</p>	<p><b>required data elements are in the machine readable technology.</b></p> <p>Costs will depend upon what the regulations contain as far as required data elements and required machine readable technology. We may need to make changes depending on what the regulations require.</p>	
<p>Introduce temporary DL/ID cards and tying end of stay to expiration of DL/ID card (or issuance for no more than 1 year)</p>	<p>SD currently issues the DL/ID through the duration of stay of the applicant except for those who have an indefinite status. Currently, those with an indefinite status receive a full 5 year license.</p> <p><b>The Regulations should outline specific immigration documents and which ones should have an issue date of no more than 1 year.</b></p>	
<p>Amending card design to show/indicate that it is a temporary document with a “different than usual” expiration date</p>	<p>SD will need to change our programming. The SD DL/ID that have a expiration date less than 5 years because the applicant presented a immigration document of less than 5 years are not marked as a temporary. They look the same as any other DL/ID card except the expiration date is less. This may also require legislation as we don’t have specific authority to mark clearly as temporary. Estimated cost for programming change \$7,000 – \$10,000.</p>	
<p>Verification at Source: Enabling your system to electronically verify documentation with:</p> <ol style="list-style-type: none"> <li>1. SSOLV</li> <li>2. SAVE</li> <li>3. DEERS (DOD)</li> <li>4. Other jurisdiction (DL/ID card)</li> <li>5. Birth certificate</li> <li>6. Other...i.e. third party</li> </ol>	<p><b>Specific federal guidance needed in this area. Is manual verification acceptable?</b></p> <p>Manual verification will result in need for additional staff. Electronic processes will require programming and on-going maintenance costs. There is currently not an established nationwide system for verifying breeder documents including birth certificates and passports.</p> <p>SD is currently working on programming to participate in a pilot funded by the Federal Motor Carrier Safety Administration (FMCSA) in cooperation with the American Association of Motor Vehicle Administrators (AAMVA.) to verify birth records. Costs for post pilot are yet to be determined. Currently, SD, MN, ND, and IA are participating in the pilot.</p> <p>SD is developing a system to verify SD birth and death records.</p> <ol style="list-style-type: none"> <li>1. SD currently utilizes SSOLV.</li> <li>2. SAVE is used in limited locations</li> </ol>	

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vendors	<p>3. DEERS is not used in SD</p> <p>4. All jurisdictions don't have the capability to verify status and history information. SD has gone production with TASK 9 but there are so few states involved that the benefits are minimal.</p> <p>5. Birth Certificate – no nationwide system is in place. SD currently involved in the pilot EVVER program.</p> <p>6. Any type of verification system will require changes to jurisdiction systems and will cost states \$.</p> <p>Estimate that at least 1 additional staff member per exam team (16) may be needed to implement the provisions of the REAL ID act and continue to provide efficient service.</p>	
Developing access capability to SAVE system	<p>SD has signed a MOU and currently utilizes the SAVE program in areas where the examiners have access to the internet. This will need to be expanded to all areas – This will likely be a manual process (Examiner to contact an exam site with internet access to run the check for them.) Current Cost – initial inquiry 26 cents. Secondary inquiry, if needed 48 cents per inquiry. Current monthly costs run from \$50.00 - \$75.00 per month and are paid by Homeland Security. This will increase slightly to an estimated \$100 per month.</p>	<p>SD will expand their current utilization of the SAVE program – assuming that we will be allowed to use the existing MOU that we recently entered into.</p>
Introduce equipment into system to capture digital images of identity source documents so that images can be retained in electronic storage in a transferable format	<p>SD currently copies all immigration documents as well as source documents presented to obtain a commercial driver license with a Hazardous Materials Endorsement. These copies are scanned into a document imaging system and retained in an electronic format. Will need to expand the copying, scanning and filing of documents to meet this requirement.</p> <p><b>Federal Guidance is needed regarding which types of applicants will be required to show source documents. For example - Does an applicant need to show a birth certificate at each issue and reissue including duplicates and renewals, or is this just</b></p>	

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	<p><b>for first time applicants in a jurisdiction (including transfers from out of state).</b>  More copying will be required. This will take up more storage space and result in the need to purchase additional disks for storage and eventually an additional jukebox.  Future storage needs will be greater as a result of the REAL ID Act.  Cost of storage disks - \$80 each. Each disk is backed up on another disk and stored off-site. Thus, each disk needed results in 2 disks.  Cost of jukebox (64 disk) - \$25,000.</p> <p>Will result in need for additional staff to accommodate the extra copying and scanning of documents. Estimate 1 additional full time employee to accommodate the copying, scanning and filing of documents into a document imaging system.</p>	
Retain paper copies of source documents for a minimum of 7 years or images of source documents presented for a minimum of 10 years	The images are kept for an indefinite period of time. See above for additional costs associated with additional storage space	
Subject each person applying for a driver's license or identification card to mandatory facial image capture	A process/system change will be required to capture a mandatory facial image of each applicant. Photo is currently only captured if DL/ID is issued. If a person is not issued a DL/ID, a photo is not captured. SD is nearing the end of our current DL issuance contract. The timing is good to incorporate this change into the new system development/redesign. If we were required to make the software change as a separate change, the costs would be much greater than if we work it into the redesigned system.	
Establish an effective procedure to confirm or verify a renewing applicant's information	<b>Guidance needed regarding what the effective procedure is for confirming or verifying a renewing applicant's information</b>	
In the event that a social security account number is already registered to or associated with another person to which any state	SD meets this requirement	This is assuming that the way we handle these situations is deemed appropriate. SD works

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has issued a DL/ID card, the state shall resolve the discrepancy and take appropriate action		through these situations currently and if there is fraud involved, law enforcement is contacted.
Check other states if a person already was issued a DL in another state	This is not possible at this time as there is no system in place. It seems that to do this effectively, the Driver Record Information Verification System (DRIVERs) must be developed.	This is with the assumption that DRIVERs is the system that is utilized. Developing an entire new system would be way too costly.
Ensure physical security of locations where DL/ID cards are produced	<p>SD has security measures in place at driver exam locations. <b>Specific Federal guidance is needed in this area to determine what steps are necessary to ensure physical security.</b></p> <p>SD may need to hire a security specialist to develop and implement a security assessment, and security plan including audit processes at all SD exam stations and local government sites that partner with DL for driver licensing services.</p> <p>SD may also need to purchase security systems for exam stations, car alarms and car vaults for traveling exam teams.</p> <p>Security Systems -\$2000 per location – 52 locations - \$104,000  Car alarms for traveling exam teams – 9 @ \$200.00 - \$1800.00  Vaults for traveling teams – 9 @ 350 - \$3150.00</p>	
Subject all person’s authorized to manufacture or produce DL/ID cards to appropriate security clearance requirements	<p><b>Specific Federal guidance is needed regarding what the background check is to consist of.</b></p> <p>All new DPS employees are subject to a background check. This will need to be expanded to include all existing driver licensing employees as well as the county and city officials that Driver Licensing partners with to provide driver licensing services.</p> <p>100 background checks at \$10 each - \$1000. Subject to change depending on what the security clearance requirement consists of.</p>	
Establish fraudulent document	Driver Licensing currently has a fraudulent document recognition training program that	This is assuming that the

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recognition training programs for appropriate employees engaged in the issuance of DL/ID cards	<p>was developed by AAMVA. This will need to be expanded to the county and city officials that we have partnered with to provide DL services</p> <p>Estimated costs - 3 trainings provided to local government employees – one night stay and meals - \$11,000</p> <p><b>Would recommend that the federal requirements specify that the AAMVA course is an acceptable course.</b></p>	Fraud Document Recognition Training that was developed by AAMVA is the recommended course.
Limit period of validity of DL/ID cards that are not temporary to a period not exceeding 8 years	Not an issue. SD driver licenses and ID cards are valid for 5 years or less.	
Alternative document design if it does not meet federal standard	We intend to meet the standard. Creating a new design would require system changes and would be costly.	
Legal Presence Requirement	<p>SD currently requires a person to be in the United States legally and we tie the expiration date of the DL to the immigration document.</p> <p><b>The Federal Regulations should list specific immigration documents and how states are required to handle those types of documents to ensure that states have adequate guidance when encountering different immigration documents.</b></p>	
Provide electronic access to all other states to information contained in the motor vehicle database of the state	This is not possible at this time as there is no system in place. It seems that to do this effectively, the Driver Record Information Verification System (DRIVeRS) must be developed.	
<p>Maintain a state motor vehicle database that contains at a minimum:</p> <ul style="list-style-type: none"> <li>▪ All data fields printed on DL/ID cards</li> <li>▪ motor vehicle driver's histories, including motor vehicle violations,</li> </ul>	SD Driver Licensing Database contains required information.	

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suspensions and points on licenses		
<b>Optional</b> Development and issuance of a certificate of driving – not for federal identification purposes – for those who cannot prove lawful presence.	This would be costly. Our state law requires a person to be authorized to be in the United States to obtain a driver license. To change this would require a statute change.	

**What questions does your jurisdiction have as a result of the passing of the Real ID Act?**

- **Will there be a list of acceptable documents for driver license and identification card issuance?**
- **Do passports contain full legal name and if so, are passports considered an acceptable photo identity document?**
- **What is address of principal residence? That needs to be clearly defined and there needs to be specific guidance regarding what is acceptable documentation of residency for a person who claims a jurisdiction to be there domicile but has no actual physical address.**
- **What is considered address verification? Is this looking at a utility bill or rental agreement or is this referring to an electronic verification of some sort. If a manual verification is acceptable, the regulations should indicate which documents are considered acceptable verification.**
- **I bolded several additional areas in the impact area of the template indicating where federal guidance is needed.**

**If your jurisdiction has done an impact analysis please provide us with a copy of the analysis.**

- **The information from the impact analysis that I have done is included within the impact area of this template.**