



Department of the Secretary of State Bureau of Motor Vehicles

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JOINT STANDING COMMITTEE ON TRANSPORTATION

L.D. 773 “An Act to Provide for the Issuance of Enhanced Driver’s Licenses and Enhanced Nondriver Identification Cards in Maine”

Testimony of Shenna Bellows, Secretary of State and
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Senator Nangle, Representative Crafts, Members of the Transportation Committee, I am here today to provide testimony in opposition to L.D. 773 “An Act to Provide for the Issuance of Enhanced Driver’s Licenses and Enhanced Nondriver Identification Cards in Maine” and to provide you with information that may be useful to you.

Enhanced Driver’s Licenses, or EDLs, are state-issued driver’s licenses that provided proof of identity and U.S. citizenship; they combine the functionalities of a driver’s license and a passport card. Travelers returning from Canada, Mexico, the Caribbean, or Bermuda by land or sea may present them as an alternative to a passport or passport card. They are also accepted by the Transportation Security Administration (TSA) as identification for domestic flights as an alternative to REAL ID driver’s licenses, which the Bureau of Motor Vehicles currently issues. EDLs cannot, however, be used for international flights.

Five northern US states, including Vermont, currently issue EDLs. While the precise requirements for issuing EDLs are not a matter of public record, a state must enter into a Memorandum of Agreement with the Department of Homeland Security (DHS) to begin the process. Following a lengthy, often multi-year development, Homeland Security will confirm that the state’s EDLs may be accepted to enter the US by land or sea. Of note, Ohio passed legislation to issue an EDL in 2023 but has not yet been given approval from DHS.

A major difference between EDLs and REAL IDs is that with REAL ID here in Maine, all data collected by the state in compliance with federal requirements remains housed within the state. For EDLs, because they are used by Customs and Border Patrol to expedite border crossings, certain data from the EDL is stored in a Homeland Security database. Additionally, EDLs include unencrypted computer chips known as RFID chips, which transmit an identification number linking the EDL holder to their record in the database when queried electronically. This has the potential to open a door to unauthorized tracking of US citizens.

While the BMV stands ready to implement all initiatives that the legislature approves, I do want to advise you that issuing Enhanced Driver’s Licenses would be a substantial undertaking. Our Information

Services team estimates that this would be a least a one-year development project involving three staff members as well as consultation with our credential vendor, our online services, and the Department of Homeland Security. There would be a high level of impact to our existing projects, including the BMV's multi-year modernization campaign. Should the legislature direct this program, we would as for an implementation date not earlier than June 2028, in concert with an upcoming re-negotiation of our license production contract.

Because of these privacy, security, and practicality concerns, and because the BMV already issues REAL ID-compliant credentials, we do not recommend that the state pursue EDLs at this time. Very few states have chosen to issue EDLs; most states issue REAL IDs instead. This committee previously considered EDLs in 2017 and 2023 and both times voted unanimously Ought Not to Pass. Our department was in opposition both times for many of the same reasons.

Thank you for your time and consideration. If the committee has any questions, I'd be more than happy to answer them or conduct the appropriate research. I will be available for the work session.