



**Testimony in Support of LD 160:**  
“An Act to Eliminate REAL ID Requirements in Maine”

Senator Nangle, Representative Crafts, and the distinguished members of the Committee on Transportation, my name is Harris Van Pate, and I serve as policy analyst for Maine Policy Institute. Maine Policy is a free market think tank, a nonpartisan, non-profit organization that advocates for individual liberty and economic freedom in Maine. We urge the committee to support LD 160, which would eliminate Maine’s compliance with the federal REAL ID Act and reaffirm the state’s commitment to protecting its residents from unnecessary federal overreach.

**Background: REAL ID and Its Threats to Privacy**

Enacted by Congress in 2005, the REAL ID Act mandates strict federal standards for state-issued driver’s licenses and identification cards.<sup>1</sup> While proponents argue that REAL ID enhances national security, the law presents serious concerns regarding personal privacy, data security, and state sovereignty.

Maine has historically resisted compliance with REAL ID, recognizing that the Act creates an intrusive national identification system that exposes citizens’ private information to potential misuse. In 2017, the Legislature reluctantly authorized Maine’s compliance. However, this was only after the U.S. Department of Homeland Security stopped accepting Maine state IDs as valid forms of identification to enter federal facilities.<sup>2</sup> Even then, 30 Maine House members voted against adopting the bill, as did 4 Senators.<sup>3</sup> Now, LD 160 presents an opportunity to restore Maine’s rejection of this flawed and unnecessary system.

**Individual Privacy Concerns**

Maine should reject REAL ID due to its threats to individual privacy and state sovereignty. The system centralizes sensitive personal information into a federalized database, significantly increasing the risk of data breaches, identity theft, and government overreach.

Given the federal government’s track record of security failures—including significant breaches at the Office of Personnel Management and other agencies—no database is

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<sup>1</sup> <https://www.dhs.gov/real-id/about-real-id>

<sup>2</sup> <https://www.maine.gov/sos/documents/RealIDupdate.101917.pdf>

<sup>3</sup> <https://legislature.maine.gov/LawMakerWeb/dockets.asp?ID=280062824>



truly secure from hacking and exploitation.<sup>4</sup> Consolidating personal data in such a system only heightens these risks, making individuals more vulnerable to cyber threats.

## **Preventing Federal Overreach**

Beyond privacy concerns, REAL ID represents an overreach of federal authority that directly undermines Maine's sovereignty over driver's licensing. The Act imposes a top-down mandate that conflicts with the Tenth Amendment, stripping states of their ability to govern their identification systems. Compliance with REAL ID effectively creates a de facto national identification system, granting the federal government unprecedented power to track law-abiding citizens.<sup>5</sup>

Many states continue to resist these requirements, with the Department of Homeland Security expecting at least 30% of states to remain non-compliant by the current compliance deadline of May 7, 2025.<sup>6</sup> As of late 2024, only four states had fully adopted REAL ID, highlighting the widespread opposition to this federal mandate. Maine should stand with these states in rejecting an unnecessary, invasive system that compromises individual rights and state authority.

## **Conclusion**

LD 160 represents a return to Maine's historical stance of rejecting REAL ID and standing up for the privacy and freedoms of its residents. The federal government should not dictate state identification policies, nor should it create systems that compromise personal data security. Maine can protect security and liberty without submitting to the flawed REAL ID system.

We strongly urge the committee to support LD 160 and reaffirm Maine's commitment to protecting its residents from federal overreach. Thank you for your time and consideration.

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<sup>4</sup> <https://www.nyclu.org/migrated-page/why-oppose-real-id-act>

<sup>5</sup>

<https://www.govtech.com/policy/maine-aclu-asks-congress-to-scrap-failed-real-id-effort#:~:text=But%20many%20s,tates%20balked%20at%20what%20they,protest%20among%20state%20legislatures%20against%20REAL%20ID>

<sup>6</sup> <https://www.forbes.com/sites/suzannerowankelleher/2024/09/16/tsa-punts-the-real-id-deadline-to-2027/>