



New Mexico State Legislature

STATE CAPITOL
Santa Fe

January 7, 2016

The Honorable Don L. Tripp
Speaker, New Mexico House of Representatives
State Capitol, Room 100
Santa Fe, NM 87501

HAND-DELIVERED

Dear Speaker Tripp:

Thank you for your response to our January 4, 2016 letter.

As you rightly state, the issue of drivers' licenses has been debated for far too long in our legislature. The time to reach an agreement is now, before the January 10 deadline. We agree that a compromise is possible, and we have no doubt that we should immediately communicate to the Department of Homeland Security (DHS) that a REAL ID compromise bill will pass in the upcoming session. To delay this communication will cause continued needless uncertainty and anxiety for the people of New Mexico. We are ready to send such a letter; will you join us?

As we confront this issue, we are confident that we are all committed to finding a compromise that will preserve public safety by requiring drivers to be licensed while meeting requirements of the REAL ID Act. You offer several useful suggestions in your letter that we are ready to support:

1. A visual differentiation between REAL ID compliant licenses and licenses that are not; this is provided for by federal law, and we believe that we should adopt the federally-provided means of differentiation.
2. An expiration date for REAL ID licenses that is the same as the expiration of a person's visa or other immigration document.
3. Passage of all tests otherwise required for those seeking a license.
4. Other security measures such as fingerprinting and photographing applicants.

There are some differences in our respective positions, but none that cannot be overcome with true compromise. Like you, we support a two-tiered driver's license system; however, we believe it is important that our citizens be given the choice of whether they will receive a REAL ID or non-REAL ID compliant license. As you know, the REAL ID Act requires U.S. citizens to present documentation to the Motor Vehicle Division, such as birth certificates and social security cards, proving their identity in order to obtain a REAL ID compliant license. Since this information will be accessible to every single Motor Vehicle agency throughout the country,

many people, including conservative Republicans, have serious concerns about the risks to privacy and civil liberties posed by broadly providing such sensitive personal information. Additionally, many citizens may not have ready access to such documents and may have no need for a REAL ID compliant license.

The issues you raise about federal law enforcement databases may fall beyond our jurisdiction in New Mexico and are too complex to address in the short time-window that remains between now and January 10. Those issues should be left for the session.


Given that we are close to an agreement and that we need only inform DHS that we are confident of the passage of a bill, it is prudent to inform DHS today. It is time to do what the people of New Mexico expect: pass a REAL ID compliant bill.

We are available to meet with you and the Governor this week to prepare a joint letter to DHS. We look forward to receiving your reply.

Sincerely,


Mary Kay Papen
President Pro Tem


Michael S. Sanchez
Senate Majority Leader


Brian Egolf
House Minority Leader