

DHS Again Postpones REAL ID Deadline

The U.S. Department of Homeland Security (DHS) has again postponed the deadline for compliance with the REAL ID Act of 2005, until May 3, 2023. Under the REAL ID Act, federal agencies may not accept state-issued driver's licenses or ID cards for "official purposes" — which includes for clearance through TSA security checkpoints at airports — unless those documents meet certain minimum requirements. REAL ID-compliant licenses will have a certain marking on the upper top portion of the card (such as a star). The deadline extension is welcome news for U.S. airlines and the U.S. travel industry as they work to recover from the impact of COVID-19 on domestic and international travel.

Many U.S. travelers remain unaware of the requirements of the REAL ID Act and the need to obtain a REAL ID-compliant license. According to DHS, only 43 percent of eligible U.S. adults have a REAL ID-compliant license. This is problematic because once REAL ID goes into effect, passengers who arrive at a U.S. airport would need to present a REAL ID-compliant license or an alternative acceptable document, such as a passport, to proceed through the TSA checkpoint. Those who do not will likely be turned away and unable to travel until they obtain TSA-acceptable identification, which could cause significant disruption for passengers and airlines.

DHS has extended the deadline before in light of the rate of adoption of compliant driver's licenses in some states, but this latest extension is also attributable to the challenges posed by the COVID-19 pandemic. These have included state DMVs' extension of their deadlines to renew expiring licenses, fewer DMV visits during the pandemic, and DMVs operating at reduced capacity to process renewals because of a shift to appointment-only scheduling. This two-year extension will now give travelers additional time to secure REAL ID-compliant documentation.

Additionally, to enhance REAL ID compliance, DHS issued a request for information (RFI) to inform an upcoming rulemaking that would address security standards and requirements for the issuance of mobile or digital driver's licenses that would be REAL ID-compliant. Comments in response to the RFI are due by June 18, 2021.



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