



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Motor Vehicles

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Earl Ray Tomblin
Governor

Paul A. Mattox, Jr., P. E.
Cabinet Secretary

February 28, 2013

Pastor Butch Paugh
224 Hurd Road
Nettie, West Virginia 26681

Dear Pastor Paugh:

Your letter to the Honorable Earl Ray Tomblin, Governor of the State of West Virginia, regarding photos on driver's licenses has been forwarded to my office for review. I appreciate the opportunity to respond.

The Governor and his staff as well as Division of Motor Vehicles staff have been diligently reviewing this issue to find a balance between your group's deeply held religious convictions about digital photos with the need to protect the integrity of the driver's license issuance process from those who have fraudulent intent.

Your father's experience demonstrates that the driver's license is critical for many purposes beyond just driving. The document issued by the Division of Motor Vehicles (DMV) is the gold standard for identification in all states and represents that the holder's identity has been verified and validated by an agency using the best practices available. While I understand why Wal-Mart would require a state issued ID to verify identity, it is a business decision made by Wal-Mart. It is your father's choice as to whether or not to apply for and or retain a driver's license or an identification card. The reason Wal-Mart and other businesses such as banks and insurance companies require a state issued ID is because they realize that the document was issued under the highest possible identity verification and protection standards.

Part of the validation process behind the West Virginia state issued ID is the technology insuring that all applicants are, who they represent themselves as being, by comparing the photo taken at the time of application at a DMV office with other photos stored in our system. This prevents an applicant from assuming another licensee's identity with fraudulent intent. It also comports to the provisions of WV Code §17B-1A-1 (Article V) as well as Federal law to ensure that an applicant's driving privileges have not been suspended by another state.

Pastor Butch Paugh

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I am aware that for a short time DMV had a program in place to issue driver's licenses without storing the photo. This program conflicted with the intent behind the requirement specified in WV Code §17B-2-8(a) requiring a color photo and §17B-2-8(c) which requires "the Division shall use such process or processes in the issuance of licenses that will, insofar as possible, prevent any alteration, counterfeiting, duplication, reproduction, forging or modification of, or the superimposition of a photograph on, the license." New driver's license systems such as the system installed in West Virginia are hardwired to automatically store digital photos with numerous safeguards to prevent altering or deletion of stored information. The cost to circumvent these safeguards is over \$55,000.

In accordance with the above cited statutory requirements and the need for identity verification, your request for an exception is not possible. If you wish to obtain a West Virginia driver's license or ID card, you must meet the same requirements that all other applicants for a West Virginia driver's license or ID card must meet.

Again, I appreciate the opportunity to respond to your concerns and if I can be of further assistance please feel free to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven O. Dale", is written over a horizontal line.

Steven O. Dale
Acting Commissioner

/em

Cc: The Honorable Earl Ray Tomblin
Governor of West Virginia