

(S. B. 57)

(No. 3-2024)

(Approved January 10, 2024)

AN ACT

To create the “Act to Benefit Government Retirees,” in order to grant retired employees of the Government of the Commonwealth of Puerto Rico a twenty-five (25) percent discount on the purchase of the Internal Revenue voucher required to apply for the official Government-issued Identification Card; amend Section 3.24 of Act No. 22-2000, as amended, known as the “Puerto Rico Vehicle and Traffic Act,” in order for the ID cards issued to government retirees to comply with the REAL ID Act; and for other related purposes.

STATEMENT OF MOTIVES

Countless people in Puerto Rico do not have a driver’s license or other form of identification. It is a well-known fact that a valid Government-issued ID is required to confirm an individual’s identity when carrying out transactions with the Government or a private entity.

Also, citizens may use the U.S. Passport as alternative identification. However, passport application costs are high and this, coupled with the financial crisis that Puerto Ricans are experiencing, makes it more difficult for people to obtain one. the Voter ID card is yet another option; however, it is not recognized for identification purposes and the use thereof is strictly voluntary. In fact, the “REAL ID Act of 2005” prohibits requiring a person to show his or her Voter ID card for any public or private purpose, other than an election-related purpose, unless the voter does so voluntarily.

Furthermore, Act No. 3-2013 amended Act No. 447 of May 15, 1951, as amended, known as the “Retirement System Act,” whereby a series of austerity measures were imposed on the Additional Benefit Program and the Retirement System for Employees of the Government of the Commonwealth of Puerto Rico. Some of the measures include a reduction in the Medication Bonus, in the Christmas Bonus, and the Government’s contribution to the health benefits of pensioners who have had to endure the impact of these cuts.

In view of the financial crisis and seeking to assist the population most affected by the austerity measures implemented due to the Government’s fiscal situation in past years, it is a compelling interest and the public policy of this administration to mitigate the economic and emotional burden borne by this sector of the population that gave so much to Puerto Rico.

For all of the above, this Legislative Assembly deems it appropriate to pass this measure, because it shall provide government pensioners with an identification alternative at a reasonable cost and serve the purpose of establishing an official ID issued by the Government of the Commonwealth of Puerto Rico to be used by pensioners who do not have a valid ID for any reason whatsoever.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Title

This Act shall be known as the “Act to Benefit Government Retirees.”

Section 2.- Definitions

For the purposes of this Act, the following terms shall have the meanings stated below, unless the context provides otherwise:

- 1) Department – shall mean the Department of Transportation and Public Works.
- 2) Government – shall mean the Government of the Commonwealth of Puerto Rico, which shall include all agencies, departments, offices, commissions,

boards, administrations, bodies, and all other entities of the Government of the Commonwealth of Puerto Rico, whose budgets are funded, in whole or in part, by the General Fund. For the purpose of this definition and the application of this Act the Municipalities, agencies with special state funds, public or public-private corporations or instrumentalities operating as private enterprises or businesses with their own funds (except for those with their own retirement systems) and the Judicial Branch (except for judges, who have their own retirement system) shall also be included.

3) Retiree – shall mean any person who receives any pension or benefit from the System.

4) Secretary – shall mean the Secretary of the Department of Transportation and Public Works of Puerto Rico.

5) System – shall mean the Retirement System for Employees of the Government of the Commonwealth of Puerto Rico and the Teachers Retirement System.

6) Identification Card – shall mean a certificate issued by the Secretary to a person who does not have a driver's license to be used for identification purposes. It may be issued as a certificate and as a digital ID.

Section 3.- Government Retiree Identification Card

Any Government retiree who does not hold a driver's license shall be entitled to receive a REAL ID Act-compliant identification card issued by the Department.

At the time of filing the application for the identification card, retirees shall submit to the Department a certification issued by the Retirement System certifying that he or she is a Government retiree.

Section 4.- Benefit.

A Government retiree who does not hold a valid ID shall be entitled to claim a twenty-five (25) percent discount on the purchase of the Internal Revenue voucher

required to obtain the identification card issued in the REAL ID format. The discount provided herein shall not apply to any other voucher, or in the case of loss or theft.

Section 5.- Card Validity Period.

The Government retiree identification card shall be valid for eight (8) years; provided, it is not suspended or revoked.

Section 6.- Contents of the Card.

The card shall bear the identification number assigned by the Secretary and contain the information allowed by law that is necessary to duly identify the person whose picture appears therein, pursuant to the provisions of the REAL ID Act.

Section 7.- Exception.

Any person who holds the identification card and later decides to obtain a Driver's License shall surrender the identification card. If the identification card is lost, the person shall submit an affidavit stating such fact as well as any documentation prescribed by the Secretary through regulations in order to obtain a new one. This shall not apply if the card expired.

Section 8.- Authorization.

The legal guardian of a disabled government retiree is hereby authorized to apply for the identification card on behalf of the latter.

Section 9.- Section 3.24 of Act No. 22-2000, as amended, known as the "Puerto Rico Vehicle and Traffic Act," is hereby amended to read as follows:

"Section 3.24.- Identification Cards.

Any person that is sixteen (16) years of age or older or a government retiree, who does not hold a driver's license may file an application with the Secretary to be issued an official identification card. Said application shall be enclosed with the requirements prescribed by the Secretary through regulations, who may impose reasonable fees for the issuance thereof. The card shall display the identification

number assigned by the Secretary and bear all the information allowed by Law that is necessary to duly identify the person whose photograph appears therein.

Identification cards shall be issued for an eight (8)-year period. The expiration date of the identification card shall coincide with the date of birth of the holder thereof.

Any person who holds a valid identification card and later decides to obtain a Driver's License shall surrender the identification card. If the identification card is lost, the person shall submit an affidavit stating such fact and meet any other requirement prescribed by the Secretary including, but not limited to, the payment of the required Internal Revenue Voucher in order to obtain a new one.

...”

Section 10.-Rulemaking Authority.

The Secretary of the Department of Transportation and Public Works and the Secretary of the Treasury are hereby directed to take any measures as appropriate to comply with this Act. It is hereby provided that the Secretary of the Department of Transportation and Public Works shall amend the regulations or adopt new regulations to establish the procedures and requirements for issuing the identification card within one hundred and twenty (120) days of the approval of this Act.

Section 11.- Severability Clause

If any section, subsection, paragraph, clause, or part of this Act were held to be unconstitutional by a Court, the holding to such effect shall not affect, impair, or invalidate the remainder of this Act. The effect of said holding shall be limited to the section, subsection, paragraph, clause, or part of this Act thus held to be void or unconstitutional.

Section 12.- Effectiveness.

This Act shall take effect upon its approval.