

Why It Makes Law Enforcement Sense for All California Drivers to Be Eligible for Driver's Licenses

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California law enforcement officers have a compelling interest in ensuring that all California drivers have access to driver's licenses. Unlicensed and uninsured drivers make police officers' jobs more difficult, less efficient, and riskier. Stopping, arresting, jailing, and prosecuting unlicensed drivers is a burden on the criminal justice system and diverts law enforcement resources from other critical functions.

Unlicensed and uninsured drivers create a public safety challenge for law enforcement

Unlicensed drivers are untested and uninsured.

- Ensuring that drivers obtain a license is a simple matter of public safety. To get a license, drivers are tested to ensure that they know the rules of the road.
- If drivers can't get a license, they generally can't get car insurance. About 15 percent of all California motorists are uninsured, costing other drivers billions of dollars per year.¹
- AAA found that unlicensed drivers are almost five times more likely to be involved in a fatal crash than licensed drivers are.² In California, approximately 10 percent of drivers involved in fatal crashes were unlicensed.³ Uninsured motorists increase the probability of fatal car crashes.⁴
- New Mexico, which has issued driver's licenses regardless of drivers' immigration status since 2003, has experienced a significant decline in traffic fatalities since then,

¹ See "Recession Marked by Bump in Uninsured Motorists," an Insurance Research Council news release, April 2011, www.insurance-research.org/sites/default/files/downloads/IRCUM2011_042111.pdf.

² *High-Risk Drivers Fact Sheet* (AAA Foundation for Traffic Safety, undated), www.aaafoundation.org/sites/default/files/UnleasedToKill2.pdf.

³ *Unlicensed to Kill* (AAA Foundation for Traffic Safety, Nov. 2011), www.aaafoundation.org/sites/default/files/2011Unlicensed2Kill.pdf, p. 11 (Table 4).

⁴ J. Tim Query and Risa Kumazawa, *Examining the Impact of Issuing Driver's Licenses to Undocumented Immigrants* (National Association of Insurance Commissioners, 2011), http://business.nmsu.edu/~tquery/research/UM-NM_%20FINAL%20JIR%20VERSION.pdf, p. 1.

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as well as a decline in alcohol-related traffic fatalities.⁵ Since New Mexico made this change, its rate of uninsured motorists fell from 33 percent to under 9 percent.⁶ Moreover, the state is able to “keep track of immigrants’ DWI violations, revocations, interlock and sentence compliance.”⁷

Unlicensed drivers are more likely to flee the scene of an accident.

- Unlicensed drivers are more likely to leave the scene of a crash than are licensed drivers. Many hit-and-runs in California are caused by undocumented “immigrants who flee because they’re afraid of being deported and having their vehicles taken because they’re driving without licenses.”⁸
- A 2003 analysis done by *San Francisco Chronicle* reporters found that hit-and-runs accounted for 7.8 percent of California’s fatal crashes in 2001, an increase of 19 percent from two years earlier. Inability to obtain a license was a major factor. According to the reporters, “Drivers who not only face possible arrest or citation but also risk being deported or losing their driving privileges are more likely to speed away from an accident, law enforcement officials said.”⁹

Driver’s licenses help law enforcement officers perform their jobs more safely, effectively, and efficiently

- Driver’s licenses enable law enforcement officers to identify the drivers they stop, evaluate if there is a threat to the officer’s safety, and check the driver’s traffic and criminal record.
- According to a senior program manager at the International Association of Chiefs of Police (IACP) Technology Center, “Establishing identity is important because it enables the officer to determine whether the person, if operating a motor vehicle, has a valid and appropriate driver’s license; whether the person poses an immediate threat to the officer or to others; and whether the person is wanted in this or another jurisdiction. Additionally, it enables the officer to determine whether there are any

⁵ *New Mexico Traffic Crash Annual Report 2010* (New Mexico Dept. of Transportation, Feb. 2013), www.unm.edu/~dgrint/reports/annual/ar2010.pdf, pp. 8, 111.

⁶ Al Berryman and Tim Query, “Uninsured Motorists in New Mexico: The MVD Insurance Identification Database,” *New Mexico Business Outlook*, May 2009, <http://bbrs.nmsu.edu/nmbizoutlook/archive/May2009/article1.htm>. (Note that there is some conflicting research from the Insurance Research Council, which relies on different measures.)

⁷ *Safe Road Facts* (Somos Un Pueblo Unido, undated fact sheet published on their “Licensed Drivers Mean Safe Roads” website), www.saferoadsnm.com/facts.

⁸ Dennis Romero, “How to Get Away with a Hit-and-Run in Los Angeles,” *L.A. Weekly*, Dec. 6, 2012, http://blogs.laweekly.com/informer/2012/12/hit_and_run_los_angeles_lapd.php.

⁹ Michael Cabanatuan and Erin McCormick, “California’s Hit-and-Run Crisis: More Flee Fatal Accidents Here Than Any Other State,” *San Francisco Chronicle*, July 27, 2003, www.sfgate.com/news/article/California-s-hit-and-run-crisis-More-flee-fatal-2600048.php.

restrictions on the driver’s license of that person and whether the subject has a criminal record that may have relevance to the current situation (for example, whether the person is on probation with a curfew or geographic restrictions or other conditions).”¹⁰

- Police can use their resources more efficiently when drivers have licenses. According to Art Venegas, former Sacramento police chief, “The question is an economic one for police, because every time we stop someone who has no identification, it takes a lot of manpower to identify that person. An officer will spend up to two or three hours to determine who an arrestee is.”¹¹
- Police can do their jobs more effectively and their communities are safer when people are willing to come forward as witnesses and victims of crime, knowing that they have licenses and identification cards to identify themselves.
- Collectively, the driver’s license database is the largest law enforcement database in the country, providing vast personal information, including photographs, that is updated regularly as drivers renew their licenses.¹² Security technologist and prolific author on security-related issues Bruce Schneier points out that “The state driver’s license databases are . . . more complete, and contain more information . . . than the IRS database, the Social Security database, or state birth certificate databases. As such, they are an invaluable police tool — for investigating crimes, tracking down suspects, and proving guilt.”¹³

¹⁰ David J. Roberts, “Verifying and Establishing Identity: A Priority in Public Safety Operations,” Technology Talk, *The Police Chief* (Nov. 2011), www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=2537&issue_id=112011, pp. 76–77.

¹¹ *Voices from Across the Country: Local Law Enforcement Officials Discuss the Challenges of Immigration Enforcement* (Police Executive Research Forum, 2012), www.policeforum.org/library/immigration/VoicesfromAcrosstheCountryonImmigrationEnforcement.pdf, p. 15.

¹² Margaret D. Stock, “Driver Licenses and National Security: Myths and Reality,” *10 Bender’s Immigration Bulletin*, Mar. 1, 2005, <http://w3.lexisnexis.com/practiceareas/immigration/pdfs/web785a.pdf>.

¹³ Bruce Schneier, “Giving Drivers Licenses to Illegal Immigrants,” *Schneier on Security*, Feb. 13, 2008, www.schneier.com/blog/archives/2008/02/giving_drivers.html.