

## Immigrant Licensure What is Happening in Other States

### **What are other States doing to support immigrant license access?**

Nationwide state legislatures are creating and moving legislation to ensure roadway safety for all. These policies are being adopted to decrease the number of unlicensed and uninsured drivers and increase public safety.

#### Current States

Earlier this year, Illinois expanded Temporary Visitor Driver's Licenses (TVDL) to undocumented immigrants. The 65-46 House vote was made possible by 11 Republicans, some in leadership positions, joining the majority of the State's Democrats to enact the legislation.

#### **Key votes including**

- The Illinois House Republican Caucus Leader, Tom Cross
- Deputy Leader, David Leitch
- Assistant Leader, Dan Brady
- Assistant Leader, Jim Durkin

New Mexico enacted legislation to issue driver's licenses to immigrants who lack Social Security numbers in 2003. Utah enacted similar legislation in 1999. In 2005, this legislation was amended to provide for 'driving privilege cards (DPCs)' to these motorists as opposed to licenses. Washington State also allows undocumented immigrants to be licensed.

#### Conservative Legislatures

Bipartisan support has similarly been helpful in moving similar legislation in **Indiana** (SB 550), **Iowa** (SF 283), **Kentucky** (HB 396), and **Texas** (HB 152). In **Florida**, Republican Senator Rene Garcia sponsored the bill (S 1304).

#### Regional Legislatures

Regionally many states and the District of Columbia are moving similar legislation including **Connecticut** (SB 68 and SB 628), **New York** (A 3109) and **Vermont** (S 38). In the **District of Columbia** Councilmembers Phil Mendelson and Jim Graham have also sponsored similar legislation to SB 715. Maryland has the opportunity to lead the wave of states looking to pass license access to all immigrants.

## INTRODUCED LEGISLATION 2013

State	No.	Status
CA	<a href="#">AB 60</a>	Assigned to Transportation Committee
CT	<a href="#">SB 68</a>	Reserved for Subject Matter Public Hearing Transportation Committee
IN	<a href="#">SB 550</a>	Assigned to Committee on Homeland Security, Transportation and Veterans Affairs
FL	S 1304	Assigned to Transportation Committee
IA	SF 283	Bill introduced
KY	<a href="#">HB 396</a>	<b>Transportation Committee reported favorably Feb. 27<sup>th</sup>.</b>
MA	<a href="#">HD 3277</a>	Filed
NC	<a href="#">HB 141</a>	Filed
NY	<a href="#">A 3109</a>	Assigned to Transportation Committee
DC		Sponsored
VT	<a href="#">S 38</a>	Assigned to Committee on Transportation.

### What has been the impact in the states that have license access?

#### I. Rates of Uninsured Motorists

##### a. Overall:

- i. A driver's license increases the willingness of immigrant witnesses and victims to cooperate with law enforcement officers and aid in criminal investigations.<sup>1</sup>
- ii. By allowing undocumented immigrants to apply for and receive driver's licenses, the state has the opportunity to become aware of the names and addresses of many undocumented immigrants who would otherwise remain in the shadows.<sup>2</sup>

##### b. New Mexico:

New Mexico's rate of uninsured vehicles decreased from 33 percent in December 2002, before their drivers license law was enacted in 2003, to less than 9.1 percent in 2011<sup>3</sup>. The study compared the total number of registered vehicles to the total number of vehicles with an insurance policy.

##### c. Utah:

When Utah changed its policy in 1999, Utah's uninsurance rate dropped from 10% in 1998 to 8% in 2009.

<sup>1</sup> *Insurance Journal*, "Parting Shots, Licensing All Drivers", October 6, 2003.

<sup>2</sup> *Insurance Journal*, "Parting Shots, Licensing All Drivers", October 6, 2003.

<sup>3</sup> <http://www.abqjournal.com/main/2012/07/09/news/effects-on-insurance-unclear.html> (Note: there is some conflicting research from the Insurance Research Council) see also: "Effects on Insurance Unclear," *Albuquerque Journal*, July, 9, 2012, <http://www.abqjournal.com/main/2012/07/09/news/effects-on-insurance-unclear.html>; see also: One America's testimony before February 17, 2011 -Testimony on Behalf of OneAmerica in Opposition to HB1577, before the House Transportation Committee.

## II. Accident Rates

### a. New Mexico:

From 2003 to 2009, New Mexico had a 24% decline in alcohol-involved crashes, from 3,566 in 2003 to 2,698 in 2009.<sup>4</sup>

### b. Utah

From 1999 to 2010, Utah had a 16% decline in alcohol-involved crashes, from 2,045 in 2003 to 1,723 in 2010.<sup>5</sup>

## III. Fatal Crashes

### a. Overall:

According to a report released by the AAA Foundation in 2011, unlicensed drivers are five times more likely to be in a fatal car accident. Approximately 18.2% of all fatal crashes involved a driver who was either unlicensed or invalidly licensed, resulting in the deaths of 21,049 people.<sup>6</sup>

### b. New Mexico:

- i. Number of fatal crashes in New Mexico in 2002 = 398<sup>7</sup>
- ii. Number of fatal crashes in New Mexico in 2010 = 314<sup>8</sup>
- iii. Traffic fatalities, 2002: 449<sup>9</sup>
- iv. Traffic fatalities, 2010: 346<sup>10</sup>
- v. Alcohol-related crashes, 2002: 3566<sup>11</sup>
- vi. Alcohol-related crashes, 2010: 2426<sup>12</sup>
- vii. Alcohol-related fatal crashes, 2002: 198<sup>13</sup>
- viii. Alcohol-related fatal crashes, 2010: 129<sup>14</sup>
- ix. From 2002 to 2009, New Mexico had more than a 30% decline in alcohol-involved fatalities. In 2002, New Mexico had 221 alcohol-involved motor vehicle deaths; by 2009, that number dropped to 152.<sup>15</sup>

### c. Utah

- i. Number of fatal crashes in Utah in 2005 = 235<sup>16</sup>
- ii. Number of fatal crashes in Utah in 2010 = 202<sup>17</sup>

## IV. Savings Associated

<sup>4</sup> University of New Mexico, Division of Government Research; <http://www.unm.edu/~dgrint/reports/annual/annrept09.pdf>

<sup>5</sup> Utah Department of Public Safety Highway Safety Office; Utah Crash Facts. <http://publicsafety.utah.gov/highwaysafety/1999-2005.html>.

<sup>6</sup> AAA Foundation for Traffic Study "Unlicensed to Kill," Nov. 2011.

<http://www.aaafoundation.org/multimedia/index.cfm?button=researchreports>.

<sup>7</sup> University of New Mexico, Division of Government Research, <http://www.unm.edu/~dgrint/reports/annual/ar2010-9-19-2012draft.pdf>.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> University of New Mexico, Division of Government Research, <http://www.unm.edu/~dgrint/reports/annual/annrept02.pdf>

<sup>12</sup> University of New Mexico, Division of Government Research, <http://www.unm.edu/~dgrint/reports/annual/ar2010-9-19-2012draft.pdf>.

<sup>13</sup> University of New Mexico, Division of Government Research, <http://www.unm.edu/~dgrint/reports/annual/annrept02.pdf>

<sup>14</sup> University of New Mexico, Division of Government Research, <http://www.unm.edu/~dgrint/reports/annual/ar2010-9-19-2012draft.pdf>.

<sup>15</sup> New Mexico Motor Vehicle Division — S.U. Mahesh, Public Relations Chief, Department of Transportation.

<sup>16</sup> Insurance Institute for Highway Safety, 2012, analysis of data from analysis of data from the [U.S. Department of Transportation's](http://www.fhwa.gov/ohrt/transportation/fatality) Fatality Analysis Reporting System (FARS): <http://www.iihs.org/research/fatality.aspx?topicName=Statebystateoverview>.

<sup>17</sup> Insurance Institute for Highway Safety, 2012, analysis of data from analysis of data from the [U.S. Department of Transportation's](http://www.fhwa.gov/ohrt/transportation/fatality) Fatality Analysis Reporting System (FARS): <http://www.iihs.org/research/fatality.aspx?topicName=Statebystateoverview>.

**a. New Mexico**

- i. Because individuals are more likely to buy and maintain car insurance with a valid license, New Mexico has a very high mandatory car insurance compliance rate of above 90%.<sup>18</sup>
- ii. Since 2003, car insurance premiums have dropped in New Mexico and fewer people are fleeing the scene of a traffic accident.<sup>19</sup>

**b. Washington**

According to a 2011 state of Washington fiscal note issued regarding the potential fiscal impact if the state passed restrictions based on immigration status, there would be a \$6 million loss of revenue over the next six years.<sup>20</sup>

**V. Fraud Prevention**

**a. New Mexico**

- i. Allowing undocumented immigrants to apply for driver's licenses is not a reward for breaking the laws of this country nor is it an offer of sanctuary; it is a safeguard to help ensure that all drivers on New Mexico's roads can apply for driver's licenses and can be insured.<sup>21</sup>
- ii. Fraud in driver's license applications has only been detected in 5% of the overall applications submitted to the Tax Fraud Investigations Division (TFID) of the Taxation and Revenue Department for review.<sup>22</sup>
- iii. An ongoing audit found that more than 99% of foreign national drivers in New Mexico who received driver's licenses used their correct identity.<sup>23</sup>

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<sup>18</sup> New Mexico Motor Vehicle Division — S.U. Mahesh, Public Relations Chief, Department of Transportation.

<sup>19</sup> National Immigration Law Center — Tyler Moran, Policy Director.

<sup>20</sup> State of Washington 2011 fiscal note: <https://fortress.wa.gov/ofm/fnspublic/legsearch.asp?BillNumber=5407&SessionNumber=62>.

<sup>21</sup> Insurance Journal, "Parting Shots, Licensing All Drivers", October 6, 2003.

<sup>22</sup> New Mexico Motor Vehicle Division — S.U. Mahesh, Public Relations Chief, Department of Transportation.

<sup>23</sup> New Mexico Motor Vehicle Division — Ken Ortiz, Director.