

SB13-251: The Colorado Road & Community Safety Act

We should all feel safe driving on our roads. But in 1999, the law changed to bar some of our taxpaying immigrant neighbors from getting driver's licenses, leaving them without the ability to take the driver's test, get a license, register their car, and buy insurance. This is not safe. And the police have a hard time verifying their identities, too.

The Colorado Road and Community Safety Act, SB13-251, will make us safer by allowing immigrants who pay taxes, prove their identity, pass the driver safety test, and pay an additional fee to get a modified driver's license or identification card. Ensuring that everyone on our roads is a licensed, trained, insured driver, and also making sure that police can check the identity of residents they contact, will make our roads and communities safer.

SB13-251 FREQUENTLY ASKED QUESTIONS

What would the Colorado Road and Community Safety Act do?

Under current law, every applicant for a driver's license must pass the written and driving tests, meet basic Colorado residency standards, and pay the fee for the license. In addition to these requirements, SB13-251 authorizes the Department of Revenue to issue a modified driver's license or ID card to a Colorado resident who establishes proof of identity and long-term residency with:

- 1) Certification from the Department of Revenue that the applicant has paid Colorado taxes; and
- 2) a federal individual tax identification number (ITIN); and
- 3) an identity document issued by the applicant's country of origin (passport, consular identification card, or military ID).

What is a modified driver's license? Will licenses be REAL ID compliant?

SB13-251 requires that modified driver's licenses be clearly marked as not REAL ID compliant on its front. Modified driver's licenses will otherwise remain the same color and have the similar design as standard driver's licenses. Colorado would be the second of thirteen REAL ID compliant states to issue modified licenses under SB13-251 to individuals with temporary or no immigration status. Modified licenses will not be used for federal identification purposes, and all other standard licenses issued by the Department of Revenue will continue to be compliant with REAL ID.

Who would receive a modified driver's license or identification card?

Coloradans with temporary or no immigration status (including Temporary Protected Status holders, Deferred Action recipients, student visa holders, temporary workers, individuals with pending applications to adjust their immigration status, and undocumented Coloradans) who are able to prove payment of Colorado taxes and provide identifying documents from their country of origin would be eligible to apply for a modified Colorado driver's license or identification card.

U.S. citizens, lawful permanent residents (LPRs), asylees, and refugees would continue to receive standard driver's licenses and identification cards.

How would SB13-251 interact with immigration reform?

Today, we are closer than ever to passing a comprehensive immigration reform package that balances our history as a nation of immigrants and the rule of law. All Coloradans recognize that it's time to find solutions to the problems we face rather than finding blame. SB13-251 aligns closely with the principles outlined in the federal reform package by encouraging immigrant Coloradans to make themselves known to federal and state government, demonstrate their taxpayer history, and be responsible drivers on our roads. Ensuring that all Colorado drivers are licensed and tested is a commonsense, win-win solution that we can act upon now. If Congress does pass immigration reform this year, there will be at least a year dedicated to implementation. Passing SB13-251 will require Coloradans with temporary or no immigration status to register, pay taxes, and pass the driver's test -- and our roads and communities will be safer as a result.

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SB13-251 is supported by...

Law enforcement and legal organizations, including:

ACLU of Colorado
Colorado Association of Chiefs of Police
County Sheriffs of Colorado
Meyer Law Office, PC

More than 150 congregations and faith groups, including:

Alianza Ministerial Evangelista
American Friends Service Committee (AFSC)
Colorado Catholic Conference
Colorado Council of Churches
People of Faith for Social Justice
The Interfaith Alliance of Colorado

Lead civil rights organizations, including:

9 to 5 Colorado	Guatemala Network (RedGua)
Asian Pacific Americans for Progress – CO	Hispanic Affairs Project of Montrose and Grand Junction
AFSCME Council 76	Jobs With Justice
Centro de los Pobres of Pueblo	La Bola Negra Association
Colorado Immigrant Rights Coalition	Longmont Youth for Equality
Colorado Latino Forum	ONE Colorado
Colorado Organization for Latina Opportunity and Reproductive Rights	Padres y Jóvenes Unidos
Colorado Progressive Coalition	Rights for All People
Compañeros: Four Corners Immigrant Resource Center	Safehouse Progressive Alliance for Nonviolence
Denver Fair Food Committee	Student Farmworker Alliance – Denver
El Centro Humanitario	Together Colorado

....and over 380 small businesses from throughout the state!

*“These are our neighbors. Let’s let them drive legally.”
– Denver Post Editorial Board, April 7, 2013*

THE DENVER POST

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Let non-citizens apply for Colorado driver's licenses

SB 251 would ensure immigrants have minimum driving skills and encourage them to get insurance, making the roads safer.

By The Denver Post Editorial Board

Posted: 04/07/2013 12:01:00 AM MDT

Democratic state Sen. Jessie Ulibarri of Commerce City is proposing legislation that would allow non-citizens to get Colorado driver's licenses.

As we've said in the past, allowing non-citizens — whether they are in the country legally or illegally — who work here and pay taxes to be licensed to drive makes sense on several levels. Such a law would ensure that immigrants have minimum driving skills and encourage them to get insurance, which in turn would make the roads safer for the rest of us.

Under Senate Bill 251, illegal immigrants would be required to show proof they are paying state and federal income taxes and have an identification card from their country of origin in order to get the licenses.

New Mexico and Washington have allowed illegal immigrants to get driver's licenses, and Illinois has just passed such a law this year. Connecticut is considering such a proposal.

Ulibarri's bill comes after an effort to place such a proposal on the ballot last year failed when poorly funded organizers couldn't collect enough signatures.

But the effort also comes as Congress is on the verge of a major deal on immigration that would allow many guest workers in the country and enable millions of illegal immigrants to undertake a 13-year path to citizenship.

And Ulibarri's proposal also comes as the state legislature this year, after many unsuccessful tries previously, passed a bill allowing illegal immigrants who are Colorado high school graduates to receive in-state tuition. The legislature also is poised to repeal a 2006 law that requires local law enforcement officials to report suspected illegal immigrants who've been arrested to federal authorities.

Some immigrant rights supporters have expressed concern over a provision in the bill to require licenses have the word "noncitizen" printed on the back, a requirement likely meant to assuage concerns the licenses could be used in voter fraud.

But we note that under the bill, all noncitizens, including legal permanent residents, would be issued the licenses, so there would be no stigma against undocumented immigrants in particular.

The bill and other recent steps move Colorado toward the larger goal of legalizing or at least acknowledging — rather than marginalizing — the tens of thousands of non-citizens who are in our state for extended periods of time, if not permanently.

It's delusional to suggest that those not in the country legally self-deport. That's not going to happen, and we should instead be focused on assimilating them into our society.

These are our neighbors. Let's let them drive legally.

Bill would OK licenses for illegal immigrants

Vic Vela | Posted: Tuesday, April 16, 2013 10:28 am

Colorado residents who are in the country illegally may soon be able to obtain driver's licenses, after a bill proposing such a measure passed a state legislative committee on April 10.

State Senate Bill 251 would allow immigrants to apply for state-issued IDs that are only meant to be used for driving purposes.

Democratic Sen. Jessie Ulibarri of Commerce City, the bill's sponsor, said during an April 10 Senate Judiciary Committee hearing that the measure would result in a reduction of unlicensed and uninsured motorists in Colorado.

Ulibarri said immigrants are driving anyway, and that it's in everyone's benefit that they are doing so lawfully and are carrying proper insurance.

"At some point we must recognize that our (immigrant) neighbors are here," Ulibarri said.

"We see them every day in the grocery store. We see them in our local communities, at church or passing by at school. To have a system that ignores their presence means we have a policy that really discourages honesty, and it's at the expense of public safety."

The bill would require immigrants to show certain types of legal documentation whenever they seek a driver's license, such as an ID from their country of origin and proof that they have filed state income taxes. That's in addition to standard driving tests.

Those who obtain these "separate category" types of licenses would not be able to use them to board airplanes or to register to vote.

Ulibarri cited statistics from neighboring states that have similar laws, including Utah and New Mexico, where he said the numbers of uninsured drivers have dropped significantly over the years. Denver Police Sgt. Michael Farr testified that the bill would help law enforcement agencies' relationships with the immigrant community in investigating crimes, and would result in fewer drivers leaving the scenes of accidents.

Other witnesses provided personal narratives about the challenges associated with not being able to obtain driver's licenses.

Esmeralda Dominguez of Denver testified that she is a U.S. citizen, but that her husband is not. She said they have a son who must attend several medical appointments a week, and that she is the only one who can take him because her husband cannot legally drive.

"This issue has nothing to do with ... immigration issues," she said. "(My husband) qualifies for (legal status), but that's taking a long time. This is affecting my family. It is an everyday issue we're dealing with."

No one testified in opposition to the bill, which passed the Democratic-controlled committee on a 3-2 party-line vote. Republican Sen. Kevin Lundberg of Berthoud, a committee member, told Ulibarri he had "several concerns with this bill on several levels."

He said he doesn't think the measure would make the roads safer and that he is concerned that more people would come to Colorado illegally, for such a privilege.

"This is one more step down the road toward amnesty," Lundberg said. "It creates a magnet."

The bill now heads to the full Senate for a vote.



JOE PELLE
Sheriff

Boulder County Sheriff's Office

March 28, 2013

SUPPORT FOR THE COLORADO ROAD AND COMMUNITY SAFETY ACT:

Unlicensed and uninsured drivers pose a far greater risk every day to our community and the motoring public, than the immigration status of the driver does. It is a simple matter of public safety and financial responsibility to try and license and insure as many drivers as possible. Currently Colorado law does not allow this for undocumented immigrants.

States who have implemented laws allowing the issuance of driver's licenses to undocumented immigrants have seen dramatic increases in the number of licenses issued. They have subsequently had decreases in the number of unlicensed drivers on the road.

The sponsor of this bill has worked hard with stakeholders to require adequate and reliable forms of identification, and proof of residency before issuing a Colorado driver's license. This will help to ensure that these documents are accurate, legal, and reliable forms of identification.

For the all these reasons, I support this bill.

Sincerely,

Sheriff Joe Pelle