



Safety First!

Opposing Efforts to Undermine Public Safety by Eliminating or Restricting Access to Driver's Licenses

Every year for more than a decade, the Washington State legislature and our citizens have **rejected efforts to put inflammatory politics above sound policy** by restricting or eliminating access to driver's licenses for undocumented immigrant taxpayers. They have done this recognizing that **safety is the most important consideration**, and changing our sound policies around driver's licenses would harm every level of the economy from the family pocketbook to the state budget. This year, at least six bills (HB1577, HB1459, SB5138, SB5407, SB5006, SB5335) have been introduced that again propose to restrict who can get a driver's license. Bills currently under consideration (SB5407/HB1577) propose creating a two-tiered system, with those who cannot prove citizenship being issued a drivers' permit that is marked "not for identification purposes." Listed below are the **primary reasons why this approach is bad policy that decrease safety on the roads for all residents of Washington and have severe negative implications for major industries in our economy.**

- **In a dire budget time, changing our drivers' license laws will cost the state \$6.4 million in the 2011-2013 biennium and \$23.1 million through 2017 (OFM fiscal note on HB1577).** The new identification requirements for driver's licenses will require new funds for training on immigration documents and result in additional time and resources spent on processing driver's license applications. In fact, in addition to costing a lot of money, HB1577 would "require three minutes of additional staff time per customer" at DOL facilities.
- **The two-tiered approach will keep undocumented immigrant taxpayers from getting licenses but not stop undocumented immigrant taxpayers from driving, since livelihoods and industries rely on workers who drive.** Undocumented immigrants will not get a license that is labeled "not for identification purposes," because it will brand them as undocumented and alert law enforcement and other individuals to their immigration status. The two-tiered license jeopardizes undocumented immigrant parents' ability to stay with their families and children and, thus, will not be widely used.
- **Eliminating or restricting drivers' licenses undermines public safety for all Washington state drivers.** The reality is that our roads are safest when we license as many drivers as possible and we ensure that they have insurance. Under HB1577 and SB5407, undocumented immigrants will drive without licenses, without having passed road safety tests and without access to auto insurance. According to the AAA Foundation, unlicensed drivers are five times more likely to be in a fatal car accident. When New Mexico changed their law to allow undocumented immigrants to obtain driver's licenses, the rate of uninsured drivers in that state dropped from 33 percent in 2002 to 10.6 percent in 2007. Everyone is safer when all drivers are licensed and insured.
- **Restricting drivers' licenses to the undocumented population drives up insurance premiums for ALL residents.** Washington State currently has auto insurance rates well below the national average. The New York State Department of Insurance estimated that expanding license access for the undocumented population would reduce the premium costs associated with uninsured motorist coverage by 34% and save New York drivers \$120 million. Eliminating access would have the reverse effect, costing all Washington residents money during difficult economic times.



- **State law enforcement and judicial efforts are undermined by drivers' license restrictions.** Driver's license restrictions cause immigrants—including domestic violence victims, victims of crime, or those who have information that is useful to law enforcement—to avoid contact with state and local law enforcement and be unwilling to report crimes that assist local law enforcement in community policing activities. The undermining of trust in the immigrant community only makes the entire community less safe. In addition, increasing the number of unlicensed and uninsured drivers on the road will take up valuable law enforcement resources and congest courts, instead of spending scarce resources on violent and dangerous criminals.
- **The Department of Licensing (DOL) already requires [proof of residency](#) for driver's without social security numbers, so the bills will not have an impact on access to licenses for out-of-state drivers.** In a November 4 [press release](#), DOL announced it would begin requiring proof of residency for drivers without social security numbers. The policy took effect on November 8 and the agency has not had sufficient time to analyze results.
- **Ensuring drivers' licenses for all drivers enhances national security; eliminating or restricting drivers' licenses for the undocumented population decreases security for all.** National security is enhanced when we can keep track of everyone who is here. Ironically, in 2005, the [Government Accountability Office](#) reported that US Immigration and Customs Enforcement found the driver's license databases to be more current than the DHS database.
- **The citizenship documentation requirements in HB1577 will disproportionately disenfranchise low-income individuals and female U.S. citizen populations, who are more likely to lack necessary documentation to prove citizenship.** According to a report out of the [Brennan Center for Justice at NYU School of Law](#), seven percent of U.S. citizens lack documentation to prove their citizenship. However, 12 percent of low-income individuals lack citizenship verification documents and 34 percent of voting-age women lack citizenship documentation with their *current* legal name.
- **Denying driver's licenses for the undocumented will not solve the broken immigration system.** While it may be tempting to take out the public frustration with the lack of movement on comprehensive immigration reform, restricting or eliminating driver's licenses does not solve the issues of needing to find a solution for our broken immigration system. Instead, it simply decreases safety and increases costs to the state's residents and to state government. It is incumbent on our state legislators to protect public safety and separately work towards realistic solutions not sound bites and partisan politics.
- **A two-tiered system will not work and will lead to the same consequences as elimination of driver's licenses.** The reality is that the two-tiered system simply places a target mark on the back of undocumented immigrants by differentiating them from those who have regular driver's licenses. Two-tiered systems in other states (such as Tennessee) have even been suspended, with tremendous challenges to those systems uncovered once the law was passed. In the current increased enforcement environment, such as a recent raid in Ellensburg, and inflamed anti-immigrant rhetoric, it is even more likely that undocumented immigrants will not apply for driver's permits that further identify them as undocumented. A two-tiered approach also makes police departments vulnerable to costly litigation around racial profiling charges. States that have passed similar policies have often found themselves dealing with unintended economic consequences.

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