



House of Representatives

General Assembly

File No. 210

February Session, 2004

Substitute House Bill No. 5048

House of Representatives, March 24, 2004

The Committee on Transportation reported through REP. COCCO of the 127th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE LAWFUL RESIDENCE OF APPLICANTS FOR MOTOR VEHICLE OPERATOR'S LICENSES AND IDENTITY CARDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2004*) (a) If the Commissioner of
2 Motor Vehicles issues a motor vehicle operator's license, in accordance
3 with the provisions of section 14-36 of the general statutes, as
4 amended, or an identity card, in accordance with the provisions of
5 section 1-1h of the general statutes, as amended, to any person who is a
6 resident of this state and not a citizen of the United States and whose
7 presence in the United States is, pursuant to any provision of federal
8 law, of limited duration, the commissioner shall, unless such person
9 presents evidence satisfactory to the commissioner that such person
10 has a pending application for change or extension of his or her
11 authorized presence in the United States under federal law or is a
12 beneficiary of the Immigration and Nationality Act, 8 USC 1101 et seq.,
13 restrict the validity of such motor vehicle operator's license or identity

14 card to a limited term to coincide with the period of such person's
 15 lawful presence in the United States. Any person who has been issued
 16 a motor vehicle operator's license or identity card under this
 17 subsection and has been granted an extension of stay or has obtained
 18 permanent resident status may request, and the commissioner shall,
 19 upon presentation of evidence satisfactory to the commissioner and
 20 surrender of the document that has been issued, issue to such person
 21 another motor vehicle operator's license or identity card bearing a new
 22 expiration date. The fee for any motor vehicle operator's license issued
 23 for a limited term shall be determined in accordance with subsection
 24 (b) of section 14-41 of the general statutes. Any person aggrieved by
 25 any decision of the commissioner made pursuant to this subsection
 26 shall be afforded an opportunity for a hearing, in accordance with the
 27 provisions of chapter 54 of the general statutes.

28 (b) The commissioner shall adopt regulations, in accordance with
 29 chapter 54 of the general statutes, to implement the provisions of
 30 subsection (a) of this section. The regulations shall require the conduct
 31 of regular training sessions for the staff of the Department of Motor
 32 Vehicles with regard to the recognition and verification of documents
 33 evidencing employment authorization and lawful presence in the
 34 United States.

This act shall take effect as follows:	
Section 1	July 1, 2004

TRA *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Motor Vehicle Dept.	TF - See Below	See Below	See Below

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

The bill requires the Department of Motor Vehicles to issue new applicants limited term driver’s licenses if the resident is not a citizen or permanent resident alien, and whose presence in this country is of a limited duration, for the term of the authorized stay or pending application for extension of their authorized stay in this country. The bill sets a fee of \$11 per year for a new license.

There is no fiscal impact anticipated to the department since the fee for the new license type is a prorating of existing driver’s license fees. The fee for a six-year driver’s license is \$65 and \$43 for a four-year term. Such applicants that would otherwise have received a 4 or 6-year driver’s license will instead receive, if eligible, a license good for the duration of their authorized stay.

OLR Bill Analysis

sHB 5048

AN ACT CONCERNING THE LAWFUL RESIDENCE OF APPLICANTS FOR MOTOR VEHICLE OPERATOR'S LICENSES AND IDENTITY CARDS**SUMMARY:**

The Department of Motor Vehicles (DMV) currently issues drivers' licenses for either a four- or six-year term as it phases in six-year licenses for all drivers. (People age 65 or older can request either a two- or a six-year license.) Non-driver photo identification cards are issued for four-year terms. This bill requires the DMV commissioner to issue a limited-term license or ID to a non-citizen state resident whose presence in the country is of limited duration pursuant to federal law. The term of the license or identification card must coincide with the period of the person's lawful presence in the United States. The requirement does not apply if the person (1) presents evidence satisfactory to the commissioner of a pending application for change or extension of his authorized presence in the country or (2) is a "beneficiary" of the federal Immigration and Nationality Act. It is unclear who might be considered a beneficiary of the federal immigration law but, in the broadest context, it could be read to mean anyone who benefits from any provision of federal immigration law.

If anyone issued such a limited license or ID card is granted an extension of stay or obtains permanent resident status, he may request another license or ID card bearing a new expiration date. To get this revised license or ID card, the person must provide the commissioner with satisfactory evidence of his extension of stay or change in status and surrender his previously issued license or ID card.

The bill requires the fee for any limited term license to be determined according to existing law that covers fees for original licenses, which can be for nonstandard terms. The \$10 fee for a non-driver photo ID card remains unchanged by the bill.

Anyone aggrieved by the commissioner's decision regarding issuance of a limited duration license or ID card must be given an opportunity for a DMV hearing.

The commissioner must adopt implementing regulations, which must require regular training sessions for DMV staff on recognizing and verifying documents that show employment authorization and lawful presence in the country.

EFFECTIVE DATE: July 1, 2004

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute
Yea 22 Nay 5