



Senate

General Assembly

File No. 189

January Session, 2005

Substitute Senate Bill No. 189

Senate, April 6, 2005

The Committee on Transportation reported through SEN. CIOTTO of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING MOTOR VEHICLE LICENSES FOR CERTAIN RESIDENTS WHO ARE NOT CITIZENS OF THE UNITED STATES AND RESIDENCY REQUIREMENTS FOR COMMERCIAL DRIVERS' LICENSES.

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

1 Section 1. (NEW) (*Effective July 1, 2005*) 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, or an
4 identity card, in accordance with the provisions of section 1-1h of the
5 general statutes, to any person who is a resident of this state and not a
6 citizen of the United States and whose presence in the United States is,
7 pursuant to any provision of federal law, of limited duration, the
8 commissioner shall, unless the person presents evidence satisfactory to
9 the commissioner that the person has a pending application for change
10 or extension of the authority of the person to be present in the United
11 States under federal law, restrict the validity of such motor vehicle
12 operator's license or identity card to a term limited to coincide with the

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

27 Sec. 2. (NEW) (*Effective July 1, 2005*) Before issuing a commercial
28 driver's license to an applicant, in accordance with the provisions of
29 section 14-44c of the general statutes, the Commissioner of Motor
30 Vehicles shall require the applicant to submit evidence satisfactory to
31 the commissioner that the applicant is a lawful resident of this state. As
32 used in this section, "lawful resident" means a resident of this state
33 who is a citizen of the United States, a permanent resident alien or a
34 temporary resident alien authorized to work in the United States for a
35 period of not less than one year from the date of application for a
36 commercial driver's license.

37 Sec. 3. (NEW) (*Effective July 1, 2005*) (a) The Commissioner of Motor
38 Vehicles shall adopt regulations, in accordance with chapter 54 of the
39 general statutes, to implement the provisions of sections 1 and 2 of this
40 act. The regulations shall require the conduct of regular training
41 sessions for the staff of the Department of Motor Vehicles with regard
42 to the recognition and verification of documents evidencing
43 employment authorization and lawful presence in the United States.

44 (b) Any person aggrieved by a decision of the commissioner made
45 pursuant to the provisions of section 1 or 2 of this act shall be afforded

46 an opportunity for an administrative hearing which shall be conducted
47 in accordance with the provisions of chapter 54 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	New section
Sec. 2	<i>July 1, 2005</i>	New section
Sec. 3	<i>July 1, 2005</i>	New section

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 06 \$	FY 07 \$
Department of Motor Vehicles	TF - None	None	None

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 \$66 and \$44 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

sSB 189

AN ACT CONCERNING MOTOR VEHICLE LICENSES FOR CERTAIN RESIDENTS WHO ARE NOT CITIZENS OF THE UNITED STATES AND RESIDENCY REQUIREMENTS FOR COMMERCIAL DRIVERS' LICENSES**SUMMARY:**

This bill (1) requires the motor vehicle commissioner, with exceptions, to issue limited-term driver's licenses and non-driver photo identification cards to non-citizen state residents that coincide with the period of their lawful presence in the United States; (2) requires applicants for commercial drivers' licenses to submit evidence to the commissioner that they are a lawful resident of the state and defines that term; and (3) establishes related requirements covering things such as the fee for limited term licenses, implementing regulations for the new requirements, and an opportunity for an administrative hearing for those aggrieved by the commissioner's decision regarding issuance of a limited-term license or a commercial driver's license under the bill's requirements.

EFFECTIVE DATE: July 1, 2005

LIMITED TERM DRIVERS' LICENSES FOR NON-CITIZEN RESIDENTS

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 presents evidence satisfactory to the commissioner of a pending application for change or extension of his authorized presence in the country.

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 a 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.

COMMERCIAL DRIVERS' LICENSES

The bill requires the commissioner to require submission of satisfactory evidence from an applicant for a commercial driver's license to show that he is a lawful resident of the state before issuing the license. It defines "lawful resident" as a resident of Connecticut who is a U.S. citizen, a permanent resident alien, or a temporary resident alien authorized to work in the United States for a period of at least one year from the date of the license application.

RELATED PROVISIONS

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

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 27 Nay 1