



# House of Representatives

General Assembly

**File No. 405**

January Session, 2015

House Bill No. 6366

*House of Representatives, April 2, 2015*

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT MAKING FOREIGN BIRTH CERTIFICATES A SECONDARY PROOF OF IDENTITY FOR A "DRIVE-ONLY" OPERATOR'S LICENSE.***

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

1 Section 1. Section 14-36m of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 (a) As used in this section:

4 (1) "Primary proof of identity" means documentation indicating the  
5 identity of an applicant for a motor vehicle operator's license in the  
6 form of (A) a valid foreign passport issued by an applicant's country of  
7 citizenship that is unexpired or expired for less than three years before  
8 an application for such motor vehicle operator's license, (B) a valid,  
9 unexpired consular identification document issued by an applicant's  
10 country of citizenship, or (C) a consular report of an applicant's birth in  
11 a foreign country.

12 (2) "Secondary proof of identity" means documentation indicating

13 the identity of an applicant for a motor vehicle operator's license in the  
14 form of (A) a valid, unexpired motor vehicle operator's license, with  
15 security features, issued by another state or country, (B) a valid foreign  
16 voter registration card, (C) a certified copy of a marriage certificate  
17 issued by any state or territory of the United States, or any political  
18 subdivision thereof, including any county, city or town, (D) a certified  
19 school transcript, [or] (E) a baptismal certificate or any similar  
20 document, or (F) an original birth certificate with a raised seal issued  
21 by a foreign country.

22 (3) "Proof of residency" means a piece of mail or electronic mail that  
23 includes an applicant's name and address, indicates that such  
24 applicant resides in the state and is dated, unless otherwise indicated,  
25 not earlier than ninety days before an application for a motor vehicle  
26 operator's license, from any two of the following sources: (A) A bill  
27 from a bank or mortgage company, utility company, credit card  
28 company, doctor or hospital, (B) a bank statement or bank transaction  
29 receipt showing the bank's name and mailing address, (C) a preprinted  
30 pay stub, (D) a property or excise tax bill dated not earlier than twelve  
31 months before such application, (E) an annual benefits summary  
32 statement from the Social Security Administration or other pension or  
33 retirement plan dated not earlier than twelve months before such  
34 application, (F) a Medicaid or Medicare benefit statement, (G) a current  
35 homeowner's insurance or renter's insurance policy or motor vehicle  
36 insurance card or policy dated not earlier than twelve months before  
37 such application, (H) a residential mortgage or similar loan contract,  
38 lease or rental contract showing signatures from all parties needed to  
39 execute the agreement dated not earlier than twelve months before  
40 such application, (I) any postmarked mail, (J) a change of address  
41 confirmation from the United States Postal Service indicating an  
42 applicant's current and prior address, (K) a survey of an applicant's  
43 real property issued by a licensed surveyor, or (L) any official school  
44 records showing enrollment.

45 (b) (1) Notwithstanding any provision of the general statutes or any  
46 regulation, the Commissioner of Motor Vehicles shall not decline to

47 issue a motor vehicle operator's license to any applicant who meets the  
48 licensure requirements provided in section 14-36 but who cannot  
49 establish that he or she is legally present in the United States or does  
50 not have a Social Security number if such applicant (A) submits proof  
51 of residency in the state, (B) submits either two forms of primary proof  
52 of identity or one form of primary proof of identity and one form of  
53 secondary proof of identity, and (C) files an affidavit with the  
54 commissioner attesting that such applicant has filed an application to  
55 legalize his or her immigration status or will file such an application as  
56 soon as he or she is eligible to do so. Any form of primary proof of  
57 identity, secondary proof of identity or proof of residency submitted to  
58 the commissioner that is in a language other than English shall be  
59 accompanied by a certified English translation of such document  
60 prepared by a translator approved by the commissioner.

61 (2) The commissioner shall not issue a motor vehicle operator's  
62 license under this section to any applicant who has been convicted of  
63 any felony in Connecticut.

64 (3) The commissioner shall administer a knowledge test to any such  
65 applicant after such applicant has submitted proof of residency and  
66 proof of identity that satisfy the requirements of this section. Not later  
67 than thirty days after such applicant has passed such knowledge test,  
68 the commissioner shall determine whether such applicant has been  
69 convicted of any felony in Connecticut by searching the electronic  
70 criminal record system maintained on the Internet web site of the  
71 Judicial Department for convictions matching such applicant's name  
72 and date of birth. If such applicant has not been convicted of any such  
73 felony, the commissioner shall mail the applicant an adult instruction  
74 permit or youth instruction permit. The commissioner shall not refund  
75 the application fee of any applicant who fails a knowledge test or has  
76 been convicted of any such felony.

77 (c) Any motor vehicle operator's license issued pursuant to this  
78 section shall include an indication on such license that such license  
79 shall not be acceptable for federal identification purposes.

80 (d) Any motor vehicle operator's license issued under this section  
81 shall expire from three to six years after the date of issuance and may  
82 be renewed every three years thereafter. The commissioner shall not  
83 renew any such operator's license unless the holder of such operator's  
84 license makes personal appearance and demonstrates proof of  
85 residency at the time of renewal.

86 (e) No motor vehicle operator's license issued pursuant to this  
87 section shall be used as identification for voting purposes.

88 (f) The commissioner shall place a restriction on each motor vehicle  
89 operator's license issued pursuant to this section, indicating that such  
90 motor vehicle operator's license is "for driving purposes only".

91 (g) The commissioner may adopt regulations in accordance with  
92 chapter 54 to implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	14-36m

**TRA**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 16 \$</b>	<b>FY 17 \$</b>
Motor Vehicle Dept.	TF - Potential Revenue Gain	Potential	Potential

Note: TF=Transportation Fund

**Municipal Impact:** None

**Explanation**

The bill allows the Department of Motor Vehicles (DMV) to accept an original birth certificate from a foreign country as secondary proof of identity for a "Drive Only" license. This may result in a potential revenue gain to the Special Transportation Fund due to more individuals qualifying for the license.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of individuals applying for the "drive only" license.

**OLR Bill Analysis****HB 6366*****AN ACT MAKING FOREIGN BIRTH CERTIFICATES A SECONDARY PROOF OF IDENTITY FOR A "DRIVE-ONLY" OPERATOR'S LICENSE.*****SUMMARY:**

This bill requires the Department of Motor Vehicles (DMV) to accept, as secondary proof of identity for a "Drive Only" license, an original birth certificate with a raised seal issued by a foreign country.

EFFECTIVE DATE: July 1, 2015

**"DRIVE ONLY" LICENSES**

PA 13-89, codified as CGS § 14-36m, requires the DMV commissioner to issue driver's licenses for driving purposes only to individuals who cannot provide DMV with proof of legal U. S. residence or a Social Security number. The license only allows the license holder to drive; he or she cannot use it for federal identification purposes (e. g., boarding a plane) or as proof of identity to vote. DMV refers to these licenses as "Drive Only" licenses.

By law, "Drive Only" license applicants must, among other requirements, provide DMV with either (1) two forms of primary proof of identity (e.g., an unexpired foreign passport or one that expired less than three years previously) or (2) one form of primary proof of identity and one form of secondary proof of identity.

The bill adds an original birth certificate with a raised seal from a foreign country as a form of secondary proof. Under current law, the following documents are already considered acceptable forms of secondary proof:

1. a valid, unexpired driver's license with security features, issued

- by another state or country;
2. a valid foreign voter registration card;
  3. a certified copy of a marriage certificate issued by a state or U. S. territory, or a county, city, or town in a state or territory;
  4. a certified school transcript; or
  5. a baptismal certificate or similar document.

By law, any form of proof of identity submitted to DMV in a language other than English must be accompanied by a certified English translation prepared by a translator the commissioner approves.

## **BACKGROUND**

### ***Related Bill***

SB 506, reported favorably by the Transportation Committee, requires the DMV commissioner to (1) use distinctive numbers or lettering as part of the license number of "Drive Only" licenses to easily identify them and (2) provide information to registrars of voters on identifying these licenses.

## **COMMITTEE ACTION**

Transportation Committee

Joint Favorable

Yea 18    Nay 13    (03/18/2015)