



General Assembly

January Session, 2015

Committee Bill No. 6366

LCO No. 5013



Referred to Committee on TRANSPORTATION

Introduced by:
(TRA)

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 Section 14-36m of the general statutes is repealed and the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

Statement of Purpose:

To allow an applicant for a "drive-only" license to use a foreign birth certificate as a secondary proof of identity.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. CANDELARIA, 95th Dist.

H.B. 6366