



330 Main Street, Hartford, Connecticut 06106
860-523-9146 | www.acluct.org

Testimony in Opposition of House Bill 5227, An Act Repealing the Statute Allowing Motor Vehicle Operators' Licenses for Driving Purposes Only and Senate Bill 506, An Act Concerning the Designation of Drive Only Licenses for Purposes of Voter Registration and in Support of House Bill 6366, An Act Making Foreign Birth Certificates Acceptable Forms of Identification to Obtain a "Drive-Only" License

February 9, 2015

Good afternoon Senator Maynard, Representative Guererra and distinguished members of the Transportation Committee. My name is David McGuire. I am the staff attorney of the American Civil Liberties Union of Connecticut (ACLU-CT) and I'm here to testify in opposition of House Bill 5227 and Senate Bill 506 and in support of House Bill 6366.

In 2013, Connecticut joined a growing number of states¹ that provide access to driver's licenses regardless of immigration status. By passing Public Act No. 13-89, now Conn. Gen. Stat. §14-36m, the Connecticut General Assembly recognized that including all residents in Connecticut's driver licensing system makes our roads safer, makes policing easier, increases state revenue from license and registration fees and promotes equality and fairness by treating people equally.

Repealing the Drive Only license program will harm not only eligible residents who have hastened to apply and acquire their Drive Only licenses since December, but also all who share the roads in Connecticut. This issue is profoundly and inextricably tied to public safety. Car ownership and operation are necessary and nearly universal for working people in Connecticut. If Conn. Gen. Stat. §14-36m is repealed, the many Drive Only license holders who will have their licenses revoked and those residents who will no longer be eligible to obtain a license will likely continue to drive to work. Ensuring that these drivers can be licensed and insured is in the best interests of the entire state. In addition, pulling the plug on this initiative would be an enormous breach of trust with immigrant communities. For all these reasons, we urge this committee to reject House Bill 5227.

Senate Bill 506 seeks to amend the Drive Only statute to require that such licenses begin with different numbers or letters purportedly to assist registrars of voters in fulfilling their duties of properly registering voters. This bill is a solution in search of a problem. The bill is premised on the fallacy that undocumented immigrants are fraudulently registering to vote despite a lack of evidence that this has been or will be a problem. Thousands of lawful permanent residents and other lawfully present

¹ Currently 10 states, as well as Washington, DC and Puerto Rico, offer drivers' licenses regardless of immigration status. These states are California, Colorado, Connecticut, Illinois, Nevada, Maryland, New Mexico, Utah, Washington, Vermont and DC. *Driver's License Map*, NILC. Last accessed 2/5/2015. Available at: <http://www.nilc.org/driverlicenseamap.html>

non-citizens who are not eligible to vote hold regular driver's licenses and have done so for years without increases in voter fraud.

Even if registrar confusion or voter fraud were a true concern, design changes to the Drive Only license are unnecessary because the current design allows registrars to easily distinguish between Drive Only license and other licenses. Drive Only licenses bear a large, conspicuous, yellow mark reading "DO." Undocumented immigrants are the only class of residents eligible for the Drive Only license. Therefore, the unmistakable yellow DO already serves the purpose of signaling to the registrar if the license is not to be used for voting registration. We urge the committee to reject this bill.

House Bill 6366 amends Conn. Gen. Stat. §14-36m to add a foreign birth certificate as an acceptable secondary form of identity. This bill is sound public policy and we urge you to adopt it. A foreign birth certificate is more reliable than other non-photograph forms of secondary identification currently accepted, and this bill is only seeking to allow it to be presented in combination with another highly secure primary document. Other states that grant undocumented immigrant driver's licenses accept foreign birth certificates.

Please prevent our state from taking a step backwards on this important issue. Any changes to the Drive Only licensing program must treat people in a fair and equitable manner. Thank you for your time and consideration.