



General Assembly

**Amendment**

January Session, 2015

LCO No. 7553



Offered by:

REP. CANDELARIA, 95<sup>th</sup> Dist.

REP. O'DEA, 125<sup>th</sup> Dist.

To: House Bill No. 6366

File No. 405

Cal. No. 263

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

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

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 Section 14-36m of the general statutes is repealed and the  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

5 (a) As used in this section:

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

13 in a foreign country.]

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

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

46 records showing enrollment.

47 (b) (1) Notwithstanding any provision of the general statutes or any  
48 regulation, the Commissioner of Motor Vehicles shall not decline to  
49 issue a motor vehicle operator's license to any applicant who meets the  
50 licensure requirements provided in section 14-36 but who cannot  
51 establish that he or she is legally present in the United States or does  
52 not have a Social Security number if such applicant (A) submits proof  
53 of residency in the state, (B) submits either two forms of primary proof  
54 of identity or one form of primary proof of identity and one form of  
55 secondary proof of identity, and (C) files an affidavit with the  
56 commissioner attesting that such applicant has filed an application to  
57 legalize his or her immigration status or will file such an application as  
58 soon as he or she is eligible to do so. Any form of primary proof of  
59 identity, secondary proof of identity or proof of residency submitted to  
60 the commissioner that is in a language other than English shall be  
61 accompanied by a certified English translation of such document  
62 prepared by a translator approved by the commissioner. No  
63 photocopies, notarized photocopies or noncertified documents are  
64 acceptable as a form of primary proof of identify, secondary proof of  
65 identify or proof of residency.

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

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

79 permit or youth instruction permit. The commissioner shall not refund  
80 the application fee of any applicant who fails a knowledge test or has  
81 been convicted of any such felony.

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

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

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

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

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

98 Sec. 2. Subsection (e) of section 14-36m of the general statutes is  
99 repealed and the following is substituted in lieu thereof (*Effective July*  
100 *1, 2016*):

101 (e) No motor vehicle operator's license issued pursuant to this  
102 section shall be used as identification for voting purposes, and shall  
103 contain language on the back of such license indicating that it cannot  
104 be used for voting purposes. For any such license issued prior to July  
105 1, 2016, the language required by this subsection shall be added upon  
106 renewal of such license."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	14-36m
Sec. 2	<i>July 1, 2016</i>	14-36m(e)