



House of Representatives

General Assembly

File No. 268

February Session, 2024

House Bill No. 5057

House of Representatives, April 4, 2024

The Committee on Transportation reported through REP. LEMAR of the 96th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT STANDARDIZING DRIVE-ONLY LICENSES.

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 Section 14-36m of the general statutes is repealed and the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 January 1, 2025*):

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 form
6 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, or (B) a valid,
9 unexpired consular identification document issued by an applicant's
10 country of citizenship.

11 (2) "Secondary proof of identity" means documentation indicating the
12 identity of an applicant for a motor vehicle operator's license in the form
13 of (A) a valid, unexpired motor vehicle operator's license, with security

14 features, issued by another state or country, (B) a valid foreign national
15 identification card, (C) a certified copy of a marriage certificate issued
16 by any state or territory of the United States, or any political subdivision
17 thereof, including any county, city or town, or (D) an original birth
18 certificate with a raised seal issued by a foreign country.

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

42 (b) (1) Notwithstanding any provision of the general statutes or any
43 regulation, the Commissioner of Motor Vehicles shall not decline to
44 issue a motor vehicle operator's license to any applicant who meets the
45 licensure requirements provided in section 14-36 but who cannot
46 establish that he or she is legally present in the United States or does not
47 have a Social Security number if such applicant (A) submits proof of

48 residency in the state, (B) submits either two forms of primary proof of
49 identity or one form of primary proof of identity and one form of
50 secondary proof of identity, and (C) files an affidavit with the
51 commissioner attesting that such applicant has filed an application to
52 legalize his or her immigration status or will file such an application as
53 soon as he or she is eligible to do so. Any form of primary proof of
54 identity, secondary proof of identity or proof of residency submitted to
55 the commissioner that is in a language other than English shall be
56 accompanied by a certified English translation of such document
57 prepared by a translator approved by the commissioner. No photocopy,
58 notarized photocopy or noncertified document is acceptable as a form
59 of primary proof of identity or secondary proof of identity.

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

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

80 (d) Any motor vehicle operator's license issued or renewed under this

81 section shall expire [from three to six] within a period not exceeding
 82 eight years after the date of issuance [and may be renewed every three
 83 years thereafter] or renewal. The fee for the issuance or renewal of an
 84 operator's license that expires [six] eight years from the date of issuance
 85 or renewal shall be [seventy-two] ninety-six dollars. The commissioner
 86 shall charge a prorated amount of such fee for an operator's license that
 87 expires less than [six] eight years from the date of issuance or renewal.
 88 The commissioner shall not renew any such operator's license unless the
 89 holder of such operator's license makes personal appearance and
 90 demonstrates proof of residency at the time of renewal. [The fee for the
 91 renewal of any such operator's license shall be thirty-six dollars.]

92 (e) No motor vehicle operator's license issued pursuant to this section
 93 shall be used as identification for voting purposes. [The back of such
 94 license shall contain language indicating that it cannot be used for
 95 voting purposes. For any such license issued prior to July 1, 2016, the
 96 language required by this subsection shall be added upon renewal of
 97 such license.]

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

101 [(g)] (f) The commissioner may adopt regulations_z in accordance with
 102 the provisions of chapter 54_z to implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2025	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.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 25 \$	FY 26 \$
Department of Motor Vehicles	TF - Revenue Gain	Approximately 600,000	Approximately 1,260,000
Department of Motor Vehicles	TF - Potential Cost	Less than 50,000	None

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

The bill makes several changes to drive-only licenses, including extending the renewal period from 3-years to 8-years, which aligns with the standard renewal period for noncommercial licenses.

The bill effectively increases the initial and renewal fee for drive-only licenses from \$36 to \$96 (\$12 per year), resulting in a Department of Motor Vehicles (DMV) revenue gain of approximately \$600,000 in FY 25 and \$1,260,000 in FY 26 from fees. It will take approximately three years from the bill's effective date to fully transition to the new renewal period, after which the revenue gain is estimated to be less than \$300,000 annually. Though these fees are pro-rated, the longer-term revenue gain of less than \$300,000 annually exists because there is a segment of the population that, under both current law and the bill, would only apply for an initial license and not renew (and would pay the 8-year fee as opposed to the 3-year fee under current law).

Additionally, the bill may result in a potential one-time cost of less than \$50,000 in FY 25 for DMV reprogramming.

A summary of the fiscal impact by year is as follows:

Anticipated Impact to DMV		
	Revenue \$	Cost \$
FY 25	600,000	Up to 50,000
FY 26	1,260,000	-
FY 27	1,320,000	-
FY 28	612,000	-
FY 29 and later	Less than 300,000	-

The Out Years

The fiscal impact identified in the table above would continue into the future subject to the number of licenses issued.

OLR Bill Analysis**HB 5057*****AN ACT STANDARDIZING DRIVE-ONLY LICENSES.*****SUMMARY**

This bill makes several changes to the information on driver's licenses issued to people who cannot prove lawful presence in the United States (known as "drive-only" licenses). Generally, the bill eliminates markings or characteristics that visually distinguish drive-only licenses from the federally noncompliant licenses that are issued to U.S. citizens and others who are lawfully present.

Specifically, the bill eliminates the requirements that drive-only licenses (1) indicate that the license is for driving purposes only and (2) state, on the back, that it may not be used for voting purposes. However, the bill retains the existing prohibition on using a drive-only license for voter identification. It also retains the requirement that drive-only licenses indicate that the license may not be used for federal identification purposes, which is required under the federal Real ID Act (see BACKGROUND).

The bill also makes the validity period for drive-only licenses the same as for standard noncommercial licenses and proportionately adjusts the fees. As under existing law for noncommercial licenses, under the bill, drive-only licenses are valid for up to eight years. (In practice, the Department of Motor Vehicles (DMV) generally issues eight-year licenses, with some exceptions.) Under current law, drive-only licenses expire from three to six years after initial issuance and must be renewed every three years after that.

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: January 1, 2025

BACKGROUND***Federal Real ID Act and Required Markings***

The federal Real ID Act sets minimum security standards for state driver's license issuance and production, and states must comply with the law in order for the licenses they issue to be accepted for federal identification purposes (e.g., boarding a domestic flight). Under Real ID, states may issue both compliant and noncompliant licenses, but all licenses must have a Department of Homeland Security-approved security marking indicating the license's level of compliance with the Real ID Act (6 C.F.R. § 37.17(n)). Connecticut DMV automatically issues Real ID-compliant licenses to new applicants and out-of-state transfers, but it will renew regular (i.e., noncompliant) licenses for those who currently hold them. Real ID-compliant licenses are marked with a gold star, and noncompliant licenses are marked with the phrase "not for federal identification." Real ID compliant licenses cannot be issued to people who cannot prove lawful presence.

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 23 Nay 13 (03/18/2024)