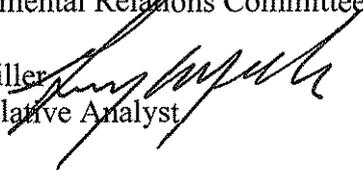


# REPORT OF THE CHIEF LEGISLATIVE ANALYST

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DATE: June 5, 2013

TO: Honorable Members of the Rules, Elections and Intergovernmental Relations Committee

FROM: Gerry F. Miller, Chief Legislative Analyst  Council File No.: 13-0002-S77  
Assignment No.: 13-05-00432

SUBJECT: Resolution (Huizar-Reyes) to Support AB 60 (Rep. Luis Alejo).

**CLA RECOMMENDATION:** Adopt the attached Resolution to include in the City's 2013-2014 State Legislative Program SUPPORT for AB 60, *The Safe and Responsible Driver Act*, which aims to make our roads safer by providing the opportunity for all residents, regardless of immigration status, to obtain a driver's license that is economically fair and accessible to everyone.

## SUMMARY

Resolution (Huizar-Reyes) notes that every resident of the City of Los Angeles has a stake in ensuring that our highways and roads are safer. The Resolution also notes that a significant number of Los Angeles residents are not eligible to obtain a valid driver's license due to their legal status. The Resolution states that it is in the best interest of the City to allow undocumented immigrants the opportunity to obtain proper training and a valid California driver's license. According to the Resolution, a California State issued driver's license is the best method to ensure that Angelino drivers and all state residents know the rules of the road and are properly trained. It is therefore recommended that the City support AB 60 to allow qualified unlicensed drivers to apply for and obtain a California driver's license.

## BACKGROUND

On May 10, 2013, Resolution (Huizar-Reyes) was introduced to support AB 60, *The Safe and Responsible Driver Act*, which would provide the opportunity for all residents, irrespective of immigration status, to obtain a driver's license.

In 1994, California enacted SB 976 (California Vehicle Code Section 12801.5) which requires driver license applicants to provide a valid Social Security Number and other documents that prove their legal presence in the United States. The proposed AB 60 would: 1) delete the provisions relating to the requirement to show legal presence in the United States; 2) allow for the use of other form of documentation, such as a taxpayer identification number, to establish identity in addition to the Social Security Number; and, 3) would make such changes effective January 1, 2015.

Supporters of AB 60 argue that there are public safety and revenue generating benefits for issuing driver's licenses to undocumented immigrants. According to the National Immigration Law Center (NILC), unlicensed drivers make the roads more dangerous. Unlicensed drivers were found to be almost five times more likely to be in a fatal crash than validly licensed drivers. Additionally, NILC states that restricting driver's licenses causes immigrants to avoid contact with state and local law enforcement. Law enforcement often depends on immigrants to report crimes and assist with policing activities. These restrictions also prevent drivers from testing and applying for a driver's license and from obtaining automobile insurance.

According to a professor of law at the U.S. Military Academy at West Point, by refusing to give driver licenses to undocumented immigrants, they are taken out of the largest law enforcement database in the country. She argues that denial of licenses to undocumented immigrants is a policy that hampers law enforcement.

Opponents of licensing undocumented immigrants argue that issuing such licenses leads to fraud and security concerns, and encourages employment of undocumented immigrants over legal U.S. residents and citizens.

Connecticut Office of Legislative Research (OLR)

According to OLR, there are currently six states with statutes or regulations that provide undocumented immigrants access to driving privileges: Illinois, Maryland, New Mexico, Oregon, Utah and Washington. Additionally, the Connecticut and Colorado legislatures recently approved bills that would issue a driver's license to undocumented immigrants. The next step in each state's legislative process is for the governor to either sign or veto the bill.

California AB 60

Enactment of AB 60 may result in additional costs associated with issuing a driver's license to undocumented immigrants. Such costs may depend the actual number of eligible individuals applying for a driver's license. It is also anticipated that by allowing undocumented individuals to obtain a driver's license there will be a reduction in the number of violations of driving without a license which would result in a revenue loss to the State's General Fund. However, there may also be revenue gains associated with license and vehicle registration fees.

The City has previously supported State legislation to issue qualified undocumented immigrants driver's licenses for purposes of increased safety on streets and highways. It is therefore recommended that the City support AB 60.

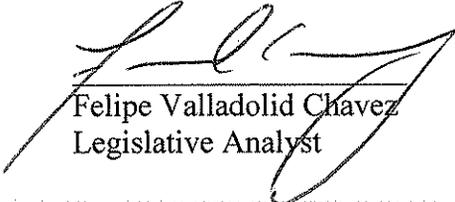
DEPARTMENTS NOTIFIED

Los Angeles Police Department

BILL STATUS

AB 60

Introduced	1/07/13
Passed Assembly	5/24/13
Referred to Senate Committee on Rules	5/28/13



Felipe Valladolid Chavez  
Legislative Analyst

Attachments: Resolution  
GFM: fvc

13-0002-377

RESOLUTION

WHEREAS, according to a report by the AAA Foundation for Traffic Safety, car crashes rank among the leading causes of death in the United States. Previous studies done by the foundation have found that approximately one in five fatal crashes in the United States involve an unlicensed driver; and

WHEREAS, every resident of the City of Los Angeles has a stake in ensuring that our highways and roads are safe; and

WHEREAS, a California State issued Driver's License is the best method to ensure that Angelino drivers and all state residents know the rules of the road and are properly trained; and

WHEREAS, it is in the best interest of the City of Los Angeles to ensure that all residents who are driving on the City's roads are properly trained and have valid insurance; and

WHEREAS, a significant number of Los Angeles' residents are not eligible to obtain a valid driver's license due to their lack of legal status; and

WHEREAS, these hardworking and taxpaying Angelinos need automobile transportation to work and care for their families, thus are driving without proper training, and/or are uninsured due to their inability to obtain a driver's license due to current state law; and

WHEREAS, it is in the best interests of the City of Los Angeles for our state to change current law and allow undocumented immigrants an opportunity to obtain the proper training and a valid state driver's license;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby supports AB 60: The Safe and Responsible Driver Act, authored by California State Assemblymember Luis Alejo, which aims to make our roads safer by providing the opportunity for all residents, regardless of immigration status, to obtain a driver's license that is economically fair and accessible to everyone. AB 60 further provides a form of identification, does not put people at risk of detention and deportation and respects confidentiality of personal information.

PRESENTED BY:

*[Signature]*  
JOSE HUIZAR  
Councilman, 14<sup>th</sup> District

SECONDED BY:

*[Signature]*

MAY 10 2013

*[Handwritten initials]*