

Date of Hearing: April 22, 2024

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 3055 (Bonta) – As Amended April 9, 2024

SUBJECT: Survivors of human trafficking: identification cards

SUMMARY: Requires the Department of Motor Vehicles (DMV) to provide an original or replacement identification card (ID) free of charge to a victim of human trafficking.

Specifically, **this bill:**

- 1) Requires DMV to develop an assisted and expedited process and a separate ID application form for survivors of human trafficking.
- 2) Requires the DMV to assist the applicant in obtaining documentation of identify, including without limitation, a birth certification or foreign identification document, or shall as reasonable, otherwise assist in verifying the identity of the applicant.
- 3) Authorizes the form to be completed by a counselor, advocate, or other employee of a local rape crisis center; a victim advocate, a peace officer, a licensed mental health provider, or a representative of any organization that provides services to victims of human trafficking and requires them to attest that the person is a victim of human trafficking.
- 4) Requires DMV to provide the applicant a temporary identification document at the time of the visit.
- 5) Requires the California Victim Compensation Board to post on their website: how to obtain an original or replacement identification card for victims, how to obtain a replacement social security card, how to obtain a replacement permanent resident card, and information about the Secretary of State's Safe at Home Program.

EXISTING LAW:

- 1) Authorizes DMV to issue an ID card to any person who provides their true full name, correct age, and any other identifying data as required by DMV. (Vehicle Code Section (VEH) 13000)
- 2) Establishes a \$26 fee to be paid to DMV for the issuance of an ID card, adjusted annually for inflation. (VEH 14902)
- 3) Establishes a \$6 fee, adjusted annually for inflation, for ID cards issued to individuals that qualify for public benefits. (VEH 14902)
- 4) Establishes an \$8 fee, adjusted annually for inflation, for ID cards issued to individuals in a correctional facility. (VEH 14902)
- 5) Authorizes DMV to adjust certain fees annually by the California Consumer Price Index, rounded to the nearest dollar. (VEH 1678)

- 6) Waives the ID fee for unhoused persons. (VEH 14902)
- 7) Specifies that the issuance of an original or replacement ID card for a senior citizen shall be issued free of charge. (VEH 14902)

FISCAL EFFECT: Unknown

COMMENTS: The fee for IDs the DMV issues is currently \$35 for most applicants. However, senior citizens over the age of 62 and persons who are homeless can currently get an ID for free, and individuals who meet the income eligibility requirements for certain public benefits like Supplemental Nutrition Assistance Program (SNAP) are eligible for a \$10 fee. All of these fees are adjusted for inflation annually.

According to the author, “Human trafficking continues to have a strong and dark presence in the United States, including my own district. In 2021, the National Human Trafficking Hotline identified 1,334 human trafficking cases in California. Of those cases, 2,122 victims were involved. Even with the limited data we do have, understanding the true scope of human trafficking is difficult because it is a seriously underreported crime. Understanding this issue demands a focus on supporting and lifting up survivors. AB 2020 eases access to identification documents, allowing survivors to more easily access critical services, such as housing, when they need it, establishes human trafficking survivor boards where survivors can speak to their experiences and challenges, and implements and expands upon law enforcement protocols and best practices. This approach acknowledges the profound impact of trafficking in our communities and underscores our commitment to supporting and empowering survivors.”

According to the Public Policy Institute of California “Hotline data spanning 2015 through 2021 indicate that the reported number of people experiencing trafficking nationwide increased from 12,000 in 2015 to more than 22,200 in 2019 and then fell to 16,700 in 2021. In California, these numbers peaked a year earlier and more modestly, so that California now accounts for smaller shares of trafficking cases and trafficked people. In 2015, 18% of trafficking cases and 15% of trafficked people were in California. By 2021, 13% of both cases and people were in California.”

In recent years, the California Legislature has made numerous attempts to provide free ID and driver’s license cards to homeless individuals. AB 1733 (Quirk Silva) Chapter 764, Statutes of 2014 created a process for DMV to waive the fee for an ID card for homeless individuals. The rationale given at the time for the fee waiver was because “many people experiencing homelessness lack the necessary forms of personal identification needed to establish their eligibility for various public assistance and social programs. The most common forms of ID that people need in order to access these programs are birth records and a valid, government-issued photo ID.”

Lack of access to an ID can impact on an individual’s ability to access other services. In particular, ID cards are often required for housing applications, access to health benefits, and opening bank accounts. ID cards are required for individuals to access the public benefits that would qualify them for the reduced ID fee this bill provides for.

In the midst of the COVID-19 pandemic, lack of access to an ID created a particularly treacherous reality. Many health care providers require patients to provide qualifying identification, namely a government-issued ID, in order to receive a vaccine. Without an ID card,

people are less likely to be able to be vaccinated and therefore more susceptible to infection, creating health consequences for themselves and the public at large.

Committee concerns: Creating a new application form for a free ID for this specific population will require substantial DMV programming. Requiring DMV employees to assist human trafficking victims with finding the necessary documentation to get an ID card may be outside the scope of their expertise and require new training. DMV would also have to establish a temporary ID card program under this bill to give to people at DMV offices, coming at a potentially high cost for new equipment.

According to the Legislative Analyst Office (LAO), The Motor Vehicle Account (MVA), the primary funding source for DMV, is expected to fully exhaust its reserves and become insolvent in 2025-26. The LAO recommends the Legislature should consider MVA cost pressures when evaluating new proposals. LAO argues that “Until a plan is put in place to address MVA’s structural deficit, we recommend the Legislature set a high bar for considering approval of any proposals that create additional MVA cost pressures and accelerate the risk of insolvency.”

Related Legislation: AB 1733 (Quirk Silva) Chapter 764, Statutes of 2014, created a process for DMV to waive the fee for an ID for homeless individuals. SB 1098 (Budget) Chapter 212, Statutes of 2004 established a \$6 ID fee for low income individuals.

AB 464 (Schiavo) of 2023 would, amongst other things, eliminate the fee for low income IDs. That bill was vetoed by the Governor.

AB 962 (Fong) of 2023 would have required, beginning January 1, 2027, the fees for a reduced-fee ID to be lowered by \$2. That bill was vetoed by the Governor.

AB 2510 (Wilson) of 2022 would have provided for free driver’s license cards for unhoused persons. That bill was vetoed by the Governor.

AB 771 (Bennett) of 2021 was substantially similar AB 2510. That bill was held on suspense in Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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