

Date of Hearing: April 13, 2015

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 1465 (Gordon) – As Amended March 26, 2015

SUBJECT: Driver's licenses

SUMMARY: Specifies that the Department of Motor Vehicles (DMV) is prohibited from issuing an original driver's license or identification card to an applicant that fails to provide satisfactory proof of state residency.

EXISTING LAW:

- 1) Prohibits a person from operating a motor vehicle unless the person successfully obtains a DMV- issued driver's license. Provides for limited exceptions including operating farm machinery and off-highway vehicles.
- 2) Authorizes DMV to issue driver's licenses to an applicant if they provide a social security number, verification of birthdate and legal presence, and a thumb print, in addition to successfully passing a written and behind-the-wheel driving test. An applicant is not required to provide proof of California residency.
- 3) Requires DMV to issue a driver's license to an applicant who is ineligible for a social security number if the applicant can provide additional documentation, as specified. Further specifies that a driver's license issued to an applicant who is ineligible for a social security number cannot be used for identification purposes.

FISCAL EFFECT: Unknown

COMMENTS: In 2005 Congress passed the "Real ID Act of 2005 (Act)," which is intended to improve the security of driver's licenses and identification cards issued by the states and included certain minimum document and license issuance requirements. The Act provides that if a state fails to implement its provisions, a federal agency will not be authorized to accept a license issued by that state for any official purpose, including, boarding an airplane or entering a federal building or facility. The Act originally required implementation to begin in May 2008, however, due to a variety of implementation and compliance issues, the federal Department of Homeland Security (DHS) delayed enforcement of the Act and is now implementing a phased-in approach with state's being required to be in full compliance by sometime in 2016.

Over this period, DMV has continuously worked with DHS and made progress with meeting Real ID requirements. Presently, DHS has granted DMV an extension through October of this year to continue progress towards meeting the remaining Real ID standards. To this end, existing law is silent on a person's residency verification when applying for a driver's license or identification card, which is required under the Act. While AB 60 (Alejo), Chapter 524, Statutes of 2013, requires applicants to provide proof of residency as an *alternative* if they cannot

establish proof legal presence, all other applicants are currently not required to provide proof of California residency when applying for a driver's license or identification card.

This federal conformity bill intends to bring the state one step closer to Real ID compliance by clarifying that all applicants for an original driver's license or identification card are required to provide DMV with proof of California residency. The author asserts that this bill "will help bring California issued driver's licenses into compliance with the federal Real ID Act and ensure that bearers of these licenses continue to have them accepted for purposes of official identification."

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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