

Date of Hearing: April 25, 2022

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

AB 2952 (Gabriel) – As Amended March 29, 2022

SUBJECT: Driver's licenses: veteran designation

SUMMARY: This bill would allow an applicant for a driver's license or identification card, who served for another country in military operations that supported the United States during the Vietnam War and later became a naturalized citizen, to request a "NON-US VIETNAM VETERAN" designation on their driver's license or identification card. Specifically, **this bill:**

- 1) Allows an applicant for a California driver's license or identification card, who served for another country's armed forces in military operations that supported the United States during the Vietnam War and later became a naturalized citizen to request that the phrase "NON-US VIETNAM VETERAN" be printed on the face of their issued card.
- 2) Permits the Department of Motor Vehicles (DMV) to consult with the Department of Veterans Affairs (CalVet) to determine the proof necessary to verify an applicant's veteran status.
- 3) Requires the department to charge, in addition to specified existing fees, a one-time fee of \$5 to any person who requests the "NON-US VIETNAM VETERAN" designation;
- 4) Permits the DMV to increase the fee by regulation, in an amount not to exceed \$15, to reimburse the department for its reasonable costs in processing and issuing a request for a license or card issued under this bill.
- 5) Forbids the DMV from charging a fee for a request made under this bill by either of the following persons:
 - a) A person who has been determined to be eligible to obtain an original or replacement identification card at a reduced fee through their eligibility for specified assistance programs; and,
 - b) A person who can verify their status as a homeless person.

EXISTING LAW:

- 1) Requires CalVet to develop a verification form in consultation with the DMV and the California Association of County Veterans Service Officers (CVSO). A county veteran's service office verifies a person's veteran status and signs the verification form, and DMV then accepts the signed verification form as proof of an applicant's veteran status.
- 2) Upon payment of a fee and verification of an applicant's veteran status, requires DMV to print the word "veteran" on the face of a driver's license or identification card.
- 3) Requires DMV to charge a one-time additional fee of \$5 to a person applying for a driver's license or identification card with a veteran designation and authorizes DMV to increase the fee to not more than \$15 to cover its reasonable costs.

- 4) Prohibits DMV from charging a fee for an original or replacement identification card to a person who can verify his or her status as a homeless person or homeless child or youth.
- 5) Prohibits DMV from charging a fee for an original or replacement identification card to a person who can verify that they meet eligibility requirements for certain public assistance programs, as specified.
- 6) Requires the DMV to charge an applicant \$34 for the issuance or renewal of a driver's license.

FISCAL EFFECT: Unknown

COMMENTS: *Veteran Designation.* In 2014, Governor Brown signed AB 935 (Frazier), Chapter 644, Statutes of 2014, requiring DMV to issue driver's licenses and identification cards with a "VETERAN" designation to eligible applicants, beginning November 2015. The purpose of the designation was intended to give veterans an efficient means of proving their eligibility for benefits and discounts instead of carrying their discharge papers, the DD-214, on their persons at all times. It further provided incentive for veterans to visit their CVSO, who could in turn help them determine what, if any, benefits they may be eligible for. At the time, the San Diego Union Tribune found that California veterans may be losing out on \$400 million in federal benefits. AB 935 also provided an alternative to veterans carrying around copies of their discharge document, the DD-214, enhancing their privacy and the security of their documentation.

Non-US Vietnam Veteran Verification. This bill would permit the DMV to consult with CalVet to determine how to substantiate proof of an applicant's status. This would appear to be prohibitively difficult and would increase DMV costs. Among U.S. allies in the Vietnam War were Australia, the Republic of Korea, New Zealand and others, some formally, others informally. This process would likely require a substantial increase in the number staff dedicated to these verifications and would have a number of barriers, including the translation of documents from other languages. Finally, verification would be difficult, if not impossible, for veterans who fought for South Vietnam alongside the United States as it is no longer a country.

The Motor Vehicle Account (MVA), which is the primary funding source for DMV and California Highway Patrol (CHP) has been on the brink of insolvency for many years. The current estimates from the Department of Finance show that it is solvent, but only barely and because most capital outlay costs have been shifted from the MVA, where they were historically funded from, to the General Fund. Any additional costs associated with implementing this bill would potentially contribute towards the insolvency of the MVA and potentially negatively impact DMV and CHP.

According to the author, "3,000 veterans of the Korean-American Vietnam War live throughout the United States as American citizens. About 800 Korean-American Vietnam War veterans live in California as American citizens. However, they are still not being treated as American veterans. In the Vietnam War, they dispatched the second largest number of combat troops after the United States as an ally of the U.S. and made many sacrifices and contributions to help the U.S. military to protect freedom and democracy. AB 2952 will honor these soldiers who have sacrificed so much to protect our freedom."

Proponents of this bill, The American Legion Department of California Chinatown Post 628, state that "In the Vietnam War, the South Korean government dispatched the second largest

number of allied combat troops – over 350,000, from the South Korean Army, Marine Corps, Navy, and Air Force from 1964 to 1973 – and made many sacrifices and contributions to help the U.S. military to protect freedom and democracy. However, most still do not receive the same public recognition or honors awarded to their US-born counterparts. AB 2952 will honor these soldiers who have sacrificed so much to protect our freedom.”

Opponents of this bill, California Association of County Veterans Service Officers (CACVSO), contend that “The VETERAN designation on the driver’s license is the result of multiple years of groundwork, education, and legislation sponsored by CACVSO and supported by California’s active veterans service organizations. The purpose for the designation on the driver’s license is to incentivize veterans to visit their local CVSO to be screened for eligibility for federal veterans benefits, which could result in VA healthcare, prescriptions, lifetime monthly cash disability pensions, and myriad state and local benefits.

State and local agencies who offer benefits for qualified U.S. veterans depend on the VETERAN designation to determine qualification. This bill would diminish the utility of that designation and lead to confusion and hesitancy to use it.

AB 2952 would also confuse the public. The popularity of the VETERAN designation on the license is that it allows veterans who served in this nation’s military a way to proudly indicate their service. Veterans of allied militaries that assisted us in our nation’s wars, are indeed entitled to our esteem, however the approach proposed by AB 1952 is not the correct way to do it. Foreign military veterans are not eligible for federal veterans benefits. Also, many businesses extend discounts to veterans and active duty servicemembers. Adding another classification of veteran would confuse businesses and employees and may even result in the curtailment of some of these discounts.

In the CVSO’s multi-year effort to get the VETERAN designation on the license, recurring hurdles to be addressed included addressing concerns of the California Highway Patrol (CHP) regarding the inclusion of too much information on the license. DMV had concerns about the amount of room on the license on which to fit the designation. The Real ID Act also has its own limitations on what can be on a license. Over a two-year period, our clients, the DMV, CHP, and the legislative committees worked very hard to find a workable way to honor veterans by inserting seven letters onto the license. It is unclear how 22 characters (including the hyphen and spaces) will fit onto the license while still maintaining readability.

AB 2952 would create uncertainty regarding which foreign military veterans would be included. Also, what level of participation by the foreign military would be considered for this proposed benefit? The U.S. had many allies in the Vietnam War; including South Vietnam, South Korea, Australia, Thailand, and New Zealand, all of whom suffered casualties in the war. The Philippines, Taiwan, and Spain aided the U.S. in its war efforts. Spain sent a secret medical team that performed operations on both combatants and civilians. Would this secret unit’s members, if now U.S. citizens, be eligible? Another concern would be when allies from other wars the U.S. was involved in seek to have their own designation on the licensee (Iraq, Afghanistan, etc).”

Committee comments: There is likely a significant cost to the state through the process of substantiating proof of an applicant’s status. There are also a number of fiscal constraints for the DMV in the implementation of this bill. Making necessary information technology (IT) programming changes to implement this bill may come at a significant cost to DMV. DMV

currently uses a legacy computer programming language known as Assembler that was created around the 1950s and is less commonly used today. As a result, few individuals are trained in this coding language, and many are nearing retirement at DMV. DMV has begun the process of updating its systems, but in the meantime, reprogramming could be costly.

In addition to the current IT systems modernization, DMV is also working to meet the REAL ID compliance deadline. Americans will need a REAL ID or passport in order to fly domestically by May of 2023. DMV wait times in recent years increased significantly as a result of the requirement in the REAL ID Act for individuals to get a new picture. Due to recent efforts by the Governor and Legislature, wait times have significantly improved. However, as of February 2022, only 12,704,421 Californians have a REAL ID, with only two million Californians receiving a REAL ID in the second half of 2021. DMV projects that 20 million Californians will want a REAL ID Card in order to fly.

Previous legislation: AB 935 (Frazier), Chapter 644, Statutes of 2014, requires the DMV to offer a driver's license or identification card printed with the word "veteran" to an eligible applicant.

AB 363 (Quirk-Silva), Chapter 579, Statutes of 2017, prohibits the DMV from charging the one-time \$5 fee to a person applying for a driver's license or identification card with a veteran designation if the applicant is homeless or is determined to have a current income level that meets eligibility requirements for certain public assistance programs. Commences July 1, 2019.

AB 1873 (Obernolte), Vetoed 2018, attempted to remove the one-time \$5 fee to any person applying for a driver's license or identification card with a veteran designation.

REGISTERED SUPPORT / OPPOSITION:

Support

The American Legion Department of California Chinatown Post 628
State Building and Construction Trades Council of CA

Opposition

American Legion, Department of California
Amvets, Department of California
California Association of County Veterans Service Officers
California State Commanders Veterans Council

Analysis Prepared by: Aaron Kurz / TRANS. / (916) 319-2093