

Date of Hearing: July 1, 2019

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

SB 267 (Wieckowski) – As Amended June 19, 2019

SENATE VOTE: 38-0

SUBJECT: Driver's licenses: United States Foreign Service

SUMMARY: Specifies that a driver's license of a person enlisted in the United States Foreign Service or the license of their spouse remains valid for the entire period a person remains out of the state, and for 30 days after they return. Specifically, **this bill:**

- 1) Specifies that a driver's license of a person enlisted in the United States Foreign Service or the license of their spouse remains valid for the entire period a person remains out of the country, and for 30 days after they return to the state, so long as:
 - a) The license has not been suspended, canceled or revoked for cause as provided by law.
 - b) The licensee is in their possession of their active service papers or their spouse's active service papers.

EXISTING LAW:

- 1) Requires a valid driver's license to drive a motor vehicle on a highway, street, or off-street parking facility.
- 2) Provides that a driver's license is valid for a period of five years at which time the driver must apply to the Department of Motor Vehicles (DMV) for a renewal.
- 3) Provides that an individual may renew their license by mail or online twice before having to come back into a field office, except under certain circumstances.
- 4) Permits a California driver's license held by a person who is in the United States Armed Forces or their spouse to continue in full force and effect if the person's service continues while absent from the state and for a period of no more than 30 days following the date the person is honorably separated from service or returns to the state.

FISCAL EFFECT: According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

COMMENTS: Article II, Section 2 of the Constitution of the United States authorizes the President to appoint, by and with the advice and consent of the Senate, Ambassadors, other Public Ministers, and consuls. According to the Office of the Historian within the Department of State, the Diplomatic Service staffed U.S. Legations and Embassies, and the Consular Service from 1789 until 1924. After World War I ended, the United States Congress sought to have a fully professional and democratic Foreign Service. United States Representative Rogers led a congressional campaign to professionalize the United States Diplomatic Corps. The Rogers Act, signed into law in 1924, established the Foreign Service we know today by establishing a career

organization based on competitive examination and merit promotion. The Diplomatic and Consular Services were unified into one organization, the “Foreign Service of the United States of America.”

Today there are 13,770 Foreign Service employees and 10,023 civil service employees, with over 9,000 employees serving at 276 posts overseas. According to the State Department, “The mission of a U.S. diplomat in the Foreign Service is to promote peace, support prosperity, and protect American Citizens while advancing the interests of the U.S. abroad.” Newly trained service officers typically serve two tours overseas, around two years each.

Except in limited circumstances, a California driver’s license and ID card expire every five years. A license may be renewed by mail twice, with the third renewal having to be in person at a DMV field office. Someone wishing to obtain a REAL ID must renew or obtain a new license in a field office the first time they get a license or ID card, regardless of whether or not they have the option to renew by mail.

Serving overseas can make it difficult for an individual to renew their license, especially if they have to renew it in person. Since the 1940s, members of the United States Armed Forces have been granted an exemption to this rule, allowing them to maintain a valid license regardless of its expiration date for the duration of their overseas tours and for 30 days after their return, so long as they were honorably separated and are in possession of their discharge or separation papers. In 2012, with the passage of SB 720 (Runner), Chapter 154, this same benefit was extended to the spouses of the members of the Armed Forces so long as they also went overseas and are carrying a copy of their spouse’s discharge or separation papers.

According to a document provided to the committee from the State Department, an expired driver’s license can cause issues for a Foreign Service officer. For example, having an expired license may prevent someone from obtaining their diplomatic license from their host country, or prevent them from driving in their host country if the country permits them to drive using a U.S. driver’s license.

This bill would permit a member of the Foreign Service or their spouse to maintain a valid driver’s license, regardless of the expiration date, for the length of time they remain outside the state and for 30 days after they return.

According to the author, “The United States Foreign Service is dedicated to diplomatically representing the United States’ interests abroad with Foreign Service Officers serving in more than 270 embassies, consulates and on other diplomatic missions where they provide assistance and protection for American citizens who are living or traveling around the world. Foreign Service Officers are required to designate a state of residence where they will pay taxes, vote, own property, and where the Department of State will transport them, their family and possessions when they leave service. It makes sense that the driver’s license extension California provides to those in the Armed Forces, and their spouses, to relieve that burden while serving out of state is provided to Foreign Service Officers who serve around the world and also call California home.”

Previous Legislation: SB 720 (Runner), Chapter 154, Statutes of 2011, extended the deadline for the spouses of military personnel to renew their driver's licenses if they are out of state due to military service.

REGISTERED SUPPORT / OPPOSITION:

Support

One individual

Opposition

None on file

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