

**Allow Driving Privileges for All Virginians**

***Sponsors: Del. Bloxom (R- Mappsville) - HB 1843, Del. Tran (D- Springfield) - HB 2025, & Sen. Surovell (D- Mt. Vernon). Expected to be assigned to Transportation Committees.***

**LIS Bill Summaries: Del Bloxom version:** Authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months; (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle; and (iii) provides an unexpired passport as proof of identity. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. **Del. Tran version:** All the same except it does not require a passport for identity.

**Driving Privileges for All**

In Virginia, people who hold 12 categories of immigration statuses and all who are undocumented are barred from taking a written exam, a road test, or having auto insurance. This puts all residents of Virginia at risk to increased harm from unsafe drivers. Virginia should remedy this public safety issue by providing all residents with access to driver’s licenses. Eleven states have granted access to driver’s permits or privilege cards to people who are undocumented, including Colorado, New Mexico, and Utah. In these states, traffic incidents including “hit and runs” and fatalities have fallen by up to 40 percent. This is because everyone on the road has taken the same road safety test, written exam, and vision test. Virginia should pass legislation to make our commonwealth safer for everyone.

During 2016-2017 an in-depth stakeholder study convened by the DMV recommended legislative remedies. Most people in Virginia have to drive to work, take their kids to school, visit to the doctor, the grocery store, and everywhere else. Virginians who are paying taxes in the Commonwealth should be able to drive to work and not be excluded based on the particular status that they hold.

An estimated 272,000 people live in Virginia who are currently undocumented. More than 200,000 of them have lived in Virginia for at least five years. Our neighbors who are undocumented pay taxes, go to work, and study alongside everyone else. We travel the same roads to all of these places. We should all meet the same standards of road safety, but many people do not because they are ineligible to take the test for a driver’s privilege card.

Under new proposed legislation, these driver’s privilege cards are only issued after adequate vetting. A passport issued from an applicants’ home country would be required to establish identity. All applicants would be eligible to be entered into federal databases.

These privilege cards would not grant someone the ability to vote in the United States. Printed on the front of the privilege card would be “NOT FOR FEDERAL USE.”

The legislative solution proposed by the DMV stakeholder study includes the 12 currently excluded lawful statuses in becoming eligible for a Virginia driver’s privilege cards and creates new temporary driving permit cards for people who are undocumented. Those who wish to apply for one of the new permit cards would have to meet certain eligibility criteria that include paying taxes in the commonwealth, paying an initial $51 fee, and reapplying each year. This is not a solution to the barriers faced by people who are undocumented, but it would alleviate some hardship while making Virginia’s roads safer.

**People of faith support Driving Privileges for All.**

**Across all of our traditions we share certain core values. Chief among them are welcoming the stranger, uplifting the marginalized and celebrating the human dignity of all people. These values are our guiding principles that lead us to work for a more just and inclusive commonwealth.**

**To uphold human dignity, all people must be treated fairly and we advocate for more equitable policies.** People who live and work in Virginia also drive in Virginia. Undocumented residents pay taxes and contribute to our communities in many ways and should not be subject to harsher penalties. When an unlicensed, undocumented driver interacts with law enforcement - even if they are the victims of a traffic incident - they are subject to detention and deportation because of the no license charge. These neighbors are not driving without a license because they want to break the rules. They are driving without driver privilege cards because they are not eligible.

**To uplift the marginalized, we must create access to opportunities for all of our community members.** People in Virginia are pursuing academic and career opportunities regardless of federal immigration status. However, being barred from access to driver’s privilege cards is a significant barrier to pursuing the opportunities available. It is difficult for undocumented parents to participate in their children’s school events. In some families only one parent/partner works so that only one person is taking the risk of driving, which has negative economic consequences. Certain jobs require driving.

**To welcome the stranger, we should include immigrants regardless of federal status rather than excluding and criminalizing them.**

**DMV Stakeholder Study:**

<https://www.dmv.virginia.gov/documents/Report_Driving_Credentials_for_Resident_Immigrants_11_14_16.pdf>

**The Commonwealth Institute ‘Getting out of first gear on training and testing Virginia drivers’:**

<http://thehalfsheet.org/post/156037163173/getting-out-of-first-gear-on-training-and-testing>

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