

# Legislative Analysis



## BAR ISSUANCE OF DRIVER LICENSES TO PERSONS IN U.S. ILLEGALLY; REQUIRE CITIZENSHIP STATEMENTS ON DRIVER LICENSES

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### House Bill 4505

Sponsor: Rep. Chris Ward

1st Committee: Oversight and Investigations

2nd Committee: Transportation

Complete to 2-6-08

### A SUMMARY OF HOUSE BILL 4505 AS INTRODUCED 3-21-07

The bill would amend the Michigan Motor Vehicle Code to do the following:

- Prohibit the issuance of a driver or chauffeur license to an individual determined by the Secretary of State to be in the country illegally.
- Require a person who is a U.S. citizen to state this fact on his or her license application.
- Require a license to indicate that the licensee is a U.S. citizen, if this is the case.
- Provide that a license issued to a person who is an alien expires on the date his or her presence in the U.S. becomes unlawful.
- Prohibit an alien whose license has expired because his or her presence in the U.S. has become unlawful from applying for extension under provisions that otherwise allow persons who are out of state when their licenses expire to apply for extensions.

More details follow.

Ban on issuing licenses to persons determined to be in country illegally. Section 303(1) of the Michigan Vehicle Code (MCL 257.303) describes persons who cannot be issued a driver or chauffeur license, including, among others, persons who have had their licenses revoked in other states, persons with physical or mental disabilities that prevent safe driving, and nonresidents, including foreign exchange students. The bill would add a new subsection 303(1)(n) prohibiting the issuance of a license to "a person who the Secretary of State determines is in this country illegally."

Citizenship statements on applications. Section 307(1) of the Vehicle Code specifies the information that must be included on an application for a driver or chauffeur license. Among other things, an application must include the applicant's full name, date of birth, residence address, height, sex, eye color, and signature. Under the bill, a person who is a U.S. citizen would have to state that fact on his or her application.

Citizenship statements on licenses. In addition, the bill would require a driver or chauffeur license issued by the Secretary of State to include a statement that the licensee

is a United States citizen, if the licensee is a U.S. citizen. The same statement would also have to be placed on licenses that contain a vehicle group designation under Section 307a.

Expiration of licenses issued to aliens. A license issued to an alien would expire on the date his or her presence in the U.S. becomes unlawful. An alien whose license has expired by virtue of the fact that his or her presence in the country has become unlawful would not be able to apply for an extension under provisions that allow persons who are out of state when their licenses expire to apply for extension of their driving privileges.

**FISCAL IMPACT:**

A fiscal analysis is in process.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.