

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR Adair DATE TYPED 03/02/05 HB _____

SHORT TITLE Proof of Citizenship for Driver's License SB 821

ANALYST Ford

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			Minimal— See Narrative		General Fund

(Parenthesis () Indicate Expenditure Decreases)

Conflicts with HB 537

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

Attorney General (AGO)

Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

Senate Bill 821 restricts the issuance of driver's licenses, instruction permits, and provisional licenses to U.S. citizens or legal residents. The bill requires applicants for a license to provide documentation showing their citizenship or legal residency.

Significant Issues

Under current law, a person is eligible for a driver's license regardless of immigration status. In recent years the debate over driver's licenses has become increasingly prominent at the federal level and in many state legislatures across the country. Proponents of restrictions on licenses point to homeland security concerns and raise the possibility of illegal immigrants obtaining driver's licenses in order to perpetrate criminal acts. Opponents of such measures point to another set of security concerns, arguing that unlicensed drivers pose a public safety threat to other drivers and pedestrians and noting the importance that law enforcement be able to identify indi-

viduals during the course of their work.

On February 10, 2005 the U.S. House of Representatives passed H.R. 418, which, among other provisions, would require states to verify that licenses are issued only to U.S. citizens or legal residents. If a state failed to do this, federal officers would not be allowed to accept the driver's license of that state as proof of identification for such purposes as boarding an airplane or entering a public building. The measure is currently pending in the U.S. Senate.

FISCAL IMPLICATIONS

The MVD would face minor costs to update its system for issuing licenses and permits.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Senate Bill 821 conflicts with House Bill 537, which would also restrict issuance of driver's licenses to citizens and legal residents. House Bill 537 would also establish a new form of driver's certificate that would allow a person to drive but would not be acceptable as a form of identification.

EF/yr:lg