

FACT SHEET

Why Denying Driver's Licenses to Undocumented Immigrants Harms Public Safety and Makes Our Communities Less Secure

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The question of whether undocumented immigrants should obtain driver's licenses has been hotly debated in almost every state in the country. But the debate has been a distraction from the real issues that states face in promoting public safety and protecting their communities. States need to create practical, workable solutions, and denying undocumented immigrants licenses is simply bad public policy. It increases uninsurance rates and the number of unlicensed drivers, and it undermines effective law enforcement.

☑ Driver's license restrictions won't fix our broken immigration system.

- Approximately 12 million undocumented immigrants currently live in the U.S. For the most part, these immigrants don't live alone, but with family members who either are U.S. citizens or otherwise authorized to be in the U.S. For the most part, they also are employed, supporting their families and paying U.S. taxes.
- Our immigration system is broken and needs to be fixed, but driver's license restrictions are not the answer. Immigrants do not come to this country to get a driver's license, and they will not leave because they are ineligible for one.
- Congress must act to pass a comprehensive legalization bill that brings undocumented immigrants out of the shadows. In the meantime, states must pass responsible policies that protect everyone's public safety.

☑ State policymakers need to deal with realistic solutions, not sound bites and partisan politics.

- State policymakers can either ignore reality and offer public policy that flies in its face, or can acknowledge reality and implement a policy that works. Until Congress reforms our immigration system, undocumented immigrants will remain here, and those immigrants who need to drive for work or to transport their children will do so.
- In defending a 2003 law that granted driver's licenses to all qualified New Mexico residents, Governor Bill Richardson stated, "We're dealing with a problem, rather than being ideologically senseless. This is a reality in border states."¹
- In supporting a bill that granted driver's licenses to undocumented immigrants, former Florida governor Jeb Bush stated in 2004, "[O]nce [undocumented immigrants are] here, what do you do? Do you basically say that they're lepers to society? That they don't exist? . . . A policy that ignores them is a policy of denial."²



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- In defending a 1999 law that allowed undocumented immigrants to drive in Utah, Republican state legislator David Ure stated, “When [undocumented immigrants] got in a wreck, they opened the car door and ran. Now, they drive better cars and have insurance.”³

☑ Denying driver's licenses to the undocumented population jeopardizes public safety and drives up insurance rates.

- Unlicensed drivers make our roads more dangerous. The AAA Foundation for Traffic Safety describes unlicensed drivers as “among the worst drivers on the road”⁴ and found that unlicensed drivers are almost five times more likely to be in a fatal crash than are validly licensed drivers.⁵
- When California's hit-and-run accidents increased by 19 percent from 2001 to 2003, law enforcement officers and traffic safety experts pointed to “an abundance of unlicensed drivers” and “drivers driving without auto insurance” as two of the reasons for the increase.⁶
- More than 14 percent of all accidents are caused by uninsured drivers, who cause over \$4.1 billion in insurance losses per year.⁷ This means that licensed drivers must pay higher premiums for accidents and injuries caused by unlicensed drivers.⁸ An Illinois study estimated that the average additional auto insurance policy cost per person due to accidents caused by unlicensed and uninsured immigrant drivers is \$116.90 per year.⁹
- Four of the six states that provide licenses to undocumented immigrants fall below the national average for uninsured motorists.¹⁰
 - o Due to a 2003 New Mexico law that allowed undocumented immigrants to obtain driver's licenses, the uninsured rate in that state dropped from 33 percent in 2002 to 10.6 percent in 2007.¹¹
 - o When Utah changed its policy in 1999, Utah's uninsured rate dropped from 10 percent in 1998 to 6.34 percent in 2004.¹²
 - o When New York was considering allowing undocumented immigrants to obtain driver's licenses, the State Department of Insurance estimated that expanded license access would reduce the premium costs associated with uninsured motorist coverage by 34 percent, which would have saved New York drivers \$120 million each year.¹³

☑ National security efforts are undermined by driver's license restrictions.

- Security experts have made clear that it is counterproductive to deny identification documents to undocumented immigrants, because denying them identification makes the already difficult job of identifying terrorists even harder.¹⁴
- Kim Taipale, executive director of the Center for Advanced Studies in Science and director of the Program on Law Enforcement and National Security in the Information Age at the World Policy Institute, stated, “Denying identity legitimacy to 13 million illegal aliens — the vast majority of whom are not terrorists or otherwise threats to national security — just increases the size of the suspect pool for law enforcement to have to sort through. Since law enforcement resources are already unable to effectively cope with the large illegal alien population, why further complicate their task?”¹⁵
- According to Margaret Stock, associate professor of law at the U.S. Military Academy at West Point, “Refusing to give driver licenses to illegal immigrants means taking [them]

out of the largest law enforcement database in the country. Thus, denial of licenses is a policy prescription that hampers law enforcement far more than it enhances it.”¹⁶

- In 2005, the Government Accountability Office reported that U.S. Immigration and Customs Enforcement found public and private databases, such as driver's license databases, to be more current than the DHS database and more reliable for tracking down immigrants.¹⁷ Denying licenses to undocumented immigrants simply increases the pool of state residents who are not in any database used to track outstanding criminal warrants, child-support delinquents, and threats to national security.

☑ State law enforcement efforts are undermined by driver's license restrictions.

- Driver's license restrictions cause immigrants to avoid contact with state and local law enforcement. This means that immigrants are unwilling to report crimes and assist local law enforcement in community policing activities. This decreases community trust and undermines efforts to fight crime and save lives.
- Los Angeles Police Chief William Bratton stated in 2007, “It is my belief that by [granting undocumented immigrants driver's licenses] you would reduce the number of hit and runs and increase the number of insured motorists on the road. We would also now have undocumented immigrants' identifying information on record such as photographs and addresses which could prove helpful in the fight against crime and terrorism.”¹⁸
- Drivers have a responsibility to be tested for a license and to obtain auto insurance. License restrictions that prevent drivers from carrying out their legal responsibilities undercut effective use of law enforcement resources because law enforcement officers must divert their attention from catching criminals and protecting public safety to enforcing driver's license restrictions.

☑ State policymakers should support practical driver's license reforms that improve the integrity of the license.

- States should require proof of state residency to ensure that only state residents can obtain a driver's license.
- States should implement internal antifraud mechanisms, including staff training on identifying false documents, authenticating security features on identification documents, as well as ensuring that duplicate licenses are not issued.
- States should implement photo comparison technology to compare existing images with each other and compare new images to those on file.
- States should reduce the production and sale of false documents by imposing harsh penalties on those who produce, distribute, or purchase them.

FOR MORE INFORMATION, CONTACT

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NOTES

¹ Aurelio Rojas, "N.M. Steers in Different Direction on Licenses," SACRAMENTO BEE, May 23, 2004, <http://dwb.sacbee.com/content/politics/story/9399308p-10323630c.html>, emphasis added.

² Brendan Farrington, "Illegal Immigrants Could Get Licenses under Bill Backed by Florida's Gov. Jeb Bush," ASSOCIATED PRESS, Apr. 6, 2004, emphasis added.

³ Miriam Jordan, "Driver's Licenses for Illegal Immigrants Divide Congress," WALL STREET JOURNAL, Dec. 6, 2004, www.rmi.gsu.edu/rmi/faculty/klein/RMI_3500/Readings/Other/Immigration_DriversLicenses.htm, emphasis added.

⁴ Robert A. Scopatz, Clayton E. Hatch, Barbara Hilger DeLucia and Kelley A. Tays, UNLICENSED TO KILL: THE SEQUEL (AAA Foundation for Traffic Safety, Jan. 2003), www.aaafoundation.org/pdf/UnlicensedToKill2.pdf, at 16, emphasis added.

⁵ "High Risk Drivers Fact Sheet" (AAA Foundation for Traffic Safety, undated), www.aaafoundation.org/multimedia/index.cfm?button=udfacts.

⁶ Michael Cabanatuan and Erin McCormick, "California's Hit-and-Run Crisis: More Flee Fatal Accidents Here Than Any Other State," SAN FRANCISCO CHRONICLE, July 27, 2003, www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2003/07/27/MN292165.DTL, emphasis added.

⁷ "IRC Estimates More Than 14 Percent of Drivers Are Uninsured" (Insurance Research Council news release, June 28, 2006), www.ircweb.org/news/20060628.pdf.

⁸ Stephanie K. Jones, "Uninsured Drivers Travel Under the Radar," INSURANCE JOURNAL, Aug. 18, 2003, www.insurancejournal.com/magazines/west/2003/08/18/coverstory/31590.htm.

⁹ SAFETY AND SAVINGS: HOW DRIVER'S CERTIFICATES WOULD LOWER INSURANCE PREMIUMS AND MAKE OUR ROADS SAFER (Illinois Coalition for Immigrant and Refugee Rights, May 9, 2007), www.icirr.org/iir/learn/insurancereport.pdf, at 5.

¹⁰ Sam Friedman, "Insurers Silent on Spitzer Licensing Scheme," NATIONAL UNDERWRITER, Nov. 14, 2007, www.property-casualty.com/2007/11/insurers_silent_on_spitzer_lic.html.

¹¹ Ken Ortiz, "New Driver's Licenses Don't Have 'Loophole'," ALBUQUERQUE JOURNAL, Dec. 29, 2007.

¹² "Number of Uninsured Registered Vehicles: Insure-Rite Uninsured Motorist Database" (spreadsheet obtained from the Utah Driver License Division, July 2004).

¹³ Nina Bernstein, "Spitzer Grants Illegal Immigrants Easier Access to Driver's Licenses," NEW YORK TIMES, Sept. 22, 2007, www.nytimes.com/2007/09/22/nyregion/22licenses.html?ei=5088&en=8d0504cf231fa666&ex=1348113600&adxnml=1&partner=rssnyt&emc=rss&adxnmlx=1200075859-1WCfvITaAzrL/CigXEoQ2g.

¹⁴ See, e.g., Clark Kent Ervin, "Why N.Y. Driver's License Plan Might Make Us Safer," USA TODAY, Nov. 1, 2007, at <http://blogs.usatoday.com/oped/2007/11/why-ny-drivers-.html>; Margaret Stock, "Giving Immigrants Licenses May Help Security," NEWSDAY, Oct. 2, 2007; and Kim Taipale, "Not Issuing Driver's Licenses to Illegal Aliens is Bad for National Security" (World Policy Institute, New York, Dec. 17, 2004), <http://alien-id.info/>.

¹⁵ See Taipale, *supra* note 14, emphasis added.

¹⁶ Margaret Stock, "Driver Licenses and National Security," DRIVERS.COM, Jan. 12, 2008, <http://drivers.com/article/971/>.

¹⁷ ALIEN REGISTRATION: USEFULNESS OF A NONIMMIGRANT ALIEN ANNUAL ADDRESS REPORTING REQUIREMENT IS QUESTIONABLE (Government Accountability Office, Jan. 2005, GAO-05-204), www.gao.gov/new.items/d05204.pdf, at 1.

¹⁸ "Former Commissioner of New York City Police Department and Current Chief of Los Angeles Police Department, William J. Bratton Supports Registering Immigrants: Measure Enhances Safety and Security" (New York governor's press release, Oct. 22, 2007), www.ny.gov/governor/press/1022071.html, emphasis added.