

BILL NUMBER: SB 976      INTRODUCED 03/05/93  
 BILL TEXT

INTRODUCED BY Senator Alquist

MARCH 5, 1993

An act to add Sections 12801.5 and 14610.7 to the Vehicle Code, relating to residency.

LEGISLATIVE COUNSEL'S DIGEST

SB 976, as introduced, Alquist. Drivers' licenses: identification cards: citizenship or legal residence.

(1) Existing law requires every application for a driver's license or identification card to contain specified information.

This bill would require the Department of Motor Vehicles to require every applicant for a driver's license or identification card to produce documentation, as prescribed, establishing the applicant's citizenship or residence status. The department would be prohibited from issuing or renewing a driver's license or identification card to any person who does not establish proof that he or she is a citizen or legal resident of the United States.

(2) Existing law makes it a misdemeanor for any person to, among other things, knowingly make any false statement in any document filed with the department.

This bill would make it a misdemeanor for any person to knowingly assist in obtaining a driver's license or identification card for any person who is not a citizen or legal resident of the United States under federal law.

Because the bill would create a new crime, it would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 12801.5 is added to the Vehicle Code, to read:

12801.5. (a) Notwithstanding any other provision of law, the department shall require every applicant for an original, duplicate, or renewal driver's license or identification card to produce the documents specified in subdivision (b) sufficient to establish the applicant's citizenship or residence status.

(b) The department shall accept any one of the following documents, but no other documents, as proof of the person's citizenship or residence status:

(1) An original or certified copy of a birth certificate issued in the United States.

(2) A currently valid United States passport.

(3) Official immigration documents issued by the United States Immigration and Naturalization Service that either contain the person's alien registration number or provide reasonable evidence of current immigration status.

(c) An applicant who declares himself or herself to be a lawful resident in compliance with federal law shall have that status verified by the Immigration and Naturalization Service of the United States based on documents presented to the department by the applicant. Verification shall be either through an automated system utilizing the applicant's alien registration or file number, known as the Systematic Alien Verification for Entitlements or "SAVE" system, or by the department sending a copy of the original document the applicant submits as evidence of his or her immigration status to the Immigration and Naturalization Service for inspection, verification, and return to the department.

(d) The department shall not issue or renew a driver's license or identification card to any person who does not establish proof that he or she is a citizen or a legal resident of the United States pursuant to subdivision (b).

SEC. 2. Section 14610.7 is added to the Vehicle Code, to read:

14610.7. It is a misdemeanor for any person to knowingly assist in obtaining a driver's license or identification card for any person who is not a citizen or legal resident of the United States under federal law.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIIIIB of the California Constitution because the only costs which may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, changes the definition of a crime or infraction, changes the penalty for a crime or infraction, or eliminates a crime or infraction. Notwithstanding Section 17580 of the Government Code, unless otherwise specified in this act, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.