

AB 60 DRIVER'S LICENSES

A Mandated Review of Instances of Discrimination

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Executive Summary

Assembly Bill 60 (Stats. 2013, Ch. 524) – the Safe and Responsible Drivers Act – authorized driver’s licenses for applicants who could not submit proof of legal presence. The statute allowed undocumented immigrants in California to apply for and receive driving-only licenses starting January 1, 2015. The California Department of Motor Vehicles has issued 960,000 AB 60 licenses as of November 30, 2017.

Because the AB 60 driver’s license is inconsistent with the federal REAL ID Act, which sets standards for driver’s licenses that would be accepted for federal purposes (such as entering military bases or boarding commercial aircraft), the federal government required that the AB 60 license design be easily

distinguishable from the standard driver’s license. As a result, the AB 60 statute also included provisions that prohibited discrimination against AB 60 licensees.

AB 60 required the California Research Bureau to report on incidents of discrimination against AB 60 licensees. Although nongovernmental stakeholders shared two instances of potential discrimination by California businesses, the Research Bureau found no complaints made to government agencies enforcing anti-discrimination laws. Undocumented immigrants do tend to underreport discrimination, and instances of discrimination involving an AB 60 license may be reported under a different discriminatory basis such as immigration status, race, ethnicity or national origin.

History of California Driver's Licensing Laws

In 1993, California became the first state in the country to explicitly prohibit unauthorized immigrants from obtaining driver's licenses with the passage of Senate Bill 976 (Stats. 1993, Ch. 820).¹ Prior to SB 976, applicants for driver's licenses did not have to prove lawful presence (although laws passed in 1991 and 1992 required applicants to submit Social Security numbers, these laws explicitly targeted parents who were delinquent with child support payments).

Efforts to repeal or amend the provisions in SB 976, notably those of former state legislator Gil Cedillo, had continually failed. (A brief chronology of related driver's license laws is included as Appendix A.) The one successful bill, SB 60 (Cedillo, 2003), had allowed the substitution of federal individual taxpayer identification numbers in place of Social Security numbers and eliminated the proof of legal residency requirement for driver's license applications. After the recall of Governor Davis, the Legislature repealed the bill with the understanding that Governor Schwarzenegger would engage in discussions for a replacement bill, "but only if the provisions of SB 60 [were] repealed."² Twenty years after SB 976, California passed Assembly Bill 60 (Stats. 2013, Ch. 524), also called the Safe and Responsible Drivers Act, which required driver's licenses to be issued to applicants who could not submit proof of legal presence.³ The statute allowed undocumented immigrants in California, beginning on January 1, 2015, to again apply for and receive driver's licenses.

Proponents of AB 60 focused on the traffic safety effects of licensing all drivers. The author of AB 60 referenced a 2012 study by the California Department of Motor Vehicles (DMV) that concluded undocumented drivers were nearly three times more likely than licensed drivers to cause a fatal crash.⁴ Since undocumented

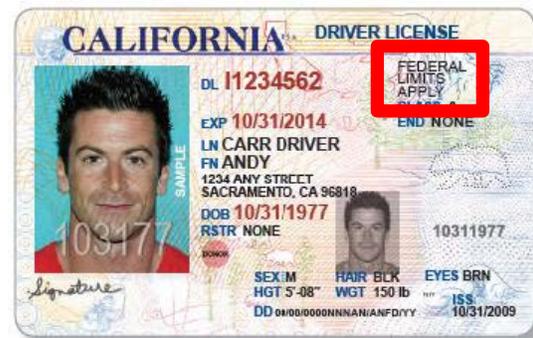
Table 1: Numbers of insured and registered vehicles in California, 2013-2015

Year	Insured Vehicles		Registered Vehicles	
	Total	Change	Total	Change
2013	24,741,947	304,440 (1.2%)	26,564,869	338,086 (1.3%)
2014	25,258,723	516,776 (2.1%)	27,146,178	581,309 (2.2%)
2015	25,985,966	727,243 (2.9%)	27,745,025	598,847 (2.2%)

Source: California Department of Insurance.

immigrants accounted for a portion of unlicensed drivers, AB 60 would presumably "improve traffic safety by ensuring that drivers on the road are properly trained, have passed a background and driving test, know state driving laws, and become insured."⁵ A Stanford study concluded that the rate of hit-and-run accidents decreased significantly after AB 60 was implemented, with the largest drops in hit-and-runs in counties with higher numbers of undocumented immigrants.⁶ There is also anecdotal evidence of a rise in auto insurance sales in 2015, and according to the California Department of Insurance, an unexpected increase of 200,000 more insured vehicles that year can likely, though not definitively, be attributed to AB 60 (Table 1).⁷ It is important to note, however, that insurance data are linked to

Figure 1: Sample AB 60 license



Courtesy: California Department of Motor Vehicles.

The front of the AB 60 license contains the phrase "Federal Limits Apply" in upper-right corner (highlighted above).

individual vehicles rather than to drivers and that before AB 60, an undocumented immigrant could register a vehicle with a *matricula consular* (Mexico's consular identity card) or an out-of-state driver's license.

The ability to drive legally expands access to jobs, housing and other opportunities.⁸ However, because AB 60 licenses do not comply with the federal REAL ID Act, the federal government requires that they are marked with language on the front of the card that differentiates them from standard driver's licenses (see sample license in Figure 1).⁹ Using an AB 60 license therefore implies the unauthorized immigration status of the license holder and makes the licensee vulnerable to discriminatory acts. Recognizing this possibility, the Legislature included prohibitions against discrimination within AB 60.

Numbers of AB 60 License Applications and Issuances

Extensive outreach campaigns by the DMV, law enforcement, elected officials, community organizations and foreign language news media about the AB 60 driver's license helped encourage half a million undocumented immigrants to apply in the first three months of 2015.¹⁰ Approximately 43 percent of total licenses issued in that first year were AB 60 licenses (see Appendix B).

As of November 30, 2017, the DMV issued 960,000 AB 60 driver's licenses.¹¹ Although the opening spike in applications and issuances in early 2015 has now declined, the DMV still issues roughly 11,000 AB 60 licenses every month. At this rate, the total number of AB 60 licenses issued in the first three years of the program (2015-2017) is likely to fall below DMV's initial estimate of 1.4 million for that time period, a pattern that is the same in nearly all of the other 11 states and the District of Columbia that provide licenses to undocumented residents (see Appendix C).¹²

Table 2: Driver's licensing percentages for subgroup populations in California

Year	Estimate for California	Driver's licenses	Percent licensed
Total state population	39,250,017 (2016)	26,484,646 (2016)	67.5%
Undocumented immigrants	2,667,000 (2014)	960,000 (Nov 2017)	36.0%
State DACA residents	197,900 (2017)	157,726	79.7% (2017)

Sources: U.S. Census Bureau, California Department of Motor Vehicles, Public Policy Institute of California, U.S. Citizenship and Immigration Services, and Center for American Progress.

Note that the total state and undocumented population estimates include children under 16 years of age.

Currently, the estimated percentage of undocumented California residents who have AB 60 licenses (36.0 percent) is almost half of the percentage of total California residents who have driver's licenses (Table 2).¹³

Among the other states providing driving-only licenses for undocumented residents, Utah provides an interesting case for comparison because its licenses are valid for only one year. In California, the number of AB 60 licensees continues to grow and accumulate, but because

Table 3: Annual driver's licensing percentages of undocumented Utah residents

Year	Driving privilege cards issued	Undocumented population	Percent licensed
2009	38,724	95,000	40.8%
2010	38,320	110,000	34.8%
2011	38,949	110,000	35.4%
2012	36,899	100,000	36.9%
2013	36,254	100,000	36.3%
2014	35,024	100,000	35.0%

Sources: Utah Department of Public Safety (license data) and Pew Research Center (population estimates).

undocumented immigrants must re-apply for driving privilege cards every year in Utah, each year provides a complete percentage of licensed undocumented immigrants. The annual percentages of licensed undocumented Utah residents range from 35 percent to 41 percent of all undocumented residents (Table 3). If the same pattern is true for California, then that range suggests 1.1 million (41 percent of 2.667 million estimated undocumented in California) is a reasonable maximum number of AB 60 licensees to expect at any given time.¹⁴

Discrimination against Holders of AB 60 Licenses

Statutory Requirements in AB 60

AB 60, as codified in Vehicle Code Section 12801.9, declares that discrimination against an individual presenting an AB 60 license is a violation of the Unruh Civil Rights Act (which outlaws discrimination by a business establishment). The law also bars authorities from inferring the citizenship or immigration status of the license holder as a basis for criminal investigation proceedings.¹⁵ The statute was amended by AB 1660 (Stats. 2014, Ch. 452) to include additional anti-discrimination protections under the California Fair Employment and Housing Act (which prohibits discrimination by an employer) and of Government Code Section 11135 (if the discrimination is by a state or local governmental authority, agent or funded program).¹⁶ These laws require the California Research Bureau to “compile and submit to the Legislature and the Governor a report of any violations” of these anti-discrimination provisions.¹⁷

Discrimination Complaints Reported to Government Agencies

Anti-discrimination provisions under the Unruh Civil Rights Act and the Fair Employment and Housing Act (as well as hate violence

prohibition under the Ralph Act) are enforced by the California Department of Fair Employment and Housing. The Department does not currently track AB 60 licenses as a distinct category or basis for discrimination, but any discriminatory incidents resulting from AB 60 licenses would be recorded under the basis of national origin (before 2016) or as citizenship or immigration-based discrimination (categories added in January 2016).¹⁸ As of December 15, 2017, no cases filed with the Department have explicitly involved AB 60 licenses, and no complainant has ever claimed discrimination on the basis of citizenship or immigration status (Table 4).¹⁹

Beginning in 2018, immigrants will have an alternative source to address discrimination as a result of AB 291 (Stats. 2017, Ch. 489), the Immigrant Tenant Protection Act. This law prohibits discrimination based on immigration status, specifically targeting landlords who threaten to report tenants' immigration or citizenship statuses.²⁰ Although existing laws, including those enforced by the Department of Fair Employment and Housing, already forbid landlords from discriminating against immigrant tenants or inquiring about immigration or citizenship status (with the exception of verifying the identities and financial qualifications of prospective tenants during applications), legal advocates for AB 291 argued that cases filed under those laws place the burden of proof on tenants or take months to adjudicate.²¹

The Labor Commissioner in the California Department of Industrial Relations also enforces laws that prohibit discrimination, specifically over wage theft, unequal pay, workplace retaliation and other violations of specific Labor Code sections.²² Relevant to possible discrimination based on AB 60 licenses are Labor Code sections 244, 1019 and 2814, which respectively prohibit employers from making retaliatory threats of reporting immigration status of employees or their relatives, engaging in unfair immigration-

Table 4: Discrimination allegations received by California Department of Fair Employment and Housing (as of Sep 11, 2017) and work retaliation cases at California Labor Commissioner's Office (as of Oct 2, 2017)

Type	2011	2012	2013	2014	2015	2016	2017
Discrimination: National Origin/Ancestry	2,122	2,266	3,657	3,677	4,188	575	492
Employment	2,021	2,125	3,474	3,421	3,811	432	386
Housing	86	110	139	175	266	112	68
Ralph Act (hate violence)	7	8	18	30	56	8	5
Unruh Act (business)	8	23	26	51	55	23	33
Discrimination: Citizenship Status	–	–	–	–	–	0	0
Discrimination: Immigration	–	–	–	–	–	0	0
Work Retaliation: Immigration	–	–	–	2	5	20	71

Sources: California Department of Fair Employment and Housing and California Labor Commissioner's Office.

Starting in 2016, the Department of Fair Employment and Housing stopped including right-to-sue data and only reported filed complaints, hence the drop in National Origin cases. The Department also started specifying discrimination cases based on Citizenship Status and Immigration in 2016. The Labor Commissioner's Office started using Immigration as a basis in 2014.

related practices or unnecessarily using the federal E-Verify employment authorization system without proper notification.²³ Since these Labor Code sections were implemented in 2014, there have been 2 (in 2014), 5 (in 2015), 20 (in 2016), and 71 (in 2017, as of October 2) immigration-based retaliation cases.²⁴ It is not known whether any of these cases involved AB 60 licenses, as investigators intentionally do not discuss national origin or immigration status with clients, focusing only on wages and employer retaliation.²⁵

Senate Bill 54 (Stats. 2017, Ch. 495), or the California Values Act, prohibits California law enforcement agencies from inquiring into an individual's immigration status.²⁶ However, complaints of any AB 60-specific discrimination in law enforcement would be included among reports of discriminatory profiling based on race, ethnicity or national origin, which must be publicly reported under AB 953 (Stats. 2015, Ch. 466), the Racial and Identity Profiling Act.²⁷ The statute requires local law enforcement agencies to collect and send two datasets to the California Department of Justice and the Racial and Identity Profiling Advisory Board: citizen

complaints alleging racial and identity profiling and law enforcement traffic stops and detentions. The Racial and Identity Profiling Advisory Board finalized stop data collection regulations on November 7, 2017, and plans to begin receiving data in 2019.²⁸ Citizens' complaint data collection began in 2016, and does not specifically track AB 60 complaints.²⁹

Both the DMV and the Department of Insurance maintain hotlines for general customer service or complaints; neither the DMV nor the Department of Insurance has any records of complaints of discrimination or discriminatory practices against AB 60 licensees.³⁰ Additionally, the Department of Insurance sends examiners into insurance companies to pull files and confirm that consumers are charged the correct rates. As of December 15, 2017, there have been no complaints regarding insurance practices for AB 60.³¹

Discrimination Complaints Reported to Nongovernment Organizations

In addition to reviewing state agency data, the Research Bureau contacted immigrant rights

groups, news media, religious organizations and other nongovernment organizations.³² Drive California, a coalition of AB 60 advocates, is currently completing a research project interviewing AB 60 licensees to assess the impact of AB 60 driver's licenses, including any problems or discrimination faced.³³ The interviews involved 10 focus groups, with each group comprised of six to 10 ethnically diverse licensees, conducted in the San Francisco Bay Area, Central California, Southern California, and neighboring regions.³⁴ From these focus group interviews, two cases may pose instances of AB 60 discrimination:

- A license holder in Fresno was told her AB 60 license was not a valid form of identification when trying to make a purchase at a retail location. It is unknown whether the incident reflected intentional discrimination or simple ignorance of the license marking.³⁵
- A license holder tried to cash a check at a MoneyGram, but was refused because the license marking confused the clerk, and the licensee was denied again later at a bank.³⁶ Note, however, that the USA PATRIOT Act of 2001 grants financial institutions the flexibility to decide which identification documents they choose to accept for their services.³⁷

Anecdotal information about AB 60 discrimination is limited, but two stories involve issues with federal government reaction to use of the license. In one incident described in the focus groups, a license holder in San Diego, unaware of the risks of presenting noncompliant identification to federal transportation security officers, tried to use her license at the airport and was briefly detained (she was eventually allowed to board her plane).³⁸ Another incident – widely discussed in the press and which gained the attention of members of Congress – was the detention of two undocumented immigrants at Travis Air Force Base in May 2017.³⁹ Both men were

construction workers who presented AB 60 driver's licenses during routine security screening on their way to an on-base project site. The men were identified as undocumented and eventually detained by Immigration and Customs Enforcement. The Air Force did not mention AB 60 driver's licenses, stating that, "As part of normal protocol, Security Forces personnel entered the individuals' information into the California Law Enforcement Telecommunications System, which identified them as undocumented immigrants."⁴⁰ Spanish-language media did mention AB 60 licenses in this incident, but their accounts do not clarify whether the licenses precipitated the arrests or were only a contributing factor in a series of unsuccessful security checks.⁴¹

Conclusion

AB 60 requires the California Research Bureau to "compile and submit to the Legislature and the Governor a report of any violations" of the statute's anti-discrimination provisions and the requirement barring the license's use in a "criminal investigation, arrest, or detention." No license holders have filed complaints with any state agencies about discrimination as a direct result of using their AB 60 licenses. State agencies have processed discrimination complaints on the basis of national origin and immigration, though no complaints explicitly noted the AB 60 license. Immigrant rights organizations also shared two anecdotes from interviews that may apply to the state's anti-discrimination provisions. The Research Bureau additionally found two instances in which the federal government detained AB 60 license holders, as mentioned above.⁴²

Finally, identifying cases of AB 60-related discrimination may be more difficult than recognizing other types of discrimination because of two factors. First, undocumented immigrants are more likely to underreport crimes and discriminatory incidents. For example, recent research found that Latino

immigrants are almost half as likely to report experiencing ethnic discrimination as U.S.-born Latinos. The researchers suggest this might be because immigrants are more likely to attribute mistreatment to unknown rules or mistakes they made rather than to discrimination.⁴³ Second, because AB 60-specific discrimination overlaps with general immigrant discrimination

and racial discrimination, it can be difficult to disentangle the categories.⁴⁴ This entanglement might result in complaints to government agencies or nonprofit organizations that actually result from the use of AB 60 licenses, but appear in the data to be immigration or race-related incidents.

Appendix A: Chronology of Related California Driver's Licensing Rules

- 1991** – SB 395 (Morgan) requires applicants for driver's licenses and vehicle registrations to provide Social Security numbers, which are to remain confidential and disclosed only to law enforcement agencies to locate "errant parents" for child support.⁴⁵
- 1992** – AB 1823 (Bentley) authorizes the Department of Motor Vehicles to disclose Social Security number information to the State Controller and Franchise Tax Board for tax administration purposes.⁴⁶
- 1993** – SB 976 (Alquist) requires applicants for driver's licenses or identification cards to "submit satisfactory proof that the applicant's presence in the United States is authorized under federal law."⁴⁷
- 1995** – California Court of Appeal in *Lauderback v. Zolin* finds that the state could deny driver's licenses and vehicle registrations to unauthorized individuals, but not to foreign nationals who are lawful immigrants but ineligible for Social Security numbers.⁴⁸
- 1995** – AB 257 (Speier) requires the Department of Motor Vehicles to withhold or suspend driver's licenses of anyone failing to comply with child support orders or delinquent in child support payments. Also requires State Board of Equalization, Franchise Tax Board, and Department of Social Services to maximize use of information collected to locate delinquent obligors.⁴⁹
- 1999** – SB 371 (Solis) would delete requirement that the Department of Motor Vehicles must verify authenticity of identity documents used to prove lawful presence, unless the documents appear fraudulent. The intent is to assist foreign business executives, specifically Japanese nationals, who are temporarily assigned to work in California subsidiaries of foreign companies. Governor Davis vetoes over security concerns.⁵⁰
- 1999** – AB 1463 (Cedillo) would delete Social Security number requirement from SB 395 (Morgan) and allow driver's license applicants to submit taxpayer identification numbers instead. Also would repeal requirement to prove authorized presence and allow applicants who have initiated applications for lawful immigration status to receive driver's licenses. Governor Davis vetoes over concerns of procedural fraud and having weaker standards than other border states.⁵¹
- 2002** – AB 60 (Cedillo) would add option to submit taxpayer identification number in lieu of Social Security number for driver's license applications. Applicants would still need to prove lawful immigration status. SB 804 (Polanco) would require fingerprints and criminal background checks for driver's license applicants. Governor Davis vetoes over security concerns after events of September 11. Vetoes cost Davis support of Latino Caucus in gubernatorial reelection.⁵²
- 2003** – SB 60 (Cedillo) allows driver's license applicants to use federal individual taxpayer identification numbers or other appropriate identifiers in lieu of Social Security numbers. Identifier information is not public record and prohibited from disclosure. Applicants are not required to prove citizenship or legal residency, but must establish identity with birth certificates or other documentation. Governor Davis signs during recall election.⁵³
- 2003** – Governor Davis is recalled. The issue of driver's licenses for undocumented immigrants features prominently in recall candidate campaigns. Senator Cedillo agrees to repeal own law in exchange for new bipartisan bill. SB X3-1 (Oller) repeals SB 60 (Cedillo, 2003).⁵⁴
- 2004** – AB 2895 (Núñez) would repeal requirements of providing Social Security number and submitting proof of authorized

presence in driver's license applications. Applicants can submit signed affidavits attesting they are not currently eligible for Social Security numbers. Persons obtaining driver's licenses using these affidavits are excluded from lists of names and identifying information furnished to jury commissioners. Governor Schwarzenegger vetoes over security concerns.⁵⁵

2005 – Congress passes the REAL ID Act of 2005 (Public Law 109-13) as a rider on military spending bill H.R. 1268.⁵⁶ The law establishes federal standards for state-issued driver's licenses and identity documents to prevent terrorists from abusing immigration and asylum laws. Driver's license applicants must provide documentation of legal status and Social Security numbers. Noncompliant driver's licenses cannot be accepted for federal purposes, which include boarding commercial aircraft and accessing federal buildings.⁵⁷

2005 – SB 60 (Cedillo) would allow driver's licenses to drivers who cannot meet the federal identity confirmation requirements. Such licenses would permit driving but cannot be used for federal identification purposes, consistent with the federal REAL ID Act. Governor Schwarzenegger vetoes over concerns with criminal identification and potential conflict with federal regulations.⁵⁸

2006 – SB 1160 (Cedillo), similar to SB 60 (Cedillo, 2005), would also make it a misdemeanor crime to knowingly assist another person in obtaining documents in violation of REAL ID Act. Dies in Assembly Appropriations.⁵⁹

2008 – SB 60 (Cedillo), which is similar to SB 1160 (Cedillo, 2006), is vetoed by Governor Schwarzenegger over concerns of implementation and potential impact of federal REAL ID Act.⁶⁰

2009 – SB 60 (Cedillo), an updated version of SB 60 (Cedillo, 2008) after the postponed

enforcement of the REAL ID Act, dies in Assembly Transportation.⁶¹

2012 – AB 2189 (Cedillo) allows persons in danger of deportation but granted deferred action to qualify for driver's licenses on proof of legal residence. The court holding in *Lauderbach v. Zolin* – that persons lawfully present in the United States but ineligible for Social Security numbers are still entitled to driver's licenses – is also codified.⁶²

2013 – AB 60 (Alejo) allows driver's license applicants unable to provide proof of lawful presence to obtain licenses for driving purposes only. Signed affidavits attesting ineligibility for Social Security numbers in license applications cannot be used as basis for investigations into citizenship or immigration status. California Research Bureau to submit report on incidents of discrimination against AB 60 licensees.⁶³

2014 – SB 853 (Committee on Budget and Fiscal Review) deletes signed affidavit requirement for AB 60 driver's license applications.⁶⁴

2014 – AB 1660 (Alejo) extends AB 60 (Alejo, 2013) anti-discrimination protections to both public and private sectors and clarifies the conflict of AB 60, which prohibits businesses from discriminating against immigrants with AB 60 licenses, with the federal Immigration and Nationality Act, which prohibits unlawful immigrants from working. The prohibition against an AB 60 license as basis for criminal investigation, arrest or detention is extended to citations.⁶⁵

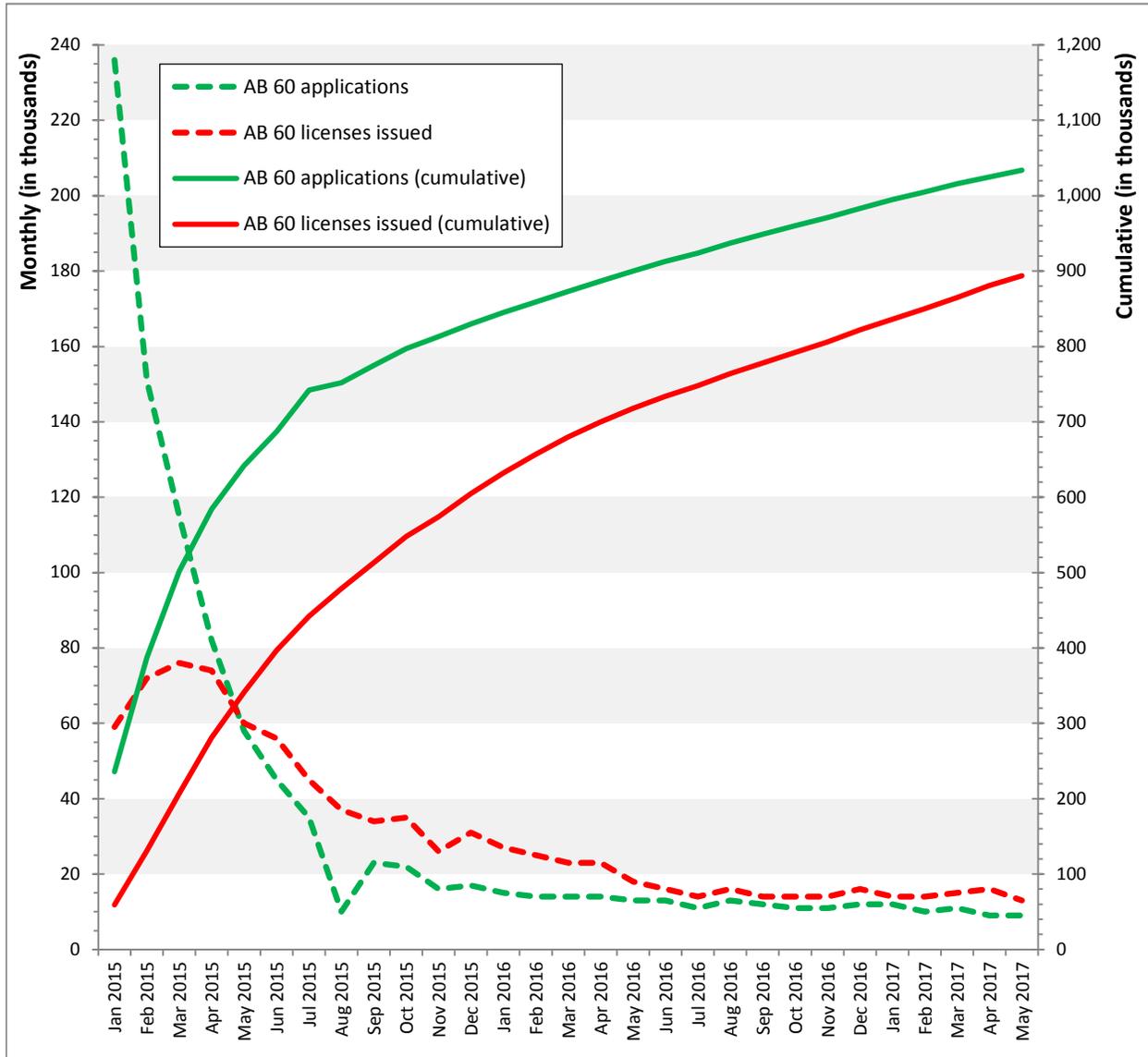
2017 – AB 244 (Lara) would restrict the disclosure of information used in applications for driver's licenses to only subpoenas for individual records in state criminal proceedings or court orders. Currently inactive file.⁶⁶

Appendix B: AB 60 Applications and Licenses Issued

Month	AB 60 customer visits	All customer visits	AB 60 applicants	AB 60 applicants (cumulative)	AB 60 DLs issued	AB 60 DLs issued (cumulative)	All DLs issued
Jan 2015	374,000	962,000	236,000	236,000	59,000	59,000	113,746
Feb 2015	292,000	907,000	151,000	387,000	72,000	131,000	121,033
Mar 2015	274,000	964,000	115,000	502,000	76,000	207,000	136,631
Apr 2015	237,000	982,000	82,000	584,000	74,000	281,000	135,686
May 2015	176,000	873,000	58,000	642,000	60,000	341,000	127,754
Jun 2015	109,000	948,000	45,000	687,000	56,000	397,000	127,792
Jul 2015	136,000	965,000	35,000	742,000	45,000	442,000	124,074
Aug 2015	107,000	933,000	10,000	752,000	37,000	479,000	121,451
Sep 2015	95,000	855,000	23,000	775,000	34,000	513,000	112,245
Oct 2015	100,000	867,000	22,000	797,000	35,000	548,000	111,010
Nov 2015	74,000	692,000	16,000	813,000	26,000	574,000	75,783
Dec 2015	86,000	808,000	17,000	830,000	31,000	605,000	95,168
Jan 2016	71,000	756,000	15,000	845,000	27,000	632,000	90,461
Feb 2016	74,000	785,000	14,000	859,000	25,000	657,000	85,208
Mar 2016	75,000	849,000	14,000	873,000	23,000	680,000	99,675
Apr 2016	66,000	797,000	14,000	887,000	23,000	700,000	87,645
May 2016	58,000	738,000	13,000	900,000	18,000	718,000	81,241
Jun 2016	55,000	758,000	13,000	913,000	16,000	734,000	95,455
Jul 2016	48,000	666,000	11,000	924,000	14,000	748,000	88,427
Aug 2016	53,000	760,000	13,000	937,000	16,000	764,000	92,759
Sep 2016	47,000	662,000	12,000	949,000	14,000	778,000	82,578
Oct 2016	46,000	588,000	11,000	960,000	14,000	792,000	79,292
Nov 2016	47,000	590,000	11,000	971,000	14,000	806,000	73,863
Dec 2016	52,000	617,000	12,000	983,000	16,000	822,000	82,283
Jan 2017	52,000	624,000	12,000	995,000	14,000	836,000	75,683
Feb 2017	45,000	581,000	10,000	1,005,000	14,000	850,000	71,613
Mar 2017	49,000	690,000	11,000	1,016,000	15,000	865,000	87,916
Apr 2017	40,000	622,000	9,000	1,025,000	16,000	881,000	75,972
May 2017	38,000	665,000	9,000	1,034,000	13,000	894,000	75,006

Source: California Department of Motor Vehicles. For comparison, the average monthly number of driver's licenses issued in 2014 was approximately 76,000 licenses per month.

Figure 2: Monthly and cumulative AB 60 driver's license applications and issuances



Source: California Department of Motor Vehicles.

The difference between applications and issuances is because licensing is a rolling process, with a one-year expiration time. An applicant might also enter secondary review, which could add months between the initial application date and later issuance date. Applicants can also fail their vision, knowledge and drive tests.

Appendix C: States Offering Driver's Licenses to Unauthorized Residents

State*	Bill	Effective Date	Expected applicants	Licenses issued ⁶⁷	Summary
CA	AB 60 (2013), amended by SB 853 (2014) and AB 1660 (2014)	Jan 1, 2015	1.4 million over 3 years	1,058,000 (as of Aug 30, 2017)	"AB 60 driver's license" marked "Federal Limits Apply" in front. Anti-discrimination and privacy protections.
CO	SB 13-251 (2013), amended by SB 194 (2014) and SB 87 (2014)	Aug 1, 2014	77,539 over 3 years	42,159 (as of Sep 30, 2017)	"CO-RCSA SB251 driver's license" marked "Not valid for federal identification, voting, or public benefits purposes."
CT	HB 6495 (2013), amended by HB 6366 (2015)	Jan 1, 2015	54,000 over 3 years	33,878 (as of Sep 30, 2017)	"Drive-only license" for individuals who sign affidavits promising to legalize when eligible. Excludes felons convicted in Connecticut. Licenses are "For driving purposes only."
DC	B20-275 (2013)	May 1, 2014	25,000 over 2 years	13,397 (as of Jan 25, 2017)	"Limited purpose driver license" has "Not valid for official federal purposes" on face and cannot be used to consider citizenship or immigration status. Confidentiality provisions.
DE	S 59 (2015)	Dec 27, 2015	n/a	3,466 (as of Nov 28, 2016)	"Driving privilege card" marked "Driving Privilege Only" and "Not Valid for Identification." Criminal history checks required.
HI	HB 1007 (2015)	Jan 1, 2016	n/a	1721 (as of Oct 23, 2017)	"Limited purpose driver's license" marked "Not acceptable for official federal purposes" on front, with language on back confirming ineligibility for public benefits, employment or voting. Antidiscrimination and confidentiality provisions.
IL	SB 957 (2013)	Nov 28, 2013	250,000 to 1 million total	192,970 (as of Oct 23, 2017)	"Temporary visitor driver's license" for non-visa status individuals ineligible for Social Security number and who do not have proof of authorized presence. License may not be used for identification.
MD	SB 715 (2013)	Jan 1, 2014	230,000 over 5 years	229,156 (as of Sep 30, 2017)	Federally noncompliant driver's license lacks black circle and star in corner seen in REAL ID compliant regular driver's licenses. May not be used to purchase a firearm.
NM	HB 99 (2016)	May 18, 2016	n/a	28,492 (as of Oct 17, 2017)	"Driving authorization card" marked "Not for Federal Purposes". Applicants without proof of lawful status must provide fingerprints, which may be submitted for criminal background checks. Prior to HB 99 (2016), New Mexico issued same standard driver's licenses to all applicants regardless of immigration status under HB 173 (2003).
NV	SB 303 (2013), amended by AB 322 (2017)	Jan 1, 2014	60,000 per year	39,608 active (as of June 30, 2017)	One-year "driver authorization card," titled as such on card itself. "Not valid for identification" on front while newer REAL ID compliant driver's licenses have gold circle with star in corner.
UT	SB 227 (2005), amended by SB 184 (2015) and SB 129 (2016)	Mar 8, 2005	40,000 per year	331,709 total (as of Oct 2017)	One-year "driving privilege card" includes statement "For driving privileges only—Not valid for identification." Applicants must submit fingerprints to be checked against criminal records databases. Immigration and Customs Enforcement notified of any criminal history information.
VT	S 38 (2013), amended by S 314 (2014)	Jan 1, 2014	1,500 total	54,933 (as of Oct 13, 2017)	"Driver privilege card" marked "not valid for federal identification or official purposes." Available to anyone, dependent on identity documentation.
WA	H 1444 (1993), amended by HB 5008 (2017)	Jul 25, 1993	n/a	169,880 (as of Nov 2015)	Standard driver's license available to all state residents, regardless of immigration status. Distinguishable by color from enhanced driver's licenses, available only to citizens. No inferences about citizenship or immigration status can be made based on license type.

* Includes District of Columbia. Puerto Rico under P C0900 (2013) also offers three-year provisional driver's licenses, with anti-discrimination and confidentiality regulations, to individuals who cannot prove authorized presence.

Sources: National Immigrant Law Center. (2017). "State Laws Providing Access to Driver's Licenses or Cards, Regardless of Immigration Status." <https://www.nilc.org/wp-content/uploads/2015/11/drivers-license-access-table.pdf> and The Pew Charitable Trusts. (2015). *Deciding Who Drives*. <http://www.pewtrusts.org/en/research-and-analysis/reports/2015/08/deciding-who-drives>

Endnotes

All hyperlink references were accessed and verified on December 18, 2017.

- ¹ SB 976 (Stats. 1993, Ch. 820). <http://clerk.assembly.ca.gov/content/statutes-and-amendments-codes-1993>. Arizona was the next state to prohibit driver's licenses to undocumented immigrants in 1996 with Arizona Revised Statute §28-3153, 3158. The Pew Charitable Trusts. (2015, Aug. 18). "Deciding Who Drives – Appendix A: Timeline of state actions related to driver's licenses." <http://www.pewtrusts.org/en/research-and-analysis/reports/2015/08/deciding-who-drives>

Twenty-three immigration-control bills were introduced in the 1993 legislative session. Proposition 187 (1994), nicknamed the "Save Our State" initiative, prohibited undocumented immigrants from using most public social services and required law enforcement to investigate detainees suspected of being undocumented. Voters passed it by a 59-41 margin (with a 60% turnout), but the controversial measure was ruled unconstitutional in 1997 for infringing upon the federal government's exclusive jurisdiction over immigration matters. The 1990s economic boom heightened awareness of immigration issues, especially after the Immigration Act of 1990, which overhauled the federal immigration system, and the North American Free Trade Agreement (NAFTA), ratified in late 1993. See Pan, P. (1993, Aug. 29). "Lawmakers Focus on Illegal Immigration." *The Los Angeles Times*. http://articles.latimes.com/1993-08-29/news/ga-29333_1_illegal-immigrants; Bailey, E. and Morain, D. (1993, May 3). "Anti-Immigration Bills Flood Legislature." *The Los Angeles Times*. http://articles.latimes.com/1993-05-03/news/mn-30644_1_illegal-immigrants; and Reinhold, R. (1993, Aug. 25). "A Welcome for Immigrants Turns to Resentment." *The New York Times*. <http://www.nytimes.com/1993/08/25/us/a-welcome-for-immigrants-turns-to-resentment.html>

- ² Assembly Committee on Appropriations. (2003, Dec. 1). Analysis of SB X3-1, p.3. http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200320043SB1

- ³ AB 60 (Stats. 2013, Ch. 524). http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB60

- ⁴ Senate Transportation & Housing Committee. (2013, Jul. 2). Analysis of AB 60, p.2. http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201320140AB60. The same DMV study noted that, because there was no significant change in at-fault rates for unlicensed drivers after SB 976 was implemented, undocumented immigrant drivers were unlikely to be safer or more hazardous drivers than other unlicensed drivers. Brar, S. (2012). *Estimation of Fatal Crash Rates for Suspended/Revoked and Unlicensed Drivers in California*. California Department of Motor Vehicles. <https://www.dmv.ca.gov/portal/dmv/detail/about/profile/rd/toc>

AB 60 §1(b) references studies by the AAA Foundation for Traffic Safety that found one in five fatal crashes in the United States involve an unlicensed or invalidly licensed driver. Note that only 3.7 percent (1993-1997), 4.1 percent (2001-2005), and 5.0 percent (2007-2009) of those drivers were unlicensed; the rest of the one-in-five statistic were invalidly licensed drivers with suspended, revoked, expired, cancelled or denied licenses. See AAA Foundation for Traffic Safety. (2000). *Unlicensed to Kill*. <https://www.aaafoundation.org/unlicensed-kill-0>; AAA Foundation for Traffic Safety. (2008). *Unlicensed to Kill: Research Update*. <https://www.aaafoundation.org/unlicensed-kill-research-update>; and AAA Foundation for Traffic Safety. (2011). *Unlicensed to Kill*. <https://www.aaafoundation.org/unlicensed-kill>. See also Cabanatuan, M. and McCormick, E. (2003, Jul. 27). "California's hit-and-run crisis: More flee fatal accidents here than any other state." *San Francisco Chronicle*. <http://www.sfgate.com/news/article/California-s-hit-and-run-crisis-More-flee-fatal-2600048.php>

- ⁵ Assembly Committee on Transportation. (2013, Apr. 22). Analysis of AB 60, p.3. http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201320140AB60

On how immigrants are compelled to drive, and that less than half of documented Mexican immigrants are licensed, see Lovejoy, K. and Handy, S. (2007). *Transportation Experiences of Mexican Immigrants in California: Results from Focus Group Interviews*. Institute of Transportation Studies, University of California, Davis. https://itspubs.ucdavis.edu/wp-content/themes/ucdavis/pubs/download_pdf.php?id=1149. Regarding undocumented immigrants, see Hendricks, S. (2014). *Living in Car Culture without a License: The Ripple Effects of Withholding Driver's Licenses from Unauthorized Immigrants*. Immigration Policy Center. <https://www.americanimmigrationcouncil.org/research/living-car-culture-without-license>

An unforeseen benefit to licensing more drivers is a rise in organ donor registrations. Kopetman, R. (2015, Mar. 19). "An influx of immigrants getting driver's licenses also means more organ donors." *Orange County Register*. <http://www.ocregister.com/2015/03/19/an-influx-of-immigrants-getting-drivers-licenses-also-means-more-organ-donors/>; Lyles, B. (2015, Oct. 19). "Surge in immigrant driver's licenses may have spurred more organ donors." *The Sacramento Bee*. <http://www.sacbee.com/entertainment/living/health-fitness/article39008388.html>; and Sánchez, N. (2015). "State of the

Union: Undocumented Immigrants and Organ Donation.” Donor Network West. <http://www.amat1.org/wp-content/uploads/2015/06/Undocumented-Immigrants-and-Organ-Donation.pdf>

- ⁶ Lueders, H., Hainmueller, J. and Lawrence, D. (2017). *Providing driver's licenses to unauthorized immigrants in California improves traffic safety*. Proceedings of the National Academy of Sciences, v.114:16. <http://www.pnas.org/content/114/16/4111.full>. Washington, New Mexico and Utah experienced drops in traffic fatalities that were lower than the national average after they offered licenses to unauthorized immigrants. Goren, L. and Cassidy, M. (2016). *Hands on the Wheel: Improving safety and boosting communities through removing barriers to driver's licenses*. The Commonwealth Institute for Fiscal Analysis. <http://www.thecommonwealthinstitute.org/2016/01/12/hands-on-the-wheel/> and Nava, E. (2014). *Share the Road: Allowing Eligible Undocumented Residents Access to Driver's Licenses Makes Sense for New Jersey*. New Jersey Policy Perspective. <https://www.njpp.org/reports/share-the-road-allowing-eligible-undocumented-residents-access-to-drivers-licenses-makes-sense-for-new-jersey>

Lueders, Hainmueller, and Lawrence estimates that AB 60 is responsible for savings of \$3.5 million in out-of-pocket repair costs and transfers of \$17 million in costs to at-fault drivers' insurance. Theoretically, restricting driver's licenses to undocumented immigrants raises the average annual insurance premiums for all drivers by \$17.22 (in 2009 dollars) per year, or about 2 percent. Cáceres, M. and Jameson, K. (2015). *The Effects on Insurance Costs of Restricting Undocumented Immigrants Access to Driver Licenses*. Southern Economic Journal 81:4, 907-927.

- ⁷ White, J. (2015, Jul. 17). “Over half of new California driver's licenses go to undocumented immigrants.” *The Sacramento Bee*. <http://www.sacbee.com/news/politics-government/capitol-alert/article27528796.html>. California Department of Insurance. (2016, Nov. 17). “AB 60 driver licenses believed to cause 2015 bump in insured vehicles.” <http://www.insurance.ca.gov/0400-news/0100-press-releases/2016/release133-16.cfm>. The relevant table data can be found at <http://www.insurance.ca.gov/0400-news/0100-press-releases/2016/upload/AB60.jpg>. About 15.2% of motorists in California were uninsured in 2015. Insurance Research Council cited in Insurance Information Institute. (2017, Aug. 1). “Facts + Statistics: Uninsured motorists.” <https://www.iii.org/fact-statistic/facts-statistics-uninsured-motorists>

A 2008 study commissioned by the Utah State Legislature found that 76 percent of a sample of Utah driving privilege cardholders insured their vehicles, compared to 82 percent of the control group of standard drivers, which suggests that undocumented immigrant drivers are just as likely as citizens and lawful residents to purchase auto insurance. Office of Legislative Auditor General, State of Utah. (2008). *Follow-Up of Sample Matching Driving Privilege (DP) Cards to Vehicle Insurance*. http://le.utah.gov/audit/08_bilr.pdf

- ⁸ For anecdotes on the impact of AB 60 on the daily lives of undocumented immigrants, see Drive California. “Stories.” <http://driveca.org/stories/> and Oreskes, B. and Vives, R. (2017, Apr. 22). “Giving driver's licenses to those here illegally transformed many lives. Then came Trump.” *The Los Angeles Times*. <http://www.latimes.com/local/lanow/la-me-ln-ab60-drivers-licenses-20170422-story.html>. For examinations of the costs to revoking driver's licenses from undocumented immigrants, see King, M., Corbett, J., Chiappetta, J., and Salinas, A. (2011). *Assessment of the Socio-Economic Impacts of SB 1080 on Immigrant Groups*. Portland State University, Oregon Department of Transportation and U.S. Federal Highway Administration. http://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=1042&context=econ_fac and Rubalcaba, J. and Juárez, M. (2016). *The Economic Costs Associated with the Removal of Driver's Licenses for Undocumented Immigrants in New Mexico*. Robert Wood Johnson Foundation Center for Health and Policy at the University of New Mexico. <http://healthpolicy.unm.edu/node/1037023>

- ⁹ The federal REAL ID Act of 2005, intended as an anti-terrorism law, requires driver's licenses used for federal purposes to be issued only to applicants who can prove their lawful authorized status in the United States. As the regulation of driver's licenses is a state-level function, states can still issue noncompliant driver's licenses for driving purposes only, such as AB 60 licenses, but they must be marked differently from compliant licenses. For more on REAL ID compliance, see U.S. Department of Homeland Security. “REAL ID.” <https://www.dhs.gov/real-id>

The AB 60 license has the phrase “Federal Limits Apply” on the front, and on the back, the notice: “This card is not acceptable for official federal purposes. This license is issued only as a license to drive a motor vehicle. It does not establish eligibility for employment, voter registration, or public benefits.” The Vehicle Code 12801.9 (d) only requires a minimally recognizable feature on the front of the card. http://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=12801.9&lawCode=VEH. The initial AB 60 license design had been rejected by the U.S. Department of Homeland Security as inadequately distinguishable from compliant standard licenses. The revised design with the “Federal Limits Apply” phrase was formally approved on Sep. 17, 2014. White, J. (2014, Sep. 19). “Feds give green light to California immigrant licenses.” *The Sacramento Bee*. <http://www.sacbee.com/news/politics-government/capitol-alert/article2610422.html>

- ¹⁰ Outreach efforts included over 200 public workshops and community meetings and Spanish-language messages on Twitter and Facebook. The DMV also introduced a web video character named *El Sabelotodo del DMV* (Mr.-Know-it-All of the DMV), who answers frequently asked questions. Shiomoto, J. (2015, May 29). "Letter to Ronald Coleman." Kopetman, R. (2016, Jan. 7). "In program's first year, nearly half of California's driver's licenses went to undocumented." *Orange County Register*. <http://www.ocregister.com/2016/01/07/in-programs-first-year-nearly-half-of-californias-drivers-licenses-went-to-undocumented/>

On the initial rush of AB 60 applications, see White, J. (2015, Apr. 3). "Half a million California immigrants seek licenses, exceeding projections." *The Sacramento Bee*. <http://www.sacbee.com/news/politics-government/capitol-alert/article17313002.html>; White, J. (2015, Jul. 17). "Over half of new California driver's licenses go to undocumented immigrants." *The Sacramento Bee*. <http://www.sacbee.com/news/politics-government/capitol-alert/article27528796.html>

- ¹¹ California Department of Motor Vehicles. (2017, Dec. 15). Email communication.
- ¹² The DMV estimated that over 55 percent of undocumented individuals in California who are 18 years or older would apply for an AB 60 driver's license over a three-year period. This 55 percent estimate equals 1.4 million from taking the U.S. Department of Homeland Security estimate of 2.8 million undocumented in California and the national average of 12 percent underage. The 55 percent estimate itself resulting from consideration of estimates by other programs: the Congressional Budget Office estimated that two-thirds of the eligible population would apply for a national immigration program, a Brookings report that 57 percent of U.S. Deferred Action for Childhood Arrivals (DACA) applicants and 54.1 percent of California DACA applicants had been approved for the program (in March 2013), and an Immigration Policy Center estimate that 61 percent of DACA applicants obtained a driver's license. California Department of Motor Vehicles. (2017, Aug. 7 and 11). Email communication.

Among the 11 states and District of Columbia issuing alternative driver's licenses, Vermont is unique because it has actually issued 36 times more driver privilege cards than anticipated. The Vermont driver privilege card is not restricted to undocumented residents only: anyone can apply to get one and many people do not need driver's licenses for federal identification. Therefore, some customers do not bother with obtaining the more stringent documentation necessary for standard driver's licenses, while other applicants think they are supporting immigrants by getting driver privilege cards. Vermont Department of Motor Vehicles. (2017, Oct. 25). Email communication. See also American Civil Liberties Union of Vermont. (2016). "ACLU and Human Rights Commission Announce Settlement in Discrimination Case Against the DMV." <https://www.acluvt.org/en/press-releases/aclu-and-human-rights-commission-announce-settlement-discrimination-case-against-dmv> and Vermont Human Rights Commission (2016). "Investigative Report: Vermont HRC Case PA15-0012." <http://hrc.vermont.gov/sites/hrc/files/Rababah%20v.%20DMV.pdf>

- ¹³ Table data for estimated population of California from U.S. Census Bureau. (2016, Jul. 1). "Quick Facts: California." <https://www.census.gov/quickfacts/CA>. Number of total California driver's licenses from California Department of Motor Vehicles. (2017). "Driver Licenses Outstanding By County." https://www.dmv.ca.gov/portal/wcm/connect/90a04dc3-ac0d-4528-a6a3-4797d0842689/dl_outs_by_county.pdf?MOD=AJPERES. Estimated undocumented immigrant population in California from Hayes, J. and Hill, L. (2017). "Undocumented Immigrants in California." Public Policy Institute of California. <http://www.ppic.org/publication/undocumented-immigrants-in-california/>. Estimated number of DACA recipients resident in California from U.S. Citizenship and Immigration Services. (2017, Sep. 4). "Approximate Active DACA Recipients." https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/daca_population_data.pdf. Percentage of DACA recipients who are licensed drivers from Wong, T., et al. (2017). "2017 National DACA Study." Center for American Progress. <https://www.americanprogress.org/issues/immigration/news/2017/08/28/437956/daca-recipients-economic-educational-gains-continue-grow/>
- ¹⁴ Annual Utah driving privilege cards issued from Utah Department of Public Safety. (2017, Oct. 30). Email communication. Yearly estimates of Utah's undocumented population from Pew Research Center. (2016). "Unauthorized immigrant population trends for states, birth countries and regions." <http://www.pewhispanic.org/interactives/unauthorized-trends/>. Not to dismiss the possible effect of federal-level policy on the willingness of immigrants to get driver's licenses, as the number of Utah driving privilege cards issued has decreased in 2017 compared to prior years (only 27,350 cards issued as of October 30, 2017). See Flores, C. (2017, Sep. 1). "Are immigration officials using Utah DMV records to target undocumented immigrants?" *KUTV CBS News*. <http://kutv.com/news/local/are-immigrant-officials-using-utah-dmv-records-to-target-undocumented-immigrants> and Smart, C. (2017, Sep. 5). "Feds may be using Utah database to round up undocumented workers." *The Salt Lake Tribune*. <http://www.sltrib.com/news/2017/09/05/feds-maybe-using-utah-database-to-round-up-undocumented-workers/>

- Changes to the DACA program could change these estimates. Services, Immigrant Rights, and Education Network. (2017, Sep. 7). Email communication. DACA recipients have been authorized for standard driver's licenses since June 15, 2012. If a DACA recipient no longer maintains DACA status or legal presence, then the recipient can convert a standard driver's license to an AB 60 driver license. The California DMV does not collect any data specific to DACA recipients and does not identify DACA recipients. California Department of Motor Vehicles. (2017, Sep. 20). Email communication.
- ¹⁵ AB 60 (Stats. 2013, Ch. 524) §15(h) and (j). http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB60. Vehicle Code 12801.9 (h). http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=12801.9&lawCode=VEH. Unruh Civil Rights Act codified in California Civil Code §51. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV§ionNum=51
- ¹⁶ AB 1660 (Stats. 2014, Ch. 452) §4(h) and (k). http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1660. California Fair Employment and Housing Act codified in Government Code §§12900-12996. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=12900.&lawCode=GOV. Government Code §11135 lists the protected classes in California government, which are further defined in the Fair Employment and Housing Act. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=11135.&lawCode=GOV. Also related, an employer must translate discrimination, harassment and retaliation prevention policies into any language spoken by 10 percent of its workforce. See California Code of Regulations §11023. "Harassment and Discrimination Prevention and Correction."
- ¹⁷ AB 1660 (Stats. 2014, Ch. 452) §4(l). http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1660
- ¹⁸ Citizenship, primary language and immigration status were added as bases for discrimination by SB 600 (Stats. 2015, Ch. 282). https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB600. National Origin and Ancestry have been reported as separate categories of discrimination beginning in 2015.
- ¹⁹ California Department of Fair Employment and Housing. (2017, Dec. 15). Email communication. There have likely been discrimination cases involving undocumented immigrants, but as their immigration statuses were irrelevant to the cases, the statuses were not recorded. Data on discrimination complaints from Annual Reports. <https://www.dfeh.ca.gov/legal-records-and-reports/annual-reports-and-statistics/>
- ²⁰ AB 291 (Stats. 2017, Ch. 489). http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB291. Examples of landlords harassing undocumented tenants are listed in Senate Judiciary Committee. (2017, Jun. 19). Analysis of AB 291, pp.8-9. http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180AB291 and "Assemblymember David Chiu Joins Colleagues and Advocates to Announce Immigrant Tenant Protection Act of 2017." <https://a17.asmdc.org/press-release/assemblymember-david-chiu-joins-colleagues-and-advocates-announce-immigrant-tenant>. See also Hart, A. (2017, Jul. 10). "Rent increases, evictions up in immigrant communities under Trump, housing lawyers say." *The Sacramento Bee*. <http://www.sacbee.com/news/politics-government/capitol-alert/article160239609.html>. The actual involvement of AB 60 driver's licenses in any of these landlord harassment cases is unconfirmed.
- ²¹ See Government Code §12955 at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=12955 and California Civil Code §1940.3 http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV§ionNum=1940.3. See discussion of legal and practical concerns of AB 291 in Assembly Committee on Judiciary. (2017, Mar. 21). Analysis of AB 291, p.9. http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180AB291
- ²² For list of Labor Code laws enforced by the Labor Commissioner, see California Department of Industrial Relations. "Laws that Prohibit Retaliation and Discrimination." <http://www.dir.ca.gov/dlse/howtofilelinkcodesections.htm>
- ²³ California Labor Code §244 established by SB 666 (Stats. 2013, Ch. 577). http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=244.&lawCode=LAB; Labor Code §1019 added by AB 263 (Stats. 2013, Ch. 732). https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1019.&lawCode=LAB; and Labor Code §2814 added by AB 622 (Stats 2015, Ch. 696). http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=LAB§ionNum=2814. The longstanding policy of the California Labor and Workforce Development Agency, which oversees the Department of Industrial Relations, is that labor laws apply to all workers in California regardless of immigration status. California Labor & Workforce Development Agency. (2017, May 1). "Secretary Lanier Issues Statement on Labor Protections for Immigrant Workers." <https://www.dir.ca.gov/DIRNews/2017/Statement-on-Workplace-Protection.pdf>

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- ²⁴ California Labor Commissioner's Office. (2017, Nov. 6). Email communication and phone conversation. The number of cases differs slightly from official counts published in Retaliation Complaint Reports because one case could violate multiple code sections and because investigations might occur after or be pending at the time of publication. Retaliation Complaint Reports can be found at <https://www.dir.ca.gov/dlse/dlsereports.htm>. See also Ashton, A. (2017, Aug. 3). "Boss tells state workers: Kick ICE out of California labor offices." *The Sacramento Bee*. <http://www.sacbee.com/news/politics-government/the-state-worker/article165111922.html>
- ²⁵ California Labor Commissioner's Office. (2017, Aug. 17). Phone conversation.
- ²⁶ SB 54 (Stats. 2017, Ch. 495). http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB54
- ²⁷ AB 953 (Stats. 2015, Ch. 466). http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB953. For current updates regarding the statute, see California Department of Justice. "AB 953: The Racial and Identity Profiling Act of 2015." <https://oag.ca.gov/ab953>
- ²⁸ Stop data collection will be a tiered process, with data reported by the largest law enforcement agencies with the most resources starting in April 2019 to the smallest agencies by April 2023. Office of Attorney General, California Department of Justice. "AB 953: The Racial and Identity Profiling Advisory Board." <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-070816.pdf>. Some municipal police departments, such as the Los Angeles, San Diego, San Francisco and San Jose Police Departments already collect basic stop data. Civil Rights Enforcement Section, California Department of Justice. (2017, Sep. 8). Phone conversation.
- ²⁹ Race/ethnicity and national origin as bases of complaint are tracked, but not immigration status. Data available online at OpenJustice. "Citizens' Complaints Against Peace Officers, 2016." <https://openjustice.doj.ca.gov/2016/ccapo>
- ³⁰ California Department of Motor Vehicles. (2017, Nov. 1). Email communication.
- ³¹ California Department of Insurance. (2017, Aug. 7). Email communication.
- ³² Archdiocese of Los Angeles. (2017, Nov. 2). Email communication; Asian Americans Advancing Justice. (2017, Oct. 13). Phone conversation; California Immigrant Policy Center. (2017, Aug. 8). Phone conversation; Coalition for Humane Immigrant Rights of Los Angeles. (2017, Jul. 19). Email communication; Services, Immigrant Rights, and Education Network. (2017, Sep. 7). Email communication; United Farm Workers. (2017, Sep. 20). Phone conversation; University of Southern California Center for the Study of Immigrant Integration. (2017, Jul. 18). Email communication; Univision Sacramento. (2017, Sep. 29). Email communication; and Western Center on Law and Poverty. (2017, Jul. 25). Phone conversation.
- ³³ For details on this forthcoming research project report, contact the California Immigrant Policy Center.
- ³⁴ California Immigrant Policy Center. (2017, Aug. 8). Phone conversation.
- ³⁵ American Civil Liberties Union of Northern California and California Immigrant Policy Center. (2017, Jul. 25). Email communication.
- ³⁶ California Immigrant Policy Center. (2017, Aug. 8). Phone conversation.
- ³⁷ U.S. PATRIOT Act of 2001 (Public Law 107-56). <https://www.gpo.gov/fdsys/pkg/PLAW-107publ56/pdf/PLAW-107publ56.pdf> and U.S. Treasury Department, Office of Public Affairs. (2003). "Fact Sheet: Results of the Notice of Inquiry on Final Regulations Implementing Customer Identity Verification Requirements under Section 326 of the USA PATRIOT Act." <http://www.treasury.gov/press-center/press-releases/Documents/is7432.doc>
- ³⁸ American Civil Liberties Union of Northern California and California Immigrant Policy Center. (2017, Jul. 25). Email communication.
- ³⁹ Members of Congress issued a joint letter in support of the two detained men. Signatories included House Minority Leader Nancy Pelosi and Reps. Zoe Lofgren (D-San Jose); Eric Swalwell (D-Pleasanton); Ro Khanna (D-San Jose); Barbara Lee (D-Oakland); Anna Eshoo (D-Palo Alto) and Jackie Speier (D-San Mateo). Sanchez, T. (2017, Jun. 23). "Members of Congress call on ICE to free detained Bay Area construction workers." *The Mercury News*. <http://www.mercurynews.com/2017/06/23/members-of-congress-call-on-ice-to-free-detained-construction-workers/>. See Large, S. (2017, May 15). "Undocumented Worker Didn't Know He Was Going To Work At Air Force Base." *CBS Sacramento*. <http://sacramento.cbslocal.com/2017/05/15/exclusive-undocumented-worker-didnt-know-he-was-going-to-work-at-air-force-base/> and Magagnini, S. (2017, May 18). "Trump's executive order catches undocumented workers at Travis Air Force Base." *The Sacramento Bee*.

- <http://www.sacbee.com/news/local/article151411322.html>. Note that the linked news stories publicize the names of the detained men.
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- ⁴¹ Ortega, A. (2017, Jun. 20). "Trabajadores de la construcción son arrestados por la Migra en base militar [Construction workers are arrested by Immigration in military base]." *La Opinión*. <https://laopinion.com/2017/06/20/trabajadores-de-la-construccion-son-arrestados-por-la-migra-en-una-base-militar/> and Ortega, A. (2017, Nov. 23). "Trabajador indocumentado arrestado en una base militar es liberado por ICE [Undocumented worker arrested on a military base is released by ICE]." *La Opinión*. <https://laopinion.com/2017/11/23/trabajador-indocumentado-arrestado-en-una-base-militar-es-liberado-por-ice/>
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