



North Carolina's Drivers' License Changes

On August 27th, Governor Easley signed the 2005 Technical Corrections Act which included major changes to the requirements for obtaining a drivers' license. The new law, which took effect on Monday, August 28, 2006, requires the following to apply for or renew a drivers' license, state identification, or learner's permit:

- The Individual Taxpayer Identification Number (ITIN) will no longer be accepted
- A Social Security Number must be presented for all applications
- Individuals who hold a valid visa may obtain a drivers' license that will expire 30 days after their visa expires

The law applies differently for duplicate licenses, state identification, or learner's permits:

- Applications for a duplicate do not require a Social Security Number *IF* the ITIN is already in the person's record. If the person obtained their drivers' license, state ID, or learner's permit without an ITIN, they will have to present a Social Security Number to get a duplicate.
- A duplicate will remain valid only for as long as the original document was valid. Obtaining a duplicate does not change the expiration date on the original document.
- Once a client goes to renew their documents, they will be required to present a Social Security Number or valid visa

This legislation has had an increasingly devastating impact on all North Carolinians, both immigrant and non-immigrant.

The restrictions jeopardize our public safety. The intended and primary purpose of issuing drivers licenses has been to ensure public safety by requiring drivers to be adequately trained, identified, and insured. There is no question that licensed drivers are safer drivers. Immigrants need to drive to work, perform travel-related job tasks, and meet the basic necessities of living. The restrictions create circumstances that force untrained, unlicensed, and uninsured drivers onto the road, making highways less safe for all North Carolinians.

The restrictions hurt legally residing immigrants and their families. Many immigrants who are here legally will be restricted from obtaining a driver's license because it will be very challenging for them to prove legal presence to the satisfaction of NCDMV employees. Immigrants with Temporary Protected Status (TPS) as defined by the Department of Homeland

Security, noncitizens granted asylum or "cancellation of removal" from the Immigration Court, and those caught in US Citizenship and Immigration Services' well-publicized backlogs and processing delays will be unable to access licenses unless NCDMV employees become extremely proficient at navigating the complexities of immigration law. Refugees and their families often have long delays in obtaining their Social Security cards. Furthermore, battered immigrants with a pending case under the Violence Against Women Act (VAWA) are eligible to receive many government benefits that help them establish independence and security, but would be unable to drive legally while their case is in process. Legally residing immigrants are already having problems meeting the current requirements for a driver's license and this change in the law would make it impossible.

The restrictions do not fix our broken immigration system. The federal government has recognized that our immigration system is not functioning at any level and is taking steps towards reform. This is a national issue that requires a federal solution. Revoking drivers' licenses will not address the immigration issue and will not eliminate the presence of undocumented immigrants living in North Carolina.

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