

Agenda Report

August 1, 2022

TO: Honorable Mayor and City Council

FROM: City Manager's Office

SUBJECT: AB 1766 (Stone) Department of Motor Vehicles: Identification Cards

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is not a "project" subject to the California Environmental Quality Act ("CEQA"), State CEQA Guidelines Section 15378(b)(1) (proposals for legislation to be enacted by the State Legislature) and (2) (general policy making); and
2. Authorize the Mayor to sign a letter of support of AB 1766.

EXECUTIVE SUMMARY:

This bill would direct the Department of Motor Vehicles (DMV) to issue a modified California identification card, to an undocumented immigrant, if the person is eligible for a California identification card in all other respects. This issue is not contained within the Council's adopted legislative platform and therefore requires Council approval to establish a position on the matter.

LEGISLATIVE POLICY COMMITTEE RECOMMENDATION:

On June 28, 2022, the Legislative Policy Committee received a staff presentation on this matter and voted unanimously to recommend that Council support this Bill.

BACKGROUND:

Government-issued identification documents are critical for an enormous variety of life functions. In California, there are two main types of state-issued identification that U.S. citizens and documented immigrants can obtain: a driver's license or, for those who cannot or do not want to drive, a state identification card. Since 2013, California has been issuing a modified version of its driver's licenses to undocumented immigrants

who qualified for a standard California driver's license in every way except for their immigration status.

While this gave undocumented drivers access to a form of state-issued identification, it left out undocumented people who, for a variety of reasons including age, disability, or difficulty passing the necessary exams, cannot or choose not to drive. This bill addresses those persons by directing the DMV to issue slightly modified California identification cards to anyone otherwise eligible for the existing California identification cards, but for their immigration status. The bill would also authorize the use of these identification cards for a variety of official purposes, but mandates that the card would not establish eligibility for employment, voter registration, or public benefits.

Key changes proposed to existing law are identified in Attachment A.

ARGUMENTS IN SUPPORT OF THE BILL

According to the author: Identification cards enable inclusion and meaningful participation in our neighborhoods, cities, and our state. IDs allow one to open a bank account, obtain benefits, access healthcare, secure housing, and much more. However, if a person who is undocumented does not have meaningful access to a car or have the ability to take a driving test, they are rendered ineligible for a government-issued ID. [...] AB 1766 will expand ID access for all, regardless of immigration status. Under this bill, California ID eligibility will be expanded to approximately 1.6 million undocumented people.

The California Immigrant Policy Center (sponsor): In particular, women, elders, and people with disabilities – both documented and undocumented– are disproportionately impacted by the inability to obtain an AB 60 driver's license. Women within a household are less likely to have access to a car than their male counterparts. People with mobility issues, disabilities such as epilepsy, and elders who develop degenerative eyes, muscular, or cognitive diseases are unable to obtain driver's licenses and thus, do not have any access to state government-issued IDs.

The Immigrant Legal Resource Center: This bill will make it so that all Californians, without exception, will have access to some form of state-issued photo ID, which is critical to fully participate in our communities. Identification cards enable inclusion and meaningful participation in our neighborhoods, cities, and our state. IDs allow a person to open a bank account, obtain a marriage license, access healthcare, secure housing, volunteer at their child's school, and much more. A standardized ID also makes it easier for law enforcement to verify identity, and makes people feel safer approaching the police to report crime. Some of the most marginalized in California cannot get driver's licenses—those who do not have a car, or a car that could pass inspection; those who do not have car insurance; those who have a medical condition that prevents them from driving; or those who do not know how to drive. They all remain unable to access a CA government-issued photo ID. AB 1766 would solve this problem.

There is no known opposition to this bill.

CONCLUSION AND RECOMMENDATION:

Staff recommends that the Council authorize the Mayor to sign a letter in support of the Bill to send to the Senate Appropriations Committee.

FISCAL IMPACT:

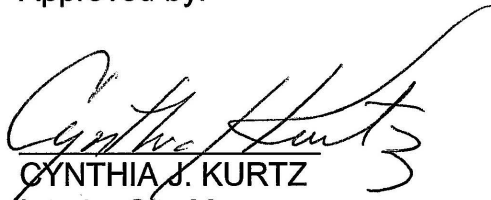
This action will not have a direct fiscal impact on the City's General Fund.

Respectfully prepared and submitted,



DAVID M. REYES
Acting Assistant Development Department

Approved by:


CYNTHIA J. KURTZ
Interim City Manager

Attachment:

Attachment A – Proposed Changes to State Law