

*The following information has been provided to the League of Women Voters of Illinois with the permission of the Illinois Coalition for Immigrant and Refugee Rights, January 8, 2012*

## ***FACT SHEET***

### **What the new driver's license law means (SB 957)**

On January 8, 2013, the Illinois House passed SB 957, which enables undocumented immigrants in Illinois to get temporary visitor driver's licenses (TVDLs). The bill now goes to Governor Quinn, who has supported the bill and said he will sign it. When that happens, Illinois will become the fourth state (and first new state since 2003) to authorize undocumented immigrants to drive legally.

### **What is a Temporary Visitor Driver's Licenses (TVDL)?**

The TVDL is an existing document that is now available to many foreign-born individuals living in Illinois. Since 2005, Illinois has issued TVDLs to individuals who do not have SSNs but who have lawful immigration status. Such individuals include foreign students, spouses and children of temporary workers, long-term visitors, and others who are not authorized to work under our immigration laws. Many of these individuals still need to drive on a regular basis to get to classes, shop, take their children to school, or attend to other family and personal business. SB 957 makes TVDLs available to undocumented motorists who also need to drive for these purposes.

TVDLs are visually distinct from regular licenses: TVDLs current use a purple color scheme, as opposed to the red scheme used for regular licenses. TVDLs are also clearly marked as "not valid for identification."

### **Why TVDLs instead of regular licenses?**

The federal REAL ID Act requires that states can issue regular driver's licenses only to those individuals with lawful immigration status. Because they are visually distinct from regular licenses and are marked as not valid for identification, TVDLs already comply with REAL ID while still enabling undocumented immigrants to drive legally.

### **What requirements will applicants need to meet to get a TVDL?**

To qualify for a TVDL, an undocumented immigrant must

- Prove that she has lived in Illinois for at least one year;
- Provide a valid unexpired passport or consular ID;
- Provide other proof of her identity and residency that the Secretary of State might require;
- Provide documentation that she is not eligible for a Social Security Number;
- Pass all applicable vision, written, and road tests;
- Show proof of insurance for the vehicle she uses for the road test;
- Pay a \$30 fee.

### **When will TVDLs become available?**

This new law will take effect ten months after Governor Quinn signs it—that is, sometime in fall 2013.

**Where will applicants be able to apply?**

The Secretary of State intends to make TVDL applications available at most of its facilities. (Currently TVDLs are available at only certain facilities.)

**Will applicants get a TVDL the same day as they apply?**

No. The Secretary of State will need to review and verify the documents that get submitted with the application. The Secretary of State will then issue the TVDL from a central facility and send it to the applicant by mail.

**Will the Secretary of State have enough resources to implement this law?**

The Secretary of State estimates that its first-year costs to implement TVDLs would be approximately \$800,000. The Secretary of State will therefore have enough money to pay for TVDLs if as few as 30,000 individuals apply (out of potentially 250,000), each paying \$30 each.

**Is the TVDL valid as proof of identity?**

No—and as a result, the TVDL cannot be used for voting, getting a firearms identification card, boarding an airplane, or entering a federal building. However, hospitals, first responders, and others could still use the TVDL as a document to indicate the person's name and address. TVDL holders could still provide passports and consular identification cards as proof of identity.

**Could the TVDL be used as a bond card?**

Yes. Drivers with TVDLs can produce the card as bond during a traffic stop, just as drivers with regular licenses can. They would get ticketed rather than being arrested (because they cannot produce bond) and ending up in the criminal justice and immigration enforcement pipeline. Police time and jail space will no longer be taken up with so many motorists who are arrested