



# Legislative Council Staff

## Research Note

Version: Senate State  
Affairs  
Date: 5/3/2016

### Bill Number

House Bill 16-1274

### Sponsors

*Representative Singer*  
*Senator Ulibarri*

### Short Title

*ID Documents Unlawful  
Presence*

### Research Analyst

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### Status

The bill is currently pending before the Senate State, Veterans, and Military Affairs Committee. This research note reflects the reengrossed bill.

### Summary

The bill expands the Colorado Road and Community Safety Act (Senate Bill 13-251) driver's license, instruction permit, and identification card program for individuals not lawfully present or temporarily lawfully present in Colorado. Under the bill, six additional Division of Motor Vehicle (DMV) offices may issue SB 13-251 driver's licenses, instruction permits, and identification cards (SB 13-251 documents) effective March 1, 2017. The bill also repeals a footnote in the 2015 Long Bill (Senate Bill 15-234) that limits the number of DMV offices that may issue SB 13-251 documents to three DMV offices and then again to one DMV office when issuance falls below 5,000 per month or total appointments served has reached 60,000.

The bill also expands the types of documents that may be accepted by DMV offices from a SB 13-251 document applicant. Specifically, the bill adds an individual's social security number, documentation for which may include a social security card itself or any other documentation acceptable to DOR, to the list of acceptable SB 13-251 identification documents. Additionally, the bill allows SB 13-251 documents to be reissued or renewed following the same procedures as available to other license, permit, or identification card holders in Colorado.

### Background

Under current law, an individual who is not lawfully present or is temporarily lawfully present in Colorado may receive a driver's license, instruction permit, or identification card by meeting the

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document requirements specified under SB 13-251. Individuals can apply for these licenses only by appointment at one of three offices in Colorado Springs, Denver, and Grand Junction. Each office offers 31 appointments per day, all of which are booked about 90 days in advance.

In order to apply for a license under SB 13-251, an applicant who cannot demonstrate lawful presence must pay a fee and provide the following:

- a signed affidavit and proof of Colorado residency;
- a signed affidavit that the applicant has applied or will apply for lawful presence within the U.S. as soon as the applicant is eligible;
- an Individual Taxpayer Identification Number issued by the U.S. Internal Revenue Service; and
- a valid passport or other identification document from the applicant's country of origin.

The Department of Revenue reports that since SB 13-251 was implemented in August of 2014, 18,508 driver's licenses, 3,019 instruction permits, and 2,713 identification cards have been issued under the program.

## House Action

**House State, Veterans, and Military Affairs Committee (March 28, 2016).** At the hearing, representatives from I Drive Colorado / Yo Manejo Colorado, the Colorado Fiscal Institute, Together Colorado, and other individuals testified in support of the bill. The committee referred the bill to the House Finance Committee.

**House Finance Committee (April 20, 2016).** At the hearing, a representative from the Colorado Department of Revenue and the fiscal analyst answered questions about the bill. The committee referred the bill to the House Appropriations Committee.

**House Appropriations Committee (April 22, 2016).** The committee adopted amendment J.001 and referred the bill to the House Committee of the Whole. The amendment adds an appropriations clause to the bill.

**House second reading (April 22, 2016).** The House adopted the House Appropriations committee report. The House passed the bill on second reading, as amended.

**House third reading (April 25, 2016).** The House passed the bill on third reading with no amendments.

## Relevant Research

Division of Motor Vehicles, Colorado Department of Revenue, *Colorado Road and Community Safety Act*, Fact Sheet: <http://tinyurl.com/gugdzw>