



Victory: Driver's License

Access for ALL!

The “Driver’s License and Privacy Act,” also known as Green Light, takes effect on Dec. 16, 2019. This law restores access to a driver’s license for all state residents, regardless of immigration status. The [Fiscal Policy Institute](#) estimates that the driver’s license law will impact the lives of approximately 265,000 undocumented NYS residents, and provide a substantial amount of revenue to the state. This law is a huge victory!

1. What does this mean?

Applicants will not have to prove lawful immigration status in the U.S. to apply for a learner’s permit, driver’s license, or commercial driver’s license. The license will look the same as all other NY licenses, except that it will say “NOT FOR FEDERAL PURPOSES” on it.



2. How can I apply?

New applicants under this law will take the same steps as other applicants. The first step for those who do not have a license currently is an appointment at the Department of Motor Vehicles (DMV) in which you will need to provide identification documents, pay a fee, pass a written exam, and obtain a learners permit. No one at the DMV should ask you about your immigration status to apply.

3. What documents do I need?

Applicants must establish their identity using a point system. **You need 6 points total.** You also need at least one document in three categories:

Category A: Social security information. For undocumented applicants, this can be:

- ❖ Affidavit you have never had a social security number.

Category B: Proof of date of birth. For undocumented applicants, you have at least one of:¹

- ❖ An unexpired passport from your country of citizenship;
- ❖ An unexpired consular identification (matricula, cedula, DUI, etc.);
- ❖ An unexpired driver’s license from your country of citizenship (or, if it’s expired, it must be expired for less than two years);
- ❖ An original birth certificate;
- ❖ A work authorization that is unexpired or expired within the last 2 years.

Category C: New York residency. There are many options for this, including:

- ❖ A mail sent to you in the last year.
- ❖ A credit card statement.
- ❖ A computer-printed pay stub.
- ❖ A lease.

¹ For people with immigration status, Category B has other options including an unexpired US passport or a residency card (green card) that is unexpired or expired within the last 2 years

4. Can the DMV share my information with immigration?

Although the bill contains strong protections for immigration status information, we don't know all of the ways that ICE may be able to access information shared with the DMV. At a minimum, obtaining a license may make it easier for ICE to find you if they are looking for you—for instance, through your address or your license plate information.

5. Should I apply if it may help ICE locate me?

For people who need to drive, getting a license may be worth the risk. ICE has many ways to find people. But some people are at higher risk of ICE enforcement. These include:

- ❖ People with a final order of removal, including those who have been deported before;
- ❖ People who have been arrested in a criminal case and fingerprinted.

If you have questions about your individual case, you can call 311 (in NYC) or contact an MRNY organizer.

6. What can “Standard Driver’s License” holders have access to?

Standard Driver’s License holders **WILL** be able to:

- Use their license as state-issued identification
- Drive

Standard Driver’s License holders **WILL NOT** be able to:

- Cross the border between Mexico and Canada
- Enter federal buildings
- Board a domestic plane

While the State of New York is now the 15th state to have a law that grants access to driver’s license to undocumented residents, *the fight is NOT over*. Some county clerks in upstate New York are threatening to not issue licenses to undocumented residents. We will continue to fight to ensure this law it’s fully implemented as it’s intended. To find out how to join the fight, please speak to an organizer in a MRNY office near you!

Updated: Dec. 3rd 2019

BROOKLYN 301 GROVE STREET BROOKLYN, NY 11237 718 418 7690	QUEENS 92-10 ROOSEVELT AVENUE JACKSON HEIGHTS, NY 11372 718 565 8500	STATEN ISLAND 161 PORT RICHMOND AVENUE STATEN ISLAND, NY 10302 718 727 1222	LONG ISLAND 1090 SUFFOLK AVENUE BRENTWOOD, NY 11717 631 231 2220	WESTCHESTER 46 WALLER AVENUE WHITE PLAINS, NY 10605 914 948 8466
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