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House Bill 5497 (Substitute H-1 as passed by the House)  
Sponsor: Representative Lauren Hager  
House Committee: Transportation  
Senate Committee: Transportation and Tourism

Date Completed: 2-19-02

### **CONTENT**

**The bill would amend the Michigan Vehicle Code to do the following:**

- Prohibit the Secretary of State from issuing a driver's license to a person who was an illegal alien.**
- Require the Secretary of State to recognize a driver's license from Mexico under certain circumstances.**
- Allow the Department of State to report to a U.S. government agency if there were reasonable cause to believe that any applicant was an illegal alien.**

The bill would prohibit the Secretary of State from issuing a driver's license to a person who was illegally present in this State under applicable Federal immigration laws. A person would be presumed to be lawfully in the United States if he or she had resided in this State for at least 30 days and the person possessed documentation from any applicable U.S. agency that proved he or she was in the process of becoming lawfully in the United States, or possessed documentation from any applicable U.S. agency that proved he or she had lawfully challenged a decision of an administrative law judge or applicable U.S. department related to an immigration determination decision.

The bill specifies that a legal alien's license would expire on the date prescribed in the Code, or the date on which that person's presence in the U.S. became illegal under applicable Federal immigration law.

For the purpose of these provisions, the bill would define "federal immigration law" as all laws, conventions, and treaties of the United States relating to the immigration, exclusion, deportation, expulsion, or removal of aliens.

The bill would require the Secretary of State to recognize a driver's license from any state in the Republic of Mexico to the same degree as it recognizes driver's licenses from any other foreign country, if they met American Association of Motor Vehicle Administrators standards.

The Code requires the Department of State to examine each application for a vehicle registration, certificate of title, or a driver's license, and any other application made to the Department, and to reject an application if the Department is not satisfied of the genuineness, regularity, legality, or truth of any statement contained in the application, or for any other reason authorized by law. Under the bill, if the Department had reasonable cause to believe that an examined application contained information that the applicant was an illegal alien, the Department could report that information to an appropriate U.S. government agency.

The bill provides that a United States citizen or an alien lawfully in the U.S. would be presumed to be a resident of this State if he or she had resided in Michigan for at least 30 days.

MCL 257.51a et al.

Legislative Analyst: Nobuko Nagata

**FISCAL IMPACT**

The bill would require the Department of State to reprogram its driver record system to accommodate the proposed changes. The Department estimates this one-time cost at \$50,000. The bill would have no fiscal impact on local government.

Fiscal Analyst: Jessica Runnels

