

Joint Committee on Ways and Means

Carrier – House: Rep. Beyer
Carrier – Senate: Sen. Schrader

Revenue: Revenue statement issued

Fiscal: Fiscal statement issued

Action: Do Pass the A-Engrossed Measure

Vote: 11 – 6 – 3

House – Yeas: D. Edwards, Galizio, Hanna, Jenson, Morgan

– Nays: Nathanson, Nolan, Shields

– Exc: P. Smith

Senate – Yeas: Courtney, Johnson, Monroe, Nelson, Schrader, Whitsett

– Nays: Bates, Carter, Gordly

– Exc: Verger, Winters

Prepared By: Tim Walker, Legislative Fiscal Office

Meeting Date: February 7, 2008

WHAT THE MEASURE DOES: This bill requires applicants to provide proof of U.S. citizenship or legal presence in the United States before the Oregon Department of Transportation can issue, renew or replace a driver's license, a driver's permit, or an identification card. The bill also provides limited exceptions under specific circumstances.

ISSUES DISCUSSED:

- Verification of documentation
- Database security
- Process granting temporary cards
- Potential local impact

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ODOT began verifying the validity of Social Security Numbers (SSN) on February 4, 2008 in response to Executive Order 07-22. SB 1080 A, likewise, requires ODOT to verify SSNs.

This bill requires applicants to provide proof of U.S. citizenship or legal presence in the United States before the Oregon Department of Transportation can issue, renew or replace a driver's license, a driver's permit, or an identification card. If a document is issued to an individual that is not a legal citizen, the expiration date of the document will be the date the individual is no longer authorized to stay in the U.S. or until one year from the issuance of the document. ODOT must also verify the legitimacy of the documents submitted for proof of legal presence. For example, SSNs must be verified by the Social Security Administration as valid and belonging to the individual presenting the SSN. The bill also identifies the documents that are acceptable for establishing legal presence. In addition, the bill allows ODOT to raise fees to pay for these additional requirements for the issue of documents. The bill also requires ombudsman services to assist applicants in meeting documentation requirements.

The requirement to verify the validity of legal presence documents is a labor intensive proposition. ODOT will be able to verify the validity of Social Security Numbers through the Social Security Administration's Social Security Online Verification (SSOLV) and the validity of immigration documents through the Department of Homeland Security, Systematic Alien Verification for Entitlements (SAVE). There are no other national systems to verify the validity of passports, birth certificates or the various other documents that may be required as proof of legal presence. Until there is a national system, legal presence documents will need to be manually processed to confirm their validity. ODOT proposes a visual check of documents to determine their validity, until automated systems are available for checking the validity with the issuing entity. ODOT will verify documents with issuing agencies when secure electronic verification systems are viable on a national level.