
MEMORANDUM

Legislative Fiscal Office
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To: Transportation and Economic Development Subcommittee

From: Linda Gilbert, Legislative Fiscal Office
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Date: April 18, 2013

Subject: Senate Bill 833-A
Public Hearing and Work Session Recommendations

Senate Bill 833-A provides for creation of a driver card, subject to the same statutes and procedures as driver licenses and permits except for not requiring proof of legal presence in the United States. The measure specifies:

- eligibility requirements for driver card
- features that must appear on the driver card
- ways in which driver card may be used as identification
- fees for driver card.

The measure is effective January 1, 2014. In 2013-15 its implementation expense is calculated at \$4,807,505 Other Funds. The fund source is fees paid for the driver cards. In the first biennium, the work of setting up systems and managing an expected backlog of demand as well as current applicants will require 6 permanent (5.50 full-time equivalent) and 58 limited duration positions.

There are two amendments before the Subcommittee.

The -A12 proposed amendment corrects a reference to “license or permit” in Section 2 of the bill, clarifies that a person who has not been issued a Social Security Number can provide a statement to that effect in lieu of the number, and specifies the reinstatement fees applicable to driver cards for reinstatement of driving privileges that have been suspended, revoked or delayed. It also corrects a subsection reference in Section 6 of the bill.

Motion #1: Move the -A12 amendment to SB 833-A.

The -A13 amendment provides expenditure limitation associated with the bill for ODOT Driver and Motor Vehicles Services division. It adds a section to the bill and is not in conflict with the -A12 amendment.

Motion #2: Move the -A13 amendment to SB 833-A.

Measure as Modified

The measure, as amended, is recommended to be moved to the full Committee on Joint Ways and Means.

Motion #3: Move SB 833-A to the full committee with a “do pass, as amended” recommendation.

Joint Committee on Ways and Means

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

Revenue:

Fiscal:

Action:

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

Prepared By: Linda Gilbert, Legislative Fiscal Office

Meeting Date: [Full Committee Meeting Date]

WHAT THE MEASURE DOES: Directs the Department of Transportation to issue driver card, which is to be subject to same statutes and procedures as driver licenses and permits save for not requiring proof of legal presence in the United States. Outlines eligibility requirements for driver card. Specifies features that must appear on driver card. Specifies ways in which driver card may be used as identification. Specifies fees for driver card.

ISSUES DISCUSSED:

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EFFECT OF COMMITTEE AMENDMENT: The -A12 proposed amendment corrects a reference to “license or permit” in Section 2 of the bill, clarifies that a person who has not been issued a Social Security Number can provide a statement to that effect in lieu of the number, and specifies the reinstatement fees applicable to driver cards for reinstatement of driving privileges that have been suspended, revoked or delayed. It also corrects an incorrect subsection reference in Section 6 of the bill, and amends ORS 802.200 consistent with the provisions of the bill.

The –A13 amendment adds limitation and position authority to ODOT’s budget.

BACKGROUND: Senate Bill 1080 (2008) codified in statute a requirement created by Governor Kulongoski’s Executive Order 07-22 requiring verification of Social numbers (SSNs) of applicants for driver licenses, driving permits and identification cards issued by the Driver and Motor Vehicle Services Division (DMV) of the Oregon Department of Transportation (ODOT). Senate Bill 1080 instituted the requirement that applicants provide proof of U.S. citizenship or lawful presence in the United States, and an SSN or proof of eligibility for an SSN, to be licensed or permitted to operate a motor vehicle on state highways. The 2008 law was enacted to comply with requirements of the federal Real ID Act; that Act permitted states to issue other types of driving licenses and permits, provided that they are clearly marked as invalid for federal identification purposes.

Senate Bill 833-A directs ODOT to create and issue a driver card that is subject to all statutes and procedures that govern driver licenses and driver permits, with the exception that the driver card does not require the applicant to prove they are legally present in the United States. The driver card is to be valid for four years. The driver card must not indicate that it is a license or permit and must include a distinguishing feature to identify it as a driver card. A driver card would not be usable for identification purposes except to designate that the individual is an organ donor, an emancipated minor, a veteran, or to establish identity for civil proceedings or missing person investigations.