

3 pm Tues.

Petition to Protect Existing Oregon Licenses and ID Cards

The undersigned petitioners respectfully ask the Oregon legislature to pass, and Governor Brown to sign, emergency legislation shielding existing Oregon driver licenses and ID cards from invalidation by changes to federal immigration policy. We understand that such action will not alter federal Real-ID requirements. Our concern is that current Oregon license and ID holders be able to get to school, work, and medical care, get groceries for their families, get to appointments and hearings, and continue to be productive members of the Oregon community.

A draft bill is attached in the hope that it can be passed as a separate bill or incorporated into another bill such as SB 1538, "relating to driving privileges," during the current session. We understand that you have a full plate, but this action is most urgently needed.

Respectfully,

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Draft bill or bill amendment to confirm and continue existing driver licenses and ID cards without regard to changes in federal immigration policy after issuance.

previously-provided proof shall be sufficient evidence of continuing legal presence in the absence of countervailing proof. Declares an emergency and becomes effective and operative upon passage.

WHAT THE MEASURE DOES NOT DO:

Affect Real ID compliance or implementation:

The draft measure does not put the State of Oregon out of compliance with the Federal Real-ID Act of 2005 (P.L. 109-13). As stated in the federal Department Homeland Security FAQ's on Real ID (attached), compliance by states is "voluntary" in the sense that there is no direct mandate. Rather, the Real ID statute operates by requiring Real ID documentation for border crossings, air travel, and access to federal facilities such as military bases.

Oregon Laws 2018, Chapter 568 (SB 374) was passed last session to bring the state into compliance with the federal statute. It provides for issuance of driver licenses, permits, and identification cards marked with "a distinguishing feature," typically a star in the upper right corner, to persons who meet federally-prescribed evidentiary requirements. Chapter 568 provides for a two-tiered licensing system, with one tier complying with the Real-ID Act, and the other tier continuing with Oregon's existing requirements. Chapter 568 was adopted with an emergency clause and is currently "effective," but its implementation requirements do not become "operative" until July 1, 2020, which is Oregon's extended deadline for implementation. Licenses remaining in force at that time will not become Real-ID without full compliance with Chapter 568.

Otherwise affect existing Oregon law:

The measure does not change existing Oregon statutes or administrative rules governing issuance, renewal, suspension, and revocation of driver licenses, driver permits, and identification cards.