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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4785

04/08/2022 Authored by Hornstein and Masin The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act
1.2 relating to motor vehicles; requiring the commissioner of public safety to establish
1.3 the Undocumented Immigrant Drivers' Licenses Task Force; repealing the
1.4 requirement of lawful presence to obtain a driver's license; requiring a report;
1.5 repealing Minnesota Statutes 2020, section 171.015, subdivision 7; Minnesota
1.6 Rules, part 7410.0410, subparts 1, 7.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. UNDOCUMENTED IMMIGRANT DRIVERS' LICENSES TASK FORCE.

1.9 (a) The commissioner of public safety must convene a task force to study the issue of
1.10 issuing drivers' licenses to undocumented immigrants. The commissioner must appoint
1.11 members to the task force to represent various points of view and expertise. The task force
1.12 must:

1.13 (1) study the feasibility of establishing a new type of driver's license that would allow
1.14 undocumented immigrants to drive legally in the state without granting any other rights or
1.15 privileges;

1.16 (2) study the feasibility of requiring domestic and foreign documentation to prove an
1.17 applicant's identity and residence in the state, including what types of documents may be
1.18 required and how the documents should be verified;

1.19 (3) assess the feasibility, including the cost, of developing a process for the department
1.20 to accept required documents that have been verified by a foreign embassy or other foreign
1.21 national representative within the United States;

1.22 (4) review laws and policies adopted by other states relating to drivers' licenses for
1.23 undocumented immigrants;

2.1 (5) assess the extent to which immigrants, regardless of immigration status, are unable
2.2 to obtain drivers' licenses because of the inability to provide the documentation required to
2.3 apply for a driver's license;

2.4 (6) quantify the extent to which undocumented immigrants actually drive in the state
2.5 and quantify the impact to the state's economy attributable to these individuals;

2.6 (7) examine issues of safety on the roads of the state related to individuals driving without
2.7 valid drivers' licenses; and

2.8 (8) make recommendations to the legislature regarding whether the state should issue
2.9 drivers' licenses to undocumented immigrants and, if so, the requirements and processes
2.10 for doing so.

2.11 (b) The commissioner must report to the chairs and ranking minority members of the
2.12 legislative committees with jurisdiction over transportation policy and finance by January
2.13 15, 2023. The report must include a summary of the activities of the task force and any
2.14 recommendations to the legislature.

2.15 Sec. 2. **REPEALER.**

2.16 (a) Minnesota Statutes 2020, section 171.015, subdivision 7, is repealed.

2.17 (b) Minnesota Rules, part 7410.0410, subparts 1 and 7, are repealed.

2.18 Sec. 3. **EFFECTIVE DATE.**

2.19 This act is effective the day following final enactment.

171.015 DRIVER'S LICENSE DIVISION.

Subd. 7. **Rulemaking limitation.** (a) Notwithstanding any law to the contrary, the commissioner is prohibited from adopting any final rule that amends, conflicts with, or has the effect of modifying requirements in Minnesota Rules, parts 7410.0100 to 7410.0800.

(b) This subdivision does not constitute authorization for the commissioner to adopt rules absent authority otherwise provided by other law.

7410.0410 PROOF OF RESIDENCY.

Subpart 1. **Proof of residency required at time of application.** Proof of residency is required at the time of application for an initial driving permit, driver's license, or state identification card. The applicant must attest to a residence address in Minnesota and demonstrate proof of either lawful short-term admission to the United States, permanent United States resident status, indefinite authorized presence status, or United States citizenship.

Subp. 7. **No lawful admission status.** The department shall not issue a driver's license, permit, or identification card if an individual has no lawful admission status to the United States.