



# SAFE ROADS ACROSS THE TRI-STATE AREA:



## The Case for Expanding Access to Driver's Licenses in New York and New Jersey

### Executive Summary

A growing wave of twelve states, plus the District of Columbia and Puerto Rico, has passed laws that make driver's licenses accessible to all eligible residents, regardless of immigration status. In states where driver's licenses are available to all residents, such as neighboring Connecticut, clear and compelling evidence demonstrates these policies ensure safer roads, boost state revenues, provide more economic opportunities for working people, and help keep immigrant families together. Data also show that after states adopt driver's license policies, road safety for all drivers improves dramatically. New York and New Jersey policymakers are currently considering driver's license policies that would make an estimated 752,000 undocumented immigrants over the age of 16 in New York and 444,000 undocumented immigrants in New Jersey newly eligible to apply for driver's licenses.<sup>1</sup> An estimated 265,000 undocumented New Yorkers and 222,000 undocumented New Jersey residents are expected to take advantage of this program in the first three years.<sup>2</sup> According to recent estimates by the Fiscal Policy Institute, New York stands to gain \$57 million in annual revenue from car registrations, sales gas and vehicle use taxes, as well as a one-time increase of \$26 million from New York residents acquiring driver's licenses and registrations.<sup>3</sup> New Jersey Policy Perspectives finds that New Jersey state could earn at least \$90 million in annual

revenue, and about \$21 million from permit, title fees, and driver's license fees for the first three years of implementation.<sup>4</sup>

Beyond public safety and economic benefits, this policy will also make undocumented immigrants less vulnerable to detention and deportation stemming from traffic violations. Currently, immigrants without licenses, who drive to work or take their children to school, live in fear that their families will be torn apart if they are stopped while driving without a license. This fear is not unfounded. In recent years, immigrants with traffic violations have been the fastest-growing group of people facing deportation. Ensuring driver's licenses are available to qualified drivers, regardless of immigration status, is one of the most effective ways policymakers can reduce the number of people caught in the Trump administration's deportation dragnet. By adopting these policies, New York and New Jersey can demonstrate a commitment to supporting all residents, regardless of immigration status, while increasing road safety and promoting economic opportunities in the tri-state area.



## Introduction

In many parts of New York and New Jersey, people's livelihoods depend heavily on being able to drive. From commuting to work to taking their children to school, driving is a crucial part of daily life for many people living in both states. Unfortunately, many New York and New Jersey residents cannot obtain a driver's license because they do not meet the immigration status requirements for driver's licenses. In practice, this excludes hundreds of thousands of undocumented immigrants from obtaining the driver's licenses they vitally need.<sup>5</sup>

As a result, undocumented immigrants who need to drive often do so without a license and without the protection of insurance. While previous research has shown that undocumented immigrants are especially careful drivers, they are even safer when they have a state issued driver's license.<sup>6</sup> Highways are safer when every driver on the road is licensed and has passed a driving test; licensed drivers are less likely to be involved in a fatal car accident.<sup>7</sup>

Expanding access to licenses not only improves the safety of our roads, it also improves the economic well-being of immigrant families. A Temple University survey of immigrant drivers found that not having a license negatively impacts financial well-being: nine out of ten immigrants without licenses were forced to take work that paid less or provided fewer hours. Eight out of ten immigrants without licenses had difficulty renting housing or had to give up educational opportunities.<sup>8</sup> More broadly, restricting access to driver's licenses limits state and local tax revenues. New York and New Jersey are losing millions in annual revenue the states would receive from car registrations, as well as sales, gas, and vehicle use taxes. Driver's license policies also reduce insurance premiums for everyone which presents a cost-savings opportunity.<sup>9</sup>

Recognizing that expanding access to driver's licenses is a smart public policy that makes roads safer, boosts state and local economies, and improves the lives of immigrants and their families, a growing wave of twelve states, plus the District of Columbia and Puerto Rico, has passed laws making driver's licenses accessible to all residents, regardless of immigration status.<sup>10</sup> New York and New Jersey are considering similar policies which, if passed, would significantly improve highway safety and economic opportunities in the tristate area.

**An estimated 752,000 undocumented immigrants over the age of 16 in New York and 444,000 immigrants in New Jersey would be newly eligible to apply for driver's licenses if they become accessible to all residents, regardless of immigration status.**<sup>11</sup> An estimated 265,000 undocumented New Yorkers and 222,000 undocumented

New Jersey residents are expected to take advantage of this program in the first three years.<sup>12</sup>

Making driver's licenses available to all residents will ensure safe roads, increase state revenues, provide residents more financial opportunities, and help keep families together. Research on the growing number of states around the country with driver's license policies offers clear and compelling evidence of the positive ripple effects resulting from these policies.



### **"I'm undocumented and no longer start trembling when I'm driving and see a police car."**

I use my car a lot. I use my car to go to many places including dropping off and picking up my grandchildren from school and attending community activities with Make the Road Nevada. Since I now have a driver's authorization card, I feel safe. I'm undocumented and no longer start trembling when I'm driving and see a police car. I don't have that fear anymore. I came with my two kids from Mexico over twenty years ago. I was given a job opportunity at a Taqueria in Nevada. Back then, I did not have a car, so I had to take two buses to go to my job and back, three hours each way. Yes, my commute was six hours. We worked eight hour work days and I'm not mentioning the time that it took me to leave my children at a daycare. We did a penitence every day! Our lives changed when my sisters and I were able to purchase a car, we reduced our total commute time to one hour. The car and being able to drive is not a luxury; it's a necessity. Thankfully, we have this driver's authorization card four years now in Nevada and all people can drive.

**ROSARIO MORENO**, Member of Make the Road Nevada

## Licensed Drivers Improve Public Motor Safety

Highways and roads are safer when all drivers have been tested, licensed, and insured. Data shows that after states adopt driver's license policies, the number of licensed drivers on the road increases significantly while the number of serious traffic accidents falls.<sup>13</sup>

### After New Mexico provided all of its residents access to driver's licenses in 2003, the state saw huge decreases in uninsured vehicles and traffic accidents:

- Uninsured vehicles decreased by 24%
  - By 2011, only 9% of all vehicles were uninsured.
- Traffic fatalities fell by 23%<sup>14</sup>

### Drivers with licenses are less likely to 1) leave the scene of an accident, and 2) be involved in a fatal car accident.

While undocumented immigrants are especially careful drivers, they are even safer when they have access to a state issued driver's license.<sup>15</sup> According to a Stanford study on the impact of California's drivers license policy in 2015, during the first year the policy was in effect:

- Hit-and-runs in California fell by 10% in the year immediately after the policy was adopted.
  - That amounted to 4,000 fewer hit-and-runs in the state.

- Drivers in California also saved \$3.5 million in out-of-pocket expenses for car repairs.
- \$17 million in costs were transferred to at-fault drivers, and their insurers, in the first year—in other words, the people responsible for the accident, and their insurers, paid for repairs instead of the people who had been hit and their insurers.<sup>16</sup>

According to the California insurance commissioner, in the first year after the California bill passed, 200,000 additional cars were insured as a result.<sup>17</sup>

### Connecticut has seen improvements in road safety that echo positive trends in other states:

In 2014, Connecticut made driver's licenses available to all eligible state residents, regardless of immigration status. While the Connecticut state government did not compile hit-and-run crash data before 2015, analysis of state data over the last two years point to positive trends since the policy took effect:

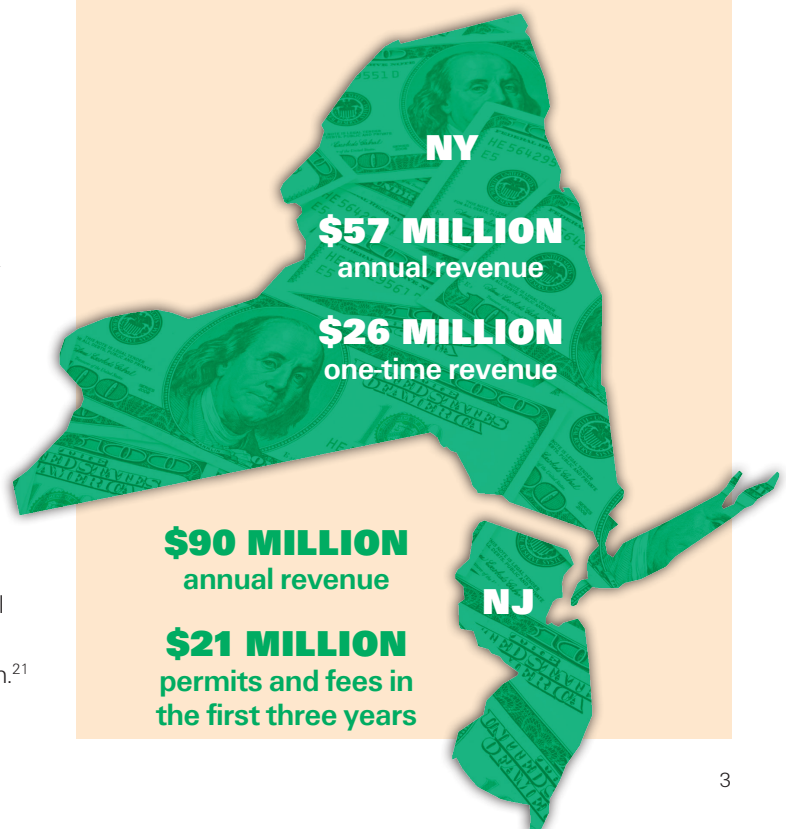
- Between 2016 and 2018, hit-and-run crashes in Connecticut dropped by 9%.
- In Hartford, CT where roughly 2,000 newly trained and licensed drivers are covered by the policy, the number of hit-and-run crashes has fallen by 20% since 2016.<sup>18</sup>

## Increased Access to Driver's Licenses Boosts State Revenues While Creating Economic Opportunities for Families

**Driver's license policies pay for themselves:** Expanding access to driver's licenses in New York and New Jersey would generate additional revenue that would more than cover the states' Department of Motor Vehicles (DMV) implementation costs.<sup>19</sup>

### In fact, access to driver's licenses would give New York and New Jersey millions in new annual revenue:

- According to a recent analysis by the Fiscal Policy Institute, if New York adopted a driver's license policy, over three years of implementation the state would generate an estimated "\$57 million in annual revenue and \$26 million in one-time revenue."<sup>20</sup> This revenue would result from more New York residents acquiring driver's licenses, new cars, registrations, as well as sales and gas taxes.
- Analysis by New Jersey Policy Perspective finds a driver's license policy would contribute at least \$90 million in annual revenue, and about \$21 million from permit, title fees, and driver's license fees for the first three years of implementation.<sup>21</sup>



**Connecticut’s successful program indicates that state revenues can offset modest implementation costs:**

In the four years since the state passed a driver’s license policy, Connecticut’s DMV has collected \$7.5 million in license fees. While the state did not report how much of this revenue stemmed from newly licensed drivers, these revenues likely offset the modest \$300,000 the state spent to initially launch the license program.<sup>22</sup>

**Driver’s licenses provide immigrants with economic opportunities that enable their families to thrive:**

Not having a license often prevents immigrants from finding reliable and well-paying work. It is not surprising, then, that accessing a driver’s license brings financial security and economic opportunities for working families. Immigrants who can legally drive are more likely to secure employment opportunities and also see increased earning potential.<sup>23</sup> Access to a car and reliable transportation results in higher employment rates (an increase of 17%) and higher hourly wages (an increase of 11%).<sup>24</sup> Unemployed people who secure a license are better able to find jobs while employed individuals are more likely to secure jobs with higher wages. When more people enter the workforce and workers earn higher wages, this also increases state and local tax revenues and boosts economic activity. Previous studies have shown that licensed drivers have more purchasing power and are more likely to purchase homes, cars, and large items like household appliances.<sup>25</sup> For instance, a 2017 Fiscal Policy Institute report estimated that 97,000 cars would be purchased and registered in New York state if a driver’s license policy was passed.<sup>26</sup>

**Cost-Savings to All State Residents:** Driver’s license policies not only improve road safety and boost state and local tax revenue. By reducing the number of uninsured motorists and decreasing car crashes, these policies reduce insurance premiums for everyone.<sup>27</sup> Based on prior studies, auto insurance premiums would likely go down in New York and New Jersey if a driver’s license policy to include all state residents was adopted.<sup>28</sup>



**New Jersey Small Business Owners Call for Driver’s License Policy**

As immigrant small business owners, we are the backbone of Main Streets across New Jersey. We work hard to build a business that provides a service to our community and good jobs. We urge our elected officials to support small businesses and to take steps to expand the spending power of our immigrant communities. For example, by expanding access to driver’s licenses to New Jersey residents, regardless of status, more immigrants will be able to participate in our economy and support their families.”

**ABRIL AND ALFONSO HERNANDEZ,** owners of Ay Chihuahua in Passaic, NJ and members of Make the Road New Jersey



## Ensuring Access to Driver's Licenses Will Help Keep Immigrant Families Together

Increasingly, Immigration and Customs Enforcement (ICE) relies on local law enforcement agencies to facilitate mass deportation. This reliance ranges from using local jails to incarcerate people suspected of immigration violations, to sending ICE officers into jails to find people to take into custody, to combing through booking data from local law enforcement agencies to identify anyone with potential immigration issues. Traffic stops are the most common type of police interaction, and a traffic stop can result in a person being arrested, booked, having their fingerprints taken and sent to the databases that ICE relies on to find people to detain and deport.<sup>29</sup> A traffic stop can result in a person being targeted by ICE for detention and deportation, regardless of whether a traffic stop was justified in the first place or whether that stop results in a conviction. Between 2004 and 2014, immigrants with traffic violations were the fastest-growing group of people facing deportation.<sup>30</sup>

This means people not only risk the penalties associated with driving without a license if they are stopped by law enforcement, but also face the possibility that a traffic stop could lead to detention by ICE and even deportation. People who are prevented from obtaining driver's licenses are therefore forced to choose whether showing up for work or school, providing and caring for their loved ones, and participating fully in the life of their community are worth the possibility of being permanently separated from those loved

ones and exiled from that community. Repeatedly facing these choices and risks makes daily life fraught with fear and anxiety.<sup>31</sup>

State and local governments, pushed by the immigrant communities they serve, are increasingly pushing back against the Trump administration's aggressive and discriminatory enforcement practices by enacting policies that limit local cooperation with federal immigration enforcement.<sup>32</sup> However, because the FBI automatically shares fingerprints of arrested persons with DHS, ICE can identify and arrest non-citizens (and sometimes citizens) even in jurisdictions that have taken steps to limit the reach of ICE into their communities. For example, in New Jersey—where there are a variety of state-, county-, and city-level policies limiting collaboration between ICE and local law enforcement—ICE arrests increased by 43%, from 2,315 in 2016 to 3,311 in 2017. This is almost double the national increase of 23%.<sup>33</sup> It is therefore crucial for jurisdictions that want to protect immigrant communities from raids, incarceration and deportation to not focus only on the way laws are enforced, but to also change state and local laws to prevent people from being funneled into the deportation pipeline. **Ensuring that driver's licenses are available to undocumented residents is one of the most effective ways for policymakers to reduce the number of immigrants who are vulnerable to the Trump administration's deportation dragnet.**

### “I have stopped driving, out of fear of being separated from my daughter.”

I was born and raised in Mexico. I've lived in Staten Island since 2005. I am a single parent of a 12-year-old girl. While in Mexico, I was able to drive for a number of years. Once I arrived in New York, I realized I was no longer able to do so due to my immigration status.

Two years ago, I got a call from my daughter's school while I was at work. It was the school nurse calling to let me know that my daughter was not feeling well. Since I don't have a vehicle, I told a friend what was happening with my daughter and he lent me his car to pick her up from school and take her to the hospital.

On my way to the hospital, I got stopped by an NYPD officer and right away was asked for my license. I remembered feeling afraid of being arrested for driving without a license, but while looking at my daughter through the rear-view mirror, I tried to muster the courage to face the situation and told the officer that I did not have one. The officer then asked me why I was driving without a license, and I explained I did not have a choice, as my daughter was sick and needed to go to the hospital. The policeman did not believe me and opened the back door to see if my daughter was sick. Once he saw my daughter lying in the seat, he closed the door and said, “You are lucky that you are taking your daughter to the hospital. If not, I would have arrested you.” Now I have stopped driving, out of fear of being separated from my daughter.

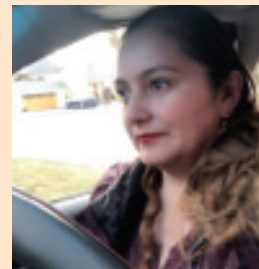
There's a constant need to drive for working people like me, especially here in Staten Island. For example, for awhile I was working in a construction job where I earned good money. But I had to leave it because it was too difficult to carry the large box of tools without a vehicle. At the moment, I am working in a place closer to home receiving a much lower salary. It doesn't make sense that I have to limit my employment options because I cannot access a driver's license.

**DAVID VERGARA**, Member of Make the Road New York



## “My life changed when I was able to get my driver’s license. Now I can take my children to school, go to work, and spend more time with the family without fear.”

My name is Rosa Romero, and I’m from Ecuador. I have been living in the United States for five years, lived in Newark, NJ for three years and now live in Bridgeport, CT for two years. I am the head of the household. I have three children who go to Bridgeport schools. As a single mother, I have always worked hard to give my children the best I can.



When I lived in New Jersey, it was very difficult to travel to work and at the same time to be with my children. I had two jobs, and it really made it very difficult for me to spend more time with my children as a family and participate in their school activities. I had to move to Connecticut because I knew that I will be able to offer more time to my children as well as to be able to work. I found a job here in Connecticut, where instead of using public transportation I drive, and that gave me the opportunity to be able to spend more time with my family.

When I moved to Connecticut, I knew I could get my driver’s license, so that was going to help me with the problem of spending so much time on public transportation. When I was in New Jersey, I really wanted to drive so I could spend more time with my family, but I knew that I could not do it because I was afraid of my immigration status. Fear that the police can stop me, arrest me, and separate me from my family.

My life changed when I was able to get my driver’s license. Now I can take my children to school, go to work and spend more time with the family without fear. Being able to have a driver’s license makes me feel safe and free. Now I know that if at some point the police stops me and I have not committed any infractions, I know what my rights are and I can enforce them. Also I believe that being able to have a license helps the economy. I paid the process to get my driver’s license; then I was able to buy a car; I paid the car taxes and this is a benefit for the state.

**ROSA ROMERO**, Member of Make the Road Connecticut

## A Path Forward

Making driver’s licenses available to all residents improves highway safety, raises state revenues, offers immigrants financial opportunities, and helps keep families together. In light of the report findings, policymakers in New York and New Jersey must take immediate steps to:

### **Pass a comprehensive policy to enable all state residents to access driver’s licenses.**

- This policy would require proof of identity, age, and demonstrated fitness as a driver by passing the same driving test as all other state drivers.
- This policy would also build in privacy protections to safeguard the information for those who apply for a license, as well as protection from discrimination for legal status.

By passing these policies, New York and New Jersey can demonstrate their commitment to supporting all residents, regardless of immigration status, while increasing road safety and improving state and local economies in the tri-state area.

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## Endnotes

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