



Office of  
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Commonwealth of Massachusetts

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## **Rep. Kane opposes bill to provide Mass. driver's licenses to undocumented immigrants**

**BOSTON** – State Representative Hannah Kane (R-Shrewsbury) recently opposed legislation that would allow undocumented immigrants to obtain a Massachusetts driver's license, citing concerns about the proposal's fairness and enforcement and questioning proponents' claims that it will enhance public safety.

House Bill 4461, *An Act relative to work and family mobility*, was approved by the House of Representatives on a vote of 120-36 on February 16, with Representative Kane voting no. The bill still requires the approval of the Senate and Governor Charlie Baker, who has repeatedly expressed his concerns with the proposal.

Under the bill, individuals who cannot provide proof of lawful presence in the United States would be given an avenue to obtain a non-REAL ID compliant Massachusetts driver's license, provided they can produce sufficient documentation to verify their identity with the Registry of Motor Vehicles. Such documentation can include a valid unexpired foreign passport or Consular Identification document, as well as a valid unexpired foreign national identification card or foreign driver's license.

Representative Kane said House Bill 4461 sends the wrong message by essentially rewarding individuals who are not in the country legally, adding that it is unfair to those individuals who have followed the law to secure lawful presence status or citizenship. She also raised concerns about ensuring that individuals applying for a license are who they say they are, and are not using forged documents, echoing Governor Baker's concerns that the proposal is problematic given that "a driver's license is a passport to a lot of things" and maintaining that driver's licenses should be restricted to citizens and to those who can prove their lawful presence in the country.

Proponents of the bill have argued that it will not only allow the estimated 185,000 undocumented immigrants living in Massachusetts to obtain a driver's license, but also will encourage these individuals to insure their motor vehicles, generating additional revenue for the state. Representative Kane said she is skeptical of these claims, noting that many individuals may not come forward because they distrust the government and will continue to drive without a license or insurance, or simply will not want to pay the added costs of insuring their car.

Representative Kane backed an alternative proposal, submitted via an amendment filed by Representative Shawn Dooley (R-Norfolk), that would instead allow undocumented residents to apply for a state-issued "driver privilege card" (DPC) to legally operate a motor vehicle in Massachusetts. Under this proposal, applicants would be required to complete a comprehensive driver education and training course, provide proof of payment of all state and federal taxes as well as employment, and submit sufficient documentation verifying their name, date and place of birth. It also establishes minimum levels of auto insurance coverage for DPC holders, and specifically states that these individuals will not be allowed to vote in any local, state or federal election. The amendment was defeated on a voice vote.

House Bill 4461 prohibits the Registrar of Motor Vehicles from inquiring about an individual's citizenship or immigration status when processing an application for a driver's license or a motor vehicle registration or renewal. The bill also prohibits the Registrar from disclosing information about an applicant, unless it is authorized through regulations that will be developed by the attorney general.

Representative Kane supported a pair of amendments filed by House Republican Leadership that would require the Registrar to provide information on an applicant under specific circumstances, including to a city or town clerk seeking to verify the identity and eligibility of any individual using a Massachusetts license to vote or to register to vote, or to a state law enforcement agency requesting information pursuant to an investigation. Both amendments were defeated on votes of 31-125.

House Bill 4461 now heads to the Senate for its consideration.

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