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Chairman Triston Cole
Members of the Committee
House Transportation and Infrastructure
House Office Building, Lansing, MI
Lansing, Michigan, 48933

March 12, 2018

Re: House Bills 5686 and 5687

Dear Chairman Cole and Members of the House Transportation and Infrastructure Committee,

On behalf of the Michigan Immigrant Rights Center, a nonprofit legal resources center for Michigan's low-income immigrants and farmworkers, I am writing to express our opposition to House Bills 5686 and 5687.

The first "change" these bills propose is duplicative and unnecessary under the current statutory framework and implementation by the Secretary of State. The bill claims to limit the period for which an individual can be issued a license to four years, or when the individual is no longer considered legally present, whichever is first. This limitation already exists in word and practice. MCL 257.314(1) already requires that licenses be issued for a period no longer than a person is legally present.¹ For the past decade, it has been the practice of the Secretary of State to only issue licenses for a period corresponding to someone's legal presence.

The second piece of these bills requiring visual marking of driver's licenses and state identification cards, is highly problematic. First, it is bound to lead to inaccurate designations. The bills propose that markings will indicate they are "issued for a term that expires on the date the individual is no longer considered to be legally present..." In many cases, an individual will renew his or her immigration status sometime after obtaining a license or ID, and so will have legal presence past the date on the license. While they may then renew their license or ID, current wait times for reverification of new immigration documents using the USCIS SAVE system can take a month or longer. These individuals would be left with licenses or IDs that indicate they aren't legally present, when in fact, they are.

Additionally, any designation that an individual is a noncitizen or reference to a person's legal presence, is bound to lead to discrimination, raise the potential for racial profiling, and harm public safety. This type of marking on state licenses and identifications would send a message

¹ "Except as otherwise provided in this section, operator's licenses and chauffeur's licenses expire on the birthday of the person to whom the license is issued in the fourth year following the date of the issuance of the license or on the date the person is no longer considered to be legally present in the United States under section 307, whichever is earlier, unless suspended or revoked before that date." MCL 257.314(1)



that certain Michigan residents have second-class status that could lead landlords, banks and other businesses, as well as a wide range of public services providers, to treat noncitizen residents differently. These markings could create confusion for local law enforcement, who may take it as signal that a person lacks immigration status, or otherwise question their identity, which can lead to arrest and in some cases deportation. Fear of such situations in the immigrant community is always greatly harmful to local law enforcement's ability to maintain trust with the communities they serve. It could also discourage some drivers from obtaining a marked license, or from presenting an expired license or identification when needed. Marked licenses can also create great difficulty for individuals when traveling to other states, where they may experience unchecked discrimination. This would be especially problematic for Michigan's migrant farmworkers.

These bills propose to solve a problem that does not exist. We urge this committee to consider the duplicative nature of these bills, and the multiplicity of issues they would create, while providing no apparent benefit to public safety.

Sincerely,



Anna M. Hill
Attorney
Michigan Immigrant Rights Center